

Maternity Support Policy

Policy document

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Policy Owner: People & Transformation Director

Approved by: Policy and Management Board

1. Introduction and Scope

This policy is part of our suite of Family-Friendly Policies for Ofcom. Our aspiration is to be the best employer for modern families, where colleagues are supported to have a work-life balance.

The Maternity Support Policy has been developed to explain the support Ofcom is making available to colleagues during pregnancy and in the first year following the birth of a child. It will assist colleagues in planning for maternity leave and upon their return to work at the end of their leave.

All Ofcom colleagues and managers are required to be familiar with, and act in line with, this policy.

This policy is applicable to all pregnant colleagues employed directly by Ofcom, including same-sex partners, regardless of their length of service, sexual orientation, or gender.

2. Definitions and Abbreviations

| Term | Definition |
|---------------------|---|
| Birth Parent | For the purposes of this policy, birth parent will be referring to the pregnant parent. |
| Partner | The child's biological parent/second adopter of the child, or the person who, at the time of the child's birth or placement, is married to, the civil partner of, or the partner of the birth partner or primary adopter. |
| MAT B1 form | A MAT B1 form, also known as the Maternity Certificate, is a form from a doctor or midwife confirming the expected week of childbirth (EWC). This form is issued to the pregnant colleague after week 20 of pregnancy. |

| Term | Definition |
|-----------------------------------|---|
| PAYE | PAYE - or 'pay as you earn' refers to income tax which is deducted from your salary before you receive it. |
| Expected week of Childbirth (EWC) | Expected week of Childbirth (EWC) is the week, beginning on a Sunday, in which the birth parent is expected by her doctor or midwife to give birth. |
| Qualifying week | The 15 th week before the expected week of childbirth |
| OML | Ordinary Maternity Leave |
| AML | Additional Maternity Leave |
| EMP | Enhanced Maternity Pay |
| KIT days | Keeping in Touch days |
| Neonatal care | The type of care a baby receives in a neonatal unit if they are born premature, sick, or with a low birth weight. |

3. Roles and Responsibilities

| Role | Responsibilities |
|----------------------------|--|
| Colleague Responsibilities | <ul style="list-style-type: none"> • Inform your manager and/or P&T viz [REDACTED] of your pregnancy as soon as possible. • Inform your manager and/or P&T of your intended start date of maternity leave. • Submit MATB1 form on Workday when you receive it at around the 20th week of your pregnancy. • Maintain contact with your manager during maternity leave. |
| Manager Responsibilities | <ul style="list-style-type: none"> • Support the colleague and ensure fairness and consistency in the application of the policy. • Ensure that the colleague is treated sensitively, fairly and in line with the Dignity and Respect at Work policy. • Inform and update the colleague on any workplace changes promotion/professional development opportunities and any other relevant information. • Work with P&T to ensure the expectant colleague is sufficiently supported and that their maternity leave is processed accurately. • Update P&T of any changes to return to work dates as well as informing P&T of KIT days that the colleague works. |

| Role | Responsibilities |
|------------------------------------|---|
| | <ul style="list-style-type: none"> Support the return to work |
| P&T responsibilities | <ul style="list-style-type: none"> Provide the manager with guidance and advice on the application of the policy. Coordinate a risk assessment for expectant colleagues (as detailed in section 8). Ensure that the appropriate support is given and the policy is followed. Respond to any P&T related queries from the colleague and line manager. Confirm Maternity leave and pay arrangements in writing |
| Payroll Responsibilities | <ul style="list-style-type: none"> Pay Enhanced Maternity Pay (EMP). Respond to any payroll related queries from the colleague and P&T. |
| Health & Safety Manager | <ul style="list-style-type: none"> Conducts risk assessments for expectant colleagues Conducts risk assessments for breastfeeding colleagues returning to work |

4. Maternity Leave and Maternity Pay

As a pregnant colleague, you are entitled to take up to 52 weeks of maternity leave regardless of your length of service. This consists of 26 weeks' Ordinary Maternity Leave (OML) and 26 weeks' Additional Maternity Leave (AML), giving a maximum of 52 weeks in total, provided the notification requirements set out below have been followed.

Maternity Leave and Enhanced Maternity Pay (EMP) are dependent on the requirements set out below:

| Maternity Leave Notification Requirements | Enhanced Maternity Pay Requirements |
|--|--|
| <ul style="list-style-type: none"> You must complete and submit the Maternity Request form on Workday You must complete the Maternity Request form no later than the end of the 15th week before the baby is due, unless this is not practically possible, in which case you must provide the form as soon as is reasonably practicable. You must have submitted your MAT B1 form on Workday | <ul style="list-style-type: none"> You have complied with the maternity leave notification requirements as detailed in the notification box. You earn at least £120 a week on average for eight weeks before your qualifying week. |

5. Notification of maternity leave

To ensure that Ofcom can provide full support with regards to health, safety and wellbeing, you should notify your manager of your pregnancy as early as possible. This can be informal notification in the first instance.

Formal notification should be on workday by the end of the 15th week before the baby is due. Please submit the Maternity Request form when giving formal notice to take maternity leave.

If your baby is born before your planned maternity leave, you must notify us as soon as is reasonably practicable of the baby's date of birth. Your maternity leave will commence the day following your baby's birth.

We will write to you confirming your leave entitlement and expected return date to work within 28 days of receiving your submitted Maternity Request form on Workday.

6. Commencement of Maternity Leave and Package

The earliest date you can commence your maternity leave is the start of the 11th week before the EWC. However, maternity leave will automatically start if:

- your baby arrives early (in this instance OML will start the day after you give birth), or
- you are absent from work wholly or partly for a pregnancy-related reason after the start of the 4th week before your EWC.

You may change the date you wish to commence maternity leave, provided that you give us written notice at least 28 days before the initial or newly proposed date.

We will write to you to confirm your leave entitlement and expected return to work date within 28 days of receiving your intended maternity leave start date.

You are not obliged to take the entire 52 weeks maternity leave, but you must take a minimum of two weeks maternity leave immediately after your baby is born. Please refer to section 11 for more details regarding your return to work.

Ofcom offers an Enhanced Maternity Pay (EMP) to top up the statutory provisions. The EMP is 20 weeks of full pay and 19 weeks of half pay, totalling 39 weeks of enhanced pay during maternity leave. There is no minimum service requirement for this benefit.

The below table shows a breakdown of Ofcom's EMP:

| | | |
|----------------------|---------------------|-----------------|
| 20 weeks at 100% pay | 19 weeks at 50% pay | 13 weeks unpaid |
|----------------------|---------------------|-----------------|

Payment of EMP cannot start before the 11th week before your expected week of childbirth. It can start from any day of the week in accordance with the date you start your maternity leave.

EMP is treated as earnings and therefore subject to PAYE and national insurance deductions and will normally be paid at the same intervals as your monthly salary.

7. Antenatal appointments

You are entitled to time off to attend up to five antenatal appointments as advised by your doctor, midwife or health visitor. These appointments may include relaxation classes in addition to medical appointments.

If you require further time off for appointments or other maternity related matters, please speak to your line manager.

You should notify your line manager of any upcoming appointments as soon as possible and discuss the relevant time off or agile working arrangements involved.

8. Health & Safety

Ofcom has a duty to ensure the health and safety of all colleagues, particularly for colleagues who are pregnant, new birth parents and breastfeeding parents. Once notified about the pregnancy, a risk assessment will be carried out, which will cover all aspects of the role and reasonable steps will be taken to remove any risks identified.

It is recommended that you inform your line manager that you are pregnant or have given birth in the last 6 months as soon as possible so that a risk assessment can be carried out. On your return, if you inform your line manager or the People Team that you are breastfeeding, a risk assessment will be arranged for you.

If it is deemed that any part of your role carries any risk for you or your unborn child, you will be informed immediately, and reasonable steps will be taken to remove those risks.

9. Contractual rights and benefits

All terms and conditions of employment remain in force during your period of maternity leave, except for the terms relating to pay. Specifically:

| | |
|----------------------------|--|
| Holiday Entitlement | <ul style="list-style-type: none">• You will continue to accrue your holiday entitlement through your period of maternity leave. This entitlement includes your standard holiday, public holidays, flexible holidays through Choices and one additional day's holiday for your birthday.• Colleagues in England and Wales are usually provided with an additional day's leave over the Christmas and New Year period to ensure parity with colleagues based in Scotland and Northern Ireland who have additional• Bank Holiday allocation throughout the year. If you are a colleague in England or Wales on maternity leave during this period and this is provided, you will accrue this additional discretionary day.• You cannot take paid holiday during your period of maternity leave. |
|----------------------------|--|

| | |
|----------------|---|
| | <ul style="list-style-type: none"> You may request to take some of your remaining annual leave entitlement as a cash payment. This will be paid in the first payroll month after the start of your maternity leave and is subject to PAYE and NI. You may also consider the option above upon your return with additional accumulated annual leave. This must be agreed by your line manager and the People Team You may carry forward all or some of your accrued leave to the next calendar year. This carry forward leave would need to be used within 18 months of your return to work. <p>*We strongly encourage you to discuss with your line manager your leave plans well before you commence leave.</p> |
| Pension | <ul style="list-style-type: none"> You will continue to receive contributions from Ofcom to your Ofcom pension fund or your pension allowance in cash (whichever is applicable) during your entire maternity leave period (i.e. up to one year) based on your salary. If you are not entitled to EMP, you will not receive contributions to the Ofcom pension plan or your pension allowance in cash during your period of maternity leave. |
| Choices | <ul style="list-style-type: none"> Once you have had your baby, you are advised to create a 'life event' through Choices to enable you to make changes under your Choices selection. |

Before going on maternity leave, you should review your performance objectives with your line manager. If you are on leave at the time of the annual pay review, your salary will be reviewed in the normal way and you will be informed of the outcome.

10. Contact and Keeping in Touch (KIT) days

During maternity leave, we will offer you the option to work for up to 10 KIT days without bringing maternity leave to an end or losing EMP or Maternity Allowance. These 10 days are referred to as Keeping in Touch (KIT) days and may include training or any activity aimed at keeping you updated on the work of your team.

KIT days during maternity leave can be used for any work-related activity, including attending training, conferences and team meetings, which can also be done remotely via teams.

Before you commence your maternity leave, please discuss with your line manager how you can be kept abreast of developments affecting your group and or Ofcom.

KIT days are optional; reasonable time should be given before agreeing on a KIT day with your line manager. Agree with your line manager a notice time that works for you both.

You can use your KIT days during Ordinary or Additional maternity leave but not during the two weeks of Compulsory maternity leave immediately after the birth of your child.

During your maternity leave, we may also make reasonable contact with you, for example, to discuss your return-to-work arrangements or to communicate important information, such as changes at the workplace that might affect you upon your return. The preferred method of communication should be agreed with your line manager before you commence maternity leave.

Any work carried out on a day shall constitute a day's work for these purposes. Therefore, when you are on periods of half pay or zero pay of your maternity leave, we will make payment for KIT days during this period to ensure you receive a full day's pay. More specifically see the table below:

| Period of Maternity | Additional Payment from Ofcom for KIT days |
|---------------------|--|
| Full pay | No payment |
| Half pay | Half day |
| Unpaid period | Full day |

11. Returning to work and flexible working

We recognise that returning to work after looking after your child can be challenging, especially figuring out new logistics and getting up to speed on what might have changed. Therefore, for the first three months following your return from maternity leave, you can work 80% of your contractual weekly hours and receive 100% pay.

On your return from maternity leave, Ofcom will offer support to help you adjust back to work, which is provided by Ofcom's parental support partner, Parentcloud. Ofcom will offer remote one-to-one consultations with Parentcloud specialists, who can assist returners with common challenges facing working parents. You can decide how to use these sessions to best suit your needs, choosing from return-to-work coaching, consultations on infant sleep and child behaviour. The Management Advice Team will contact you to advise how to book these sessions.

If you wish to return to work before the full period of maternity leave has elapsed, you must provide not less than eight weeks written notice of the date on which you intend to return. This can be in an email or a letter. We reserve the right to postpone your date of return if you have not provided us with the required notice period.

If you would like a more flexible working arrangement to help you attain a better work-life balance on your return from maternity leave, have a conversation with your line manager or the People Team as early as possible. Ofcom supports a culture of flexible working and you can talk about options on working hours, working patterns and where you work, and how it can work best for you and for your team. Formal (involving contractual changes) and informal routes are available. For more information, please refer to the [Flexible Working Hub](#) which sets out the various options for flexible working and includes case studies of how colleagues work flexibly at Ofcom.

If you are breastfeeding (including expressing), it is recommended to inform your line manager or the people team before your return date, to ensure a risk assessment is scheduled with you. If you

will require time and suitable facilities for expressing milk at work, it is also recommended that you inform the People Team. This will also ensure appropriate provision is made for you where possible.

If, upon your return to work, your team is going through a restructure or change management program with redundancy a possibility, you are protected from redundancy for up to 6 months upon your return to work. Further information on this can be found in the **Redundancy Policy**.

On your return from Ordinary maternity leave, you are entitled to resume work in the same position. If you return to work after a period of additional maternity leave, you are entitled to return either to the same position or, if this is not reasonably practicable, to a suitable position where terms and conditions are no less favourable.

If you decide during maternity leave that you do not wish to return to work, you should provide us with a written notice of resignation as soon as you can and in accordance with the terms and conditions of the contract of employment.

If you intend to return to work at the end of your full maternity leave (i.e. 52 weeks), you do not have to give any further notification of your return to work.

Failure to return to work at the end of your maternity leave will be treated as an unauthorised absence unless you are unwell and produce a current medical certificate before the end of the maternity leave period or notify your line manager before your return date.

12. Neonatal leave and pay

Ofcom recognises the emotional and financial difficulties which arise from premature births and situations where a newborn is immediately hospitalised after birth.

Colleagues who are entitled to maternity leave under this policy will also be entitled to an additional period of leave to add to the end of their maternity leave if their baby is in hospital for at least 7 days following birth.

Colleagues will be offered neonatal leave on full pay, equivalent to the number of days that their baby has been in hospital for, immediately following birth, for at least 7 days. This leave is capped at 16 weeks.

Neonatal leave must be taken before the colleague returns to work.

Colleagues who are eligible to take neonatal leave should notify their line manager as soon as is reasonably practicable after the birth of the baby to let them know that there have been complications. During their maternity leave, they should confirm to their line manager how many weeks their baby was in the hospital and give their line manager 8 weeks' notice of when their maternity leave will cease and therefore when their neonatal leave will commence.

13. Transfer of maternity leave

Shared Parental Leave gives you and your partner more flexibility in determining the best approach to taking time off in the maternity leave year. Assuming you are both eligible, you will be able to choose how you can split the available leave between both parents. For full details please refer to the **Shared Parental Leave Policy**.

14. Support

Line Managers and colleagues are expected to be aware of the information and support that is available to all colleagues who are carers.

- a) **People Business Advisor** - colleagues and line managers can speak to a People Business Advisor in the Management Advice Team for further support and guidance, where needed. Please contact [REDACTED]
- b) **Ofcom Parents and Carers Network (PAC)** - the PAC Network aims to support parents and carers and facilitate a forum where colleagues with similar responsibilities can meet and seek advice and assistance. You may find it beneficial to talk to a member of the PAC network with similar responsibilities before formally asking for support from your line manager. The PAC network also works collaboratively with P&T to ensure that colleagues with caring responsibilities have successful and fulfilling careers at Ofcom.

For further information please visit the [Hive](#)

- c) **Mental Health First Aiders (MHFAs)** - Ofcom has externally trained mental health first aiders, who can provide support for your mental health. These first aiders are dedicated to supporting anyone who would like to discuss issues pertaining to mental health. They do not have to be in your team, your group or even your location. Find out more about our MHFA Colleagues.
- d) **Listening Network** - the Listening Network offer confidential, non-judgmental peer-to-peer support for the times you need a listening ear or a friendly chat. More information can be found [here](#)
- e) **Employee Assistance Program (EAP)** – Ofcom has a confidential help, information and advice service which is accessible by telephone or face to face. Through this service trained counsellors are available 24 hours a day. The service, provided by Aviva, is completely free and it gives you access to immediate information, solutions and advice on a wide range of workplace and personal issues.

You can access the service in the following ways:

- **By telephone** - [REDACTED]
- **Online** at www.eap-carefirst.com - [REDACTED]
- **The wellbeing app** that you can download to your phone -
- Full details of all the support available can be found [here](#), including how to download **the wellbeing app**.
- **AXA Wellbeing Hub**- To find out all about your membership, including health and wellbeing tools and a list of the hospitals you can use with your plan.

www.axapphealthcare.co.uk/wellbeinghub

- f) **Private Medical Insurance (PMI)** - Ofcom currently offers a service with a plan that gives you access to prompt private medical treatment by recognised consultants, therapists and practitioners, at a time and location you choose. It covers you for

the cost of outpatient treatment or investigations, as well as in-patient treatment and accommodation received in private care, up to defined levels. This also includes tailored treatment for mental ill health with trained professionals. Find out more about all the support PMI provides on your **Choices**.

- g) **AXA Stronger Minds pathway**- Clinical pathway to access help without the need for a GP referral. A trained counsellor or psychologist will listen attentively, and suggest a treatment plan that's clinically appropriate, Find out more about Stronger Minds pathway on your **Choices**.
- h) **Parentcloud** - Ofcom has partnered with a provider, Parent Cloud to offer colleagues with children a hub of resources. The hub was created by a team of therapists, coaches, nutritionists, child behaviour experts and many more. It includes a wide range of useful resources; guides and videos and there are regular online talks with experts on topics related to parenting and professional development. Colleagues are also able to book a bi-monthly online antenatal course designed to meet all the needs of expectant parents. To access the Parent cloud hub you will need to sign up. Simply click [this link](#) and enter your details to create a personalised account.
- i) **External resources** - Employers for Carers (of which Ofcom are members) and Carers UK both offer a range of information and support resources for carers. For more information please visit the links below.
 - www.employersforcarers.org
 - <https://www.carersuk.org/>

15. Other related policies

15.1 The following policies are relevant family friendly related policies that you might find useful:

- **Shared Parental Leave Policy**
- **Paternity Leave Policy**
- **Parental Leave Policy**
- **Pregnancy loss Support Policy**
- **Flexible Working Request**
- **Fertility Treatment Leave Statement**
- **Carers' Policy**
- **Adoption and Support Policy**

16. Maternity process flowchart

You can access the maternity process flowchart from [here](#).

17. Version history

| Version | Date | Revised by | Summary of changes |
|---------|-------------------|------------|---|
| V.12 | 26 September 2019 | [REDACTED] | Add Bereavement Leave |
| V 2.0 | 17 August 2020 | [REDACTED] | Full Review Remove claw back clause and qualifying period |
| V 2.1 | 28 September 2021 | [REDACTED] | P&T and A&O review |
| V 2.2 | 19 November 2021 | [REDACTED] | Updated to reflect details of return-to-work support options available via Parentcloud |
| V 2.3 | 16 February 2022 | [REDACTED] | Updated to reflect the new neonatal leave and pay and changes with standalone pregnancy loss support policy |