

UK - Maternity Procedure

Purpose and Scope

This procedure sets out the rights of employees who are pregnant or have recently given birth, including time off for antenatal care and entitlement to maternity leave and pay.

This procedure applies to all employees who are employed by Wood in the United Kingdom. Sections 2.7.1.2 and 2.7.1.3 apply to eligible employees on a Professional Technical contract of employment; no other contract styles are eligible.

This procedure does not form part of an employee's terms and conditions of employment, and the Company reserves the right to amend it at any time.

This procedure will be superseded by the content of any recognised collective bargaining/working rule agreements, site agreements or individual contracts of employment, in the event of there being any difference(s) in arrangements.

This procedure does not apply to contractors, consultants or any self-employed individuals providing services to Wood.

Applicability - United Kingdom

Table of Contents

1.0	Key Roles and Responsibilities	2
2.0	Maternity Leave Procedure.....	2
3.0	References and Supporting Documents	7
4.0	Abbreviations and Definitions	7
5.0	Revision History.....	8
6.0	Author/Checker/Owner.....	8

UK - Maternity Procedure

1.0 Key Roles and Responsibilities

The following roles and responsibilities apply within the context of this procedure.

1.1 Employees

Employees are responsible for ensuring they act in compliance with this procedure.

1.2 Managers

Managers are responsible for ensuring the application and adherence to this procedure.

1.3 Human Resources (HR)

HR will provide support and guidance for the application of this procedure.

2.0 Maternity Leave Procedure

2.1 Entitlement to Ordinary and Additional Maternity Leave

All pregnant employees are entitled to take 26 weeks' ordinary maternity leave (OML) immediately followed by 26 weeks' additional maternity leave (AML). There must be no gap between the leave.

Employees can start their maternity leave at any time from the Sunday at the beginning of the 11th week before their Expected Week of Childbirth (EWC) unless the baby is born prematurely before that date.

Employees can decide how much maternity leave to take. However, employees must take at least two weeks of compulsory maternity leave immediately after their child is born.

2.2 Notice Requirements

Ideally, a pregnant employee should notify their manager or HR of their pregnancy as soon as possible. This will help the Company to address any health and safety concerns in a timely manner and plan appropriately for the employee's maternity leave.

Before the end of the QW, (the 15th week before the EWC), or as soon as reasonably practicable, the employee must:

- notify their manager and HR of the fact that they are pregnant, the date on which they wish their maternity leave to start and the EWC, using the Application for Maternity Leave & Pay Form; and
- provide the Company with a MAT B1 form from their doctor or midwife.

Failure to provide the required notice and MAT B1 form may affect entitlement to maternity leave and pay. The Company will write to the employee within 28 days of receiving their written notice to take maternity leave.

The employee may change their maternity leave start date by providing 28 days written notice. In the case of postponing maternity leave, the employee must inform their manager and HR, in writing, at least 28 days before the original start date or, if that is not possible, as soon as is practicable. If the employee wishes to bring forward their maternity leave start date, they must inform their manager and HR, in writing, at least 28 days before the new start date or, if that is not possible, as soon as is practicable. The Company will then respond, in writing, to the employee's notice to change their maternity leave start date within 28 days of the start date of their maternity leave.

If the baby is born before the intended maternity leave start date, the maternity leave period will start the day after the date of childbirth. To preserve employee rights whilst on maternity leave, the employee must advise their manager and HR, in writing, and as soon as is reasonably practical of the date of childbirth and, if not already provided, their MAT B1 form. The Company will write to the employee within 28 days of receiving notification from the employee.

UK - Maternity Procedure

2.3 Health and Safety

The Company will carry out an individual risk assessment to assess the workplace risks to women who are pregnant, have given birth within the last six months or who are breastfeeding.

The Company will provide the employee with information relating to any risks identified in the risk assessment and any preventative and protective measures that have been or will be taken.

If the Company considers that an employee could be exposed to health hazards in carrying out their normal work, the Company will take such steps as are necessary, and for as long as necessary, to avoid these risks. This may involve temporarily adjusting the employee's working hours, working conditions or offering suitable alternative work on their normal terms and conditions.

If it is not possible to remove the health and safety risk to the employee or their unborn baby, the Company may suspend the employee from work until the risk is removed or until their maternity leave starts. During a period of suspension, the employee will receive their full pay and contractual benefits including car allowance if applicable, unless they have unreasonably refused suitable alternative work. If the employee is suspended from work because of health and safety reasons, the Company may start their maternity leave from four weeks before their baby is due. If the employee's baby is due in less than four weeks, their maternity leave will begin automatically.

For offshore and site-based employees, the Company will seek advice from the Company's occupational health provider about the current medical guidelines for offshore and site-based working which include specific reference to pregnancy.

2.3.1 Pregnancy-related Absence

Pregnant employees who are off work because of pregnancy-related ill health must follow the Company's reporting procedure as set out in the applicable sickness absence procedure.

If an employee is absent from work due to a pregnancy-related illness in the four weeks immediately before the EWC, it may be necessary to refer the employee to the Company's occupational health provider to consider whether maternity leave is to be started automatically by the Company.

Periods of pregnancy-related sickness absence shall be paid in accordance with the employee's terms and conditions of employment.

Periods of pregnancy-related sickness absence from the start of an employee's pregnancy until the end of their maternity leave will be recorded separately from other sickness records and will be disregarded by the Company in any future employment related decisions.

2.4 Time off for Antenatal Care

Employees are entitled to reasonable paid time off during working hours to attend antenatal appointments. This may include relaxation or parent craft classes that their doctor, midwife or nurse has advised them to attend, in addition to medical examinations, screening tests and any midwife appointments.

Employees are to give their manager as much notice as possible prior to appointments and may be asked to provide proof of their appointment booking.

2.5 Complications

The Company appreciates that there are circumstances where a pregnancy or birth may not go as planned and is committed to providing care and support. In such circumstances, the employee should speak to their manager or HR.

2.6 In Vitro Fertilisation (IVF) Treatment

Employees who become pregnant through IVF have the same pregnancy and maternity rights as non-IVF pregnancies.

Entitlement to pregnancy rights begins once the employee has had the last part of the IVF process ('embryo transfer') and might become pregnant. The employee is not obliged to tell the Company at this stage but might find it helpful as the Company could offer support.

UK - Maternity Procedure

2.7 Terms and Conditions during Maternity Leave

While an employee is on maternity leave, all the terms and conditions of their contract of employment, including where applicable, company car/transport allowance, with the exception of normal pay (see 2.6.1) will continue and their continuity of employment will not be affected.

During maternity leave, the employee continues to be bound by the terms and conditions of their employment.

2.7.1 Maternity Pay

2.7.1.1 Statutory Maternity Pay (SMP)

SMP is payable for up to 39 weeks of maternity leave.

The first six weeks is payable at 90% of the employee's average weekly earnings calculated over the relevant period. The remaining 33 weeks is payable at the rate which is set by the government for the relevant tax year, or at 90% of the employee's average weekly earnings (whichever is lower).

To qualify for SMP, the employee must meet the following conditions:

- have been continuously employed for at least 26 weeks at the end of the Qualifying Week (QW) and still be employed by the Company during that week;
- have had average weekly earnings during the eight weeks ending with the QW (the "Relevant Period") not less than the lower earnings limit set by the government;
- have provided the Company with a maternity certificate (MAT B1 form) stating the EWC;
- have stopped working; and
- still be pregnant 11 weeks before the start of the EWC or have already given birth.

Payment of SMP is made on the usual pay date and is subject to tax and National Insurance (NI) deductions.

Employees continue to be eligible for SMP if they leave employment for any reason after the start of the QW.

2.7.1.2 Company Maternity Pay (CMP)

Employees engaged on a Professional Technical contract of employment may be eligible for CMP.

To be eligible for CMP, an employee is required to have at least 52 weeks' continuous employment with the Company by the end of the QW and remain in continuous employment with the Company until the week before commencing maternity leave.

Any CMP due during maternity leave will be paid as follows using average earnings calculated over the calculation period:

- full basic salary during the first 13 weeks of maternity leave;
- half basic salary for the subsequent 13 weeks of maternity leave; and
- the SMP rate will be paid during the subsequent 13 weeks of maternity leave.

CMP includes any entitlement to SMP.

Payment of CMP is made on the usual pay date and is subject to tax and NI deductions.

2.7.1.3 Repayment of CMP

An employee will have no further entitlement to CMP and will be required to repay any received CMP (less any SMP paid) as set out below:

- If the employee advises the Company that they will not be returning to work, or if they do not exercise their right to return to work following OML or AML, the employee will be required to repay 100% CMP paid to them (less any SMP paid).
- If the employee gives, or is given, notice of termination of employment (unless termination is by reason of redundancy or ill health), they will have no further entitlement to CMP and will be required to repay the amounts as set out below within 12 months of returning to work.

UK - Maternity Procedure

Timescale:	Repayment Terms:
Within 6 months	100% CMP paid to employee (less any SMP paid)
Between 6 and 12 months	50% CMP paid to employee (less any SMP paid)

The assessment of the 12-month period relates to the period between the employee returning to work and the effective date of termination.

The terms of this clause will be discussed with the employee prior to commencing leave, and the employee will be required to agree to the Company deducting the net sums (less any statutory payments) under this clause from any final outstanding payments due.

2.7.1.4 Maternity Allowance

If an employee is not entitled to SMP or CMP, they may be eligible for Maternity Allowance from their local Social Security or Job Centre Plus office.

2.7.2 Annual Leave

During maternity leave, annual leave will continue to accrue at the rate provided in the employee's terms and conditions of employment. Employees are to discuss their intentions regarding taking annual leave with their manager.

Annual leave may be added to the beginning or the end of maternity leave. It is expected that annual leave accrued during the current holiday year up to the maternity leave start date is to be taken prior to starting maternity leave. Where possible, annual leave accrued during maternity leave should be used within the current holiday year. However, accrued annual leave may roll over into the following holiday year in circumstances where it is not possible for the employee to take their accrued annual leave within the current holiday year. Any rolled over annual leave must be taken prior to returning to work.

2.7.3 Pension

During periods of paid maternity leave, the Company will continue to pay contributions into the employee's pension scheme. The amount to contribute will differ depending on the employee's pension arrangements.

In the case of non-salary sacrifice pension arrangements, the employer contribution will be based on what the employee earnings would have been had they not been on maternity leave. The employee contribution will be the relevant percentage of earnings whilst on paid leave.

In the case of salary sacrifice pension arrangements, the employee contribution will be the relevant percentage of earnings whilst on paid leave and the employer contribution will be based on what the employee earnings would have been had they not been on maternity leave. The Company will also make up for the shortfall in the employee contribution to ensure the sum paid into the pension remains unchanged.

Employee and employer contributions will cease during unpaid periods of maternity leave.

2.7.4 Flex Benefits

Any deductions for flex benefits will continue during maternity leave provided there are funds to deduct from. Where there are no funds to deduct from, deductions will re-commence at the next possible pay run and continue until the balance due is fully paid.

2.8 Salary Review

If a salary review occurs during maternity leave, any change to the employee's salary will be applied to any applicable benefits and will be effective from the salary review date. Employees on maternity leave will be notified of any changes to their salary and pay will be recalculated accordingly.

UK - Maternity Procedure

2.9 Redundancy

An employee on maternity leave retains all statutory rights in respect of redundancy, including the right to a notice period. If an employee is at risk of redundancy during the protected period, they will be offered any suitable and appropriate alternative vacancy that exists. To be suitable and appropriate, the role will have terms and conditions not substantially less favourable than the previous role and the Company will normally determine the suitability of an alternative vacancy by considering job content, seniority, terms and conditions, location, and hours of work. Further information can be found in the UK - Redundancy Procedure.

2.10 Contact during Maternity Leave

The Company reserves the right to maintain reasonable contact with employees during maternity leave. This may be to discuss the employee's plans for their return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or to update them on developments at work during their absence.

Employees are to discuss their preferred method of contact with their manager and ensure their contact details are up to date prior to going on leave.

An employee can agree to work for the Company or to attend training for up to ten days during maternity leave without that work bringing the maternity leave period to an end. These days are known as 'keeping in touch' (KIT) days.

KIT days are optional and by agreement between the employee and the Company. The Company has no right to require the employee to carry out any work, and the employee has no right to undertake any work during their maternity leave. Employees must not work at all during the compulsory maternity leave period.

KIT days will be paid at the employee's equivalent hourly rate for the hours worked, however, any payment due will be offset against any maternity pay due within the same pay period provided that pay for KIT days meets the National Minimum Wage. Working part of a day will count as one KIT day, however payment will only be made for actual hours worked.

To ensure payment of the KIT day, the employee's manager must advise HR of the dates of each KIT day and the number of hours worked. Employees should record KIT days in the Company's timewriting system, as appropriate.

2.11 Returning to Work

The Company will contact the employee shortly before they are due to return to work to discuss arrangements for their return.

If an employee wishes to return to work earlier than the expected return date or wish to extend their maternity leave past the expected return date (within the maternity leave period), they must give at least eight weeks' written notice of the new return date. If an employee fails to give the Company the required period of notice to return to work earlier, the Company may postpone their return until the full eight weeks' notice has been given.

If an employee wishes to return to work later than the expected return date (out with the maternity leave period), they may request unpaid ordinary parental leave in accordance with the UK - Ordinary Parental Leave Policy; and/or request paid annual leave in the normal way.

If an employee does not intend to return to work after maternity leave, or is unsure, they are to contact their manager or HR as early as possible. If an employee decides not to return, they must give notice of resignation in accordance with their terms and conditions of employment. The amount of maternity leave left to run when the employee gives notice must be at least equal to the contractual notice period otherwise the Company may require the employee to return to work for the remainder of the notice period.

UK - Maternity Procedure

2.11.1 Rights on Returning to Work

An employee returning to work after a period of OML is entitled to resume working in the same position held immediately before going on leave or immediately before transferring to suitable alternative work.

If an employee has taken a period of AML, they have the right to return to the same position held immediately before going on leave or immediately before transferring to suitable alternative work unless this is not reasonably practicable. In these circumstances, if it is not reasonably practicable for the Company to permit a return to the same job as before, the Company will offer the employee another job that is both suitable and appropriate in the circumstances on terms and conditions no less favourable than those that applied previously.

2.11.2 Rest Area

An employee who has returned to work and wishes to continue breastfeeding is to speak with HR to ensure access to a suitable room for this purpose.

2.12 Requests for Flexible Working

Requests to change working patterns are to be made as soon as possible prior to returning to work and in accordance with the applicable flexible working procedure.

2.13 Shared Parental Leave

Employees and their partners who meet the eligibility criteria and comply with relevant curtailment, notice and evidence requirements may be able to take shared parental leave. Shared parental leave enables mothers/adopters to commit to ending their maternity/adoption leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner/the child's other parent, or to return to work early from maternity/adoption leave and opt in to shared parental leave and pay at a later date. Further information can be found in the United Kingdom - Shared Parental Leave Procedure.

3.0 References and Supporting Documents

Document Number	Description
HRM-FOR-100408	UK - Application for Maternity Leave and Pay Form
HRM-PLD-100010	UK - Ordinary Parental Leave Policy
HRM-PRO-110110	UK - Sickness Absence Procedure
HRM-PRO-110118	UK - Adoption Procedure
HRM-PRO-110120	UK - Flexible Working Procedure
HRM-PRO-110122	UK - Paternity Procedure
HRM-PRO-110123	UK - Shared Parental Leave Procedure
HRM-PRO-110125	UK - Annual Leave Procedure

4.0 Abbreviations and Definitions

Term	Description
Additional Maternity Leave (AML)	Relates to the 26 weeks maternity leave that immediate follow Ordinary Maternity Leave.
Calculation period	The 8-week period ending with the 15th week before the EWC.
Maternity certificate	The Maternity Certificate (MAT B1) enables a pregnant woman to claim Statutory Maternity Pay (SMP) from her employer or Maternity Allowance (MA) from Jobcentre Plus.
Maternity leave period	Ordinary and/or Additional Maternity leave combined.

UK - Maternity Procedure

Term	Description
Ordinary Maternity Leave (OML)	Relates to the first 26 weeks of maternity leave.
Partner	The person who is married to, or the civil partner or the partner of, the employee at the date of the child's date of birth, or the date on which the child is placed for adoption (for adoptions from overseas, at the date on which the child enters Great Britain). This includes someone, of whatever sex, who lives with the mother/adopter and the child in an enduring family relationship but who is not the mother's/adopter's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece, or nephew.
Protected period	The protected period applies from the point the employee makes the Company aware that they are pregnant until 18 months after the child's date of birth.
Qualifying Week (QW)	The 15th week before the employee's Expected Week of Childbirth.
Relevant period	The 8-week period ending with the 15th week before the EWC.
The Company	References to the "Company" in this Procedure are references to the employee's current employer.

5.0 Revision History

Rev	Date	Summary of Changes
0	04 April 2024	Issued for use update from Policy to new procedure and inclusion of legislative changes in relation to the redundancy protection for pregnant employees and new parents, replaces HRM-PLD-100009
1	02 October 2024	Section 2.3 and 2.7 wording updated to reference company car/transport allowance.

6.0 Author/Checker/Owner

Author	Checker	Owner
Jordan Fogarty (HR Advisor - Policy & Governance)	Laura Low (HR Manager - Policy & Governance, Middle East & India)	Zena Phillips (Senior HR Manager - Policy & Governance, East)