

Maternity Policy

Statement and Purpose of the Policy

Serenta Homecare recognises and respects the rights of expectant and recent mothers to take time away from work in connection with their maternity and childbirth. No one will be subjected to a detriment for exercising their right to take maternity leave in accordance with this policy or for seeking to do so.

The purpose of this policy is to ensure that employees and managers are clear about entitlement to maternity leave, the process that should be followed for arranging leave and the terms that apply during and after maternity leave.

This policy is intended to summarise your statutory rights. If there is a contradiction between this policy and the statutory maternity leave entitlement that apply at any time, this policy shall be deemed to be amended, as necessary, to comply with legislative requirements.

This is a statement of policy only and does not form part of your contract of employment. We may amend this policy at any time, in our absolute discretion.

1. Definitions

In this policy we will use the following definitions:

- **Expected Week of Childbirth:** the week, starting on a Sunday, in which your doctor or midwife expects you to give birth.
- **Qualifying Week:** the fifteenth week before the expected week of childbirth.

2. What is Maternity Leave and Who is Eligible to Take It?

Maternity leave is the right for qualifying employees to take up to 52 weeks of leave in connection with their pregnancy and/or birth of their child (the first 26 weeks are ordinary maternity leave and the next 26 weeks are additional maternity Leave). Pregnant employees also have the right to time off work for antenatal appointments.

To be eligible for maternity leave you must:

- Be an employee
- Be pregnant at qualifying week
- In general, comply with the notification requirements set out in this policy.
- The right to take maternity leave is not dependant on your length of service, although to qualify for statutory maternity pay, you must have at least 26 weeks of service at the Qualifying Week.

- If your child is born after 4th of April 2015, you can take shared parental leave instead of your full entitlement of maternity leave. For details about shared parental leave you should contact the Registered Manager for a copy of Serenta Homecare Shared Parental Leave Policy.

3. Giving Notice of Your Pregnancy

In all cases, Serenta Homecare requests that you tell your line manager as soon as possible that you are pregnant so that we ensure we comply with any health and safety requirements.

You must tell us before the end of the qualifying week, or as soon as reasonably practicable afterwards, that you are pregnant, the dates of your expected week of childbirth and when you would like your maternity leave to start. The Company will respond in writing within 28 days, confirming the date on which you are expected to return to work if you take your full 52-week entitlement to maternity leave.

You must also confirm your expected week of childbirth by providing us with a certificate from a doctor or midwife (this will usually be on a MAT B1 form).

4. Antenatal Appointments

During pregnancy, you may take time off from work to attend antenatal classes. Please give as much notice as you can of your intention to take time off. If you haven't already given us a certificate of your pregnancy from your midwife, doctor or health visitor then we will ask you to provide this and an appointment card, except for the first appointment.

5. Health and Safety During your Pregnancy

As well as our normal health and safety duties to all our employees, Serenta Homecare will assess workplace risks specific to pregnant women and those who have recently become mothers and/or are breastfeeding. When you tell us that you are pregnant, we will inform you of any relevant risks that we have identified along with the measures that you and the Company must take to help protect against those risks. In some cases, Serenta Homecare may need to take steps to protect you/ or your unborn child against health hazards that may include having to:

- Change your working arrangements
- Offer you suitable alternative work, on terms and conditions that are the same or not substantially less favourable; or
- Suspend you from duties on full pay (or if you have unreasonable refused suitable alternative work, without pay)

6. Sickness Absence

If you are absent from work because of pregnancy-related sickness then your entitlement to payment will be as for any other period of sickness absence and subject to the same limits and conditions, as set out in your contract of employment/ absence management policy.

Pregnancy related sickness absence will not be taken into account for the purpose of any employment decisions to which sickness absence is relevant.

During the four weeks immediately before your Expected Week of Childbirth, any sickness absence will normally automatically trigger the start of your maternity leave.

7. Starting Maternity Leave

As noted above, you must formally notify Serenta Homecare of the date on which you want to start maternity leave before the end of the qualifying week.

Your maternity leave cannot start earlier than 11 weeks before the expected week of childbirth (unless you give birth prematurely before then). Within 28 days of receiving your notice, we will confirm to you in writing the last date by which you must return from maternity leave.

You can bring forward or postpone the start date of your maternity leave by giving us written notice. You must give the notice at least 28 days before the earlier of (i) the new start date or (ii) the original start date. If it is not possible to give that much notice then you must notify us as soon as reasonably practicable.

Your maternity leave will start on the date notified to us in accordance with this policy unless:

- You give birth before then; in which case your leave will start on the day after the birth and you must give us written notice of the date of birth as soon as possible; or
- You are absent from work for a pregnancy-related reason during the four weeks immediately before the expected week of childbirth, in which case you must tell us as soon as possible in writing and leave will start on the day following the first day of that absence unless we agree otherwise.
- You may not work during the two weeks immediately after giving birth, by law, so your maternity leave period must include these two weeks.
- Near the time when your leave is due to start, we will discuss the arrangements for your maternity cover and the arrangement for keeping in touch with us during your leave, if you wish to do so. During your leave you will continue to receive certain internal communications like job vacancies, social events, training and similar news unless you tell us that you would prefer not to receive these.

8. Maternity Pay

During your maternity leave, qualifying employees will be entitled to receive statutory maternity pay (SMP) for up to 39 weeks. To qualify, you must:

- Still be employed and have at least 26 weeks of continuous employment with Serenta Homecare at the end of the qualifying week
- Provide Serenta Homecare with a doctor's or midwife's certificate (MAT B1 form) confirming the date of your expected week of Childbirth
- Have average earnings during the eight weeks ending with the qualifying week (the Relevant Period) of at least the lower earnings limit for national insurance set by the government; and
- Notify us of your intention to take maternity leave at least 28 days in advance or, if that is not possible, give us as much notice as you can

During the first six weeks of your maternity leave, SMP is paid at 90% of your average weekly earnings calculated over the relevant period. After that, for up to a further 33 weeks, it is paid at a standard statutory rate set annually by the Government. If you are not eligible for SMP you may be entitled to Maternity Allowance (payable by the Government) and will need to complete an MA1 claim form either online or through Jobcentre Plus.

If you are due a pay rise during your maternity leave then this will be deemed to have applied during the Relevant Period, which will have the effect of retrospectively increasing your entitlement to SMP for the first six weeks of your maternity leave. If you have already received your SMP for that six weeks then we will pay you the difference in a lump sum. Otherwise, we will pay your SMP through normal payroll, less tax, National Insurance and any other lawful deductions.

SMP will stop being payable if you return to work (Except where you are simply keeping in touch as described in the 'During maternity leave' section below).

If you leave employment after the start of the Qualifying Week you will still be eligible for SMP from the later of (i) the week following your final week of employment or (ii) the 11th week before the Expected Week of Childbirth.

9. During Maternity Leave

While you are on maternity leave, your normal terms of employment will continue to apply except for your entitlement to pay. In particular, benefits in kind shall continue and you will continue to accrue holiday. The effect of your maternity leave on your pension arrangements depends on the type of scheme in which you are participating and the terms of your participation. For further information on this, speak to the Registered Manager.

Although Serenta Homecare will respect your absence during your maternity leave, Serenta Homecare may need to make contact with you from time to time. In particular, Serenta Homecare will make contact shortly before the maternity leave ends to arrange a discussion with you about the return to work including any training needs, proposed changes to working arrangements or just to update you on developments that have happened in your

absence. If you have any concerns regarding this, you should speak with The Registered Manager.

In addition, if you would like to attend work for training or other reasons during maternity leave (apart from during the first two weeks after childbirth) then you can do so for up to ten days by prior agreement with Serenta Homecare. These are known as “keeping in touch days”. You are under no obligation to do this. Attending work on this basis will not end maternity leave or entitlement to statutory maternity pay. If you would like to discuss this option further, you should speak with the Registered Manager.

10. Expected Return Date

As noted above, Serenta Homecare will confirm in writing the date on which you are expected to return to work after maternity leave within 28 days of you notifying Serenta Homecare about pregnancy and your leave start date. If the maternity leave start date changes for any reason then Serenta Homecare will confirm the revised return to work date to you within 28 days of the start of the maternity leave. If you plan to come back to work on the return date that Serenta Homecare have already confirmed, then you are not obliged to do anything further, although Serenta Homecare would be grateful if you can help the company to plan ahead by confirming during your maternity leave that you will return as expected.

If you wish to return to work earlier than the date Serenta Homecare have notified, then you need to give Serenta Homecare at least eight weeks’ prior notice of the new date and Serenta Homecare request that this is done in writing. If you do not give eight weeks’ notice then Serenta Homecare may postpone your return until the sooner of eight weeks from the date of the notice or the date that you were originally expected to return.

If you wish to return later than the date Serenta Homecare has notified, then you should either:

- Request parental leave in accordance with our Parental Leave Policy, by giving us at least 28 days’ notice; or
- Request to take holiday in accordance with your contract.

If sickness absence prevents you from returning on the planned date then the normal rules relating to sickness absence will apply.

In any other case, later return will be treated as unauthorised absence.

If you decide not to return to work at all then a written notice of resignation in accordance with the terms of your contract of employment is needed. If the maternity leave is due to end before the end of notice period then you may be required to return to work until your notice period expires.

11. When You Return to Work

In general, you will return to work in the same job and on the same terms as if they had not been absent. However, in some cases where you have taken more than six months' leave or any period of parental leave in conjunction with the maternity leave then Serenta Homecare may offer you another suitable role, on terms and conditions that are not less favourable than those that applied before your maternity leave.

If you wish to change your working pattern when you return to work then, you should make a request for flexible working in line with set procedures that are set out in the Company's Flexible Working Policy. Flexible working requests take time to deal with so it's important that you make the request as soon as possible, otherwise you may have to return to work on the basis of prior working patterns until the process of dealing with the request has finished. There is no automatic right to change your hours or work pattern, however, all requests will be considered carefully in line with service needs.

Serenta Homecare will make every effort to provide suitable facilities for you if you are breastfeeding and a further risk assessment will be carried out.

12. Right to Leave on Adoption

Certain employees can take adoption leave, paternity leave or shared parental leave in relation to the adoption of a child. Further details are set out in our Adoption Leave Policy which is available from the Registered Manager.

13. Guide to the General Data Protection Regulation (GDPR)

Serenta Homecare processes personal data when managing employees' rights to maternity leave in accordance with the General Data Protection Regulations.

In particular, data collected as part of this procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of responding to maternity leave requests and managing maternity leave.

Inappropriate access or disclosure of Employee data constitutes a data breach and should be reported in accordance with the General Data Protection Regulations immediately. It may also constitute a disciplinary offence, which will be dealt with under Company's Disciplinary Procedure.

Document Control

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