



Maternity Leave Policy

Version 01 - 2023

Introduction

The Company is committed to ensuring that associates are able to adopt a work/life balance and recognises that there are times when associates require support. This policy complies fully with legal requirements.

The aim of this policy is to inform all associates of their entitlements with regards to Maternity leave and pay and to ensure all associates fully understand these rights so that they are able to exercise them accordingly.

The policy is non-contractual and without prejudice to your statutory rights.

1. MATERNITY

If you are considering starting a family or if you are already expecting a baby, this document will guide you through your maternity rights and benefits. These guidelines only apply to expectant mothers who are "ordinarily GB resident"

Our aim is to not only help make sure you can enjoy your pregnancy and maternity leave, but also to support you as much as we can throughout this time. We also wish to encourage your return to work in order for you to continue your career within Terumo Aortic, Vascutek Ltd.

This guide has been designed to help you understand your rights and the legal requirements regarding the maternity process, but the information provided is not a comprehensive statement of either the law or Company policy and both are subject to change.

Before making any decisions, which may affect your rights or entitlements, you should refer to your Line Manager or HR Department for confirmation of the appropriate steps to take.

If you have any queries at any stage, you can discuss them with your HR Department in confidence. The following definitions are used in this policy:

"Expected week of childbirth" means the week, starting on a Sunday, during which the associate's doctor or midwife expects their to give birth.

"Qualifying week" means the 15th week before the expected week of childbirth.

All pregnant associates (regardless of length of service) have the right in law to take up to 26 weeks' ordinary maternity leave and up to a further 26 weeks' additional maternity leave and to resume work afterwards. The associate is therefore entitled to a total period of 52 weeks' maternity leave. Additional maternity leave follows on immediately from the end of the period of ordinary maternity leave.

All associates who take maternity leave have the right to return to work at any time during either ordinary maternity leave or additional maternity leave (except during the first two weeks from the day of childbirth), subject to their following the correct notification procedures as set out below.

1.1 Data protection

When managing an associate's maternity leave and pay, the Organisation processes personal data collected in accordance with its [data protection policy](#). Data collected from the point at which an associate informs the Organisation that they is pregnant is held securely and accessed by, and disclosed to, individuals only for the purposes of managing their maternity leave and pay. Inappropriate access or disclosure of associate data constitutes a data breach and should be reported in accordance with the organisation's [data protection policy](#) immediately. It may also constitute a disciplinary offence, which will be dealt with under the organisation's disciplinary procedure.

1.2 As soon as you know you are pregnant

As soon as you know you are pregnant, you should notify your Line Manager as soon as possible. The HR Department should also be notified as the Company has a duty to take care of the health and safety of associates who are pregnant and will organise for the Occupational Health team to undertake a risk assessment of your job in light of your pregnancy.

We will provide you with information as to any of the risks identified in the risk assessment and of any preventative measures to be taken. If we consider that, as a new or expectant mother, you would be exposed to health hazards in carrying out your normal work we will take such steps as are necessary (and for as long as necessary) to avoid those risks. This may involve changing your working conditions or hours; offering you suitable alternative work on terms and conditions that are not less favourable; or suspending you from duties on maternity grounds, which will be on full pay (unless you have unreasonably refused suitable alternative work).

1.3 Notification

Those who comply with statutory notification requirements will be entitled to 26 weeks' Ordinary Maternity Leave (OML). Your length of service and contracted hours does not affect your entitlement to OML. In order for you to qualify for maternity leave you must inform the Company of your pregnancy before the end of the 'Qualifying Week' or as soon as reasonably practicable afterwards, if you are not reasonably able to tell us at that time.

The Qualifying Week is the fifteenth week before your 'Expected Week of Childbirth' (EWC), which is the week, starting on a Sunday, in which your doctor expects you to give birth.

On becoming pregnant, you should notify your line manager and HR department as soon as possible. This is important as there are health and safety considerations for the organisation and this will allow for the necessary arrangements to be made for a maternity risk assessment to be carried out. A copy of the Notification of Intention to Take Maternity Leave form (see Appendix 1) should be obtained from the Human Resources Department and returned without delay once you are in receipt of your MATB1 form, in order that your entitlement to maternity leave and pay can be ascertained. The following must be provided to Human Resources:

- the date of your EWC, by way of a MATB1 certificate; and
- the date on which you would like to start your ordinary maternity leave (OML)

You should request a MATB1 form (certification of expected date of childbirth), which is provided by your Medical Practitioner or Registered Midwife approximately 14-20 weeks before your EWC. Please submit this certificate to your HR Department as soon as possible.

On receipt of your MATB1 we will write to you within twenty-eight days and will let you know the date on which you are expected to return to work ('Expected Return Date') if you take the full fifty-two-week entitlement to maternity leave that you are entitled to. You do not need to respond to the letter unless you intend to return on a different date.

You have the right to bring forward the maternity leave start date, provided that you advise the company in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable. An associate may also postpone their maternity leave start date, provided that you advise the organisation in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

You are required to give at least 28 days' notice of the date that you want your statutory maternity pay to begin. If it is not possible to give 28 days' notice, for example if the baby arrives early, you should tell the organisation as soon as reasonably practicable.

If you fail to notify the Company as outlined above, you may lose your right to start your maternity leave on the date you wish and your right to Statutory Maternity Pay.

1.4 Antenatal care

All expectant mothers are entitled to reasonable paid time off to attend appointments for ante-natal care made on the advice of a registered medical practitioner, midwife or health visitor. After the first appointment, the Company requires you to show an appointment card or Medical Record Booklet from a registered medical practitioner, midwife or health visitor, confirming that you are pregnant. Thereafter all future requests for time off should be supported by an appointment card or other evidence showing that an appointment has been made. Ante-natal care may include relaxation classes and parent-craft classes as well as medical examinations.

You should endeavour to give your line manager as much notice as possible of antenatal appointments and, wherever possible, try to arrange them as near to the start or end of the working day as possible in an effort to avoid unnecessary disruption to your working hours. It should be noted that where you are able to attend an evening appointment or arrange your appointments for the end of the working day, time off may be refused.

An individual who has a qualifying relationship with the associate, which includes the associate's partner and the father of the expected child, is eligible to take unpaid time off to accompany the associate at up to two antenatal appointments. The individual with the qualifying relationship should ask their employer for more details of the right.

1.5 Maternity Leave

Starting maternity leave

An associate who is expecting a baby has the right to a minimum of twenty-six weeks of Ordinary

Maternity Leave (“OML”) and an optional twenty-six weeks of Additional Maternity Leave (“AML”). AML requires to be taken immediately following OML.

As long as the pregnant associate provides the Company with the proper notice (see “Notification” section above) they can take both OML and AML no matter how long they have worked for the Company, how many hours they work or how much they are paid.

Once you have notified the Company of your chosen start date you can change your start date by informing the Company in writing at least twenty-eight days before the original chosen start date or, if that is not possible, as soon as reasonably practicable.

Ordinary maternity leave can start at any time after the beginning of the 11th week before the expected week of childbirth (unless their child is born prematurely before that date in which case it will start earlier). You should notify the Company of your chosen start date in accordance with this policy. The latest date you can start your maternity leave is the date of childbirth, however, OML will normally begin automatically in the following circumstances: -

- A. If you are absent from work wholly or partly because of your pregnancy or childbirth any time after the beginning of the fourth week before the EWC. In this case, OML starts that day (as does the right to Statutory Maternity Pay - see section below). However, the Company’s policy is that an absence due to pregnancy during the four weeks before the EWC, which does not last more than three days, will not be treated by the Company as automatically triggering the OML, **BUT** it should be noted that this policy does not and cannot prevent the Maternity Pay Period from being triggered with the loss of Statutory Maternity Pay entitlement - see Maternity Pay section below.
- B. If your child is born before the day on which your OML was due to begin, even where this is prior to eleven weeks before the EWC.
- C. If your OML is triggered by a maternity absence or by a premature birth you must notify the Company in writing as soon as is reasonably practicable of the reasons for your absence and the date on which absence from work for that reason commenced, or the date that the premature birth took place.

Compulsory Maternity Leave

The law requires associates to take a minimum of four weeks of maternity leave immediately after the birth of the child. This period falls within the twenty-six weeks’ OML but is called Compulsory Maternity Leave (“CML”).

Bereavement

Provided you meet all the other conditions, you can still take maternity leave if the child is stillborn after 24 weeks of pregnancy or is born alive at any point of the pregnancy.

If the stillbirth occurs before the 24th week of pregnancy, the Company may allow the associate to take sick or compassionate leave instead.

1.6 STATUTORY MATERNITY PAY (SMP)

If you meet the eligibility criteria specified below, you will be entitled to receive SMP. Otherwise, you may receive Statutory Maternity Allowance from the Job Centre Plus, providing National Insurance (N.I) contribution conditions are satisfied.

SMP is payable for up to thirty-nine weeks (“the Maternity Pay Period”) if you satisfy the following conditions: -

1. You must have been continuously employed by the Company for at least twenty-six weeks, up to and into the fifteenth week before the EWC (“the Qualifying Week”).
2. You must have average weekly earnings at least equal to the lower earnings limit for the payment of national insurance contributions which applies at the end of the Qualifying Week.
3. You must give the Company notice of the date you expect your OML, and the Company’s liability to pay SMP, to begin, in accordance with this policy and at least twenty-eight days before the expected start date of your OML.
4. You must provide the Company with medical evidence of the EWC i.e. submit your MATB1 Maternity Certificate.
5. You are still pregnant eleven weeks before the start of the EWC or have already given birth.

Maternity Allowance

If you do not qualify for SMP you may be entitled to Maternity Allowance (MA), paid by Jobcentre Plus, for up to 39 weeks. If this is the case the Company will provide you with form SMP1, stating the reason why the Company cannot pay you SMP. Your original MATB1 form will also be returned to you and a copy will be kept on file.

Statutory Maternity Pay

For the first six weeks, SMP is paid at the higher rate, which is equivalent to 90% of your average weekly earnings calculated over the period of eight weeks up to and including the Qualifying Week. For the purpose of calculating average weekly earnings, shift allowances, over-time payments, bonuses etc. are all included.

The standard rate of SMP is paid for the remaining thirty-three weeks (or less if you decide to return to work sooner). This is paid at a rate set by the government for the relevant tax year, or 90% of your average weekly earnings calculated over the period of eight weeks up to and including the Qualifying Week if this is lower than the government's set weekly rate.

The start date of the period of OML matches the start date of the period of SMP, unless your SMP is triggered by a pregnancy related absence and you do not start your OML on that date. However, once on OML, you will continue to receive SMP until your thirty-nine weeks' entitlement has been exhausted or you return to work.

It should be noted that an absence for a reason related to pregnancy or childbirth during the four-week period prior to the EWC automatically triggers the start of the Maternity Pay Period. As no maternity pay can be paid during any period while you are working for the Company, the right to maternity pay will be lost if you return to work between that date and the EWC.

e.g. If you wished to start your thirty-nine-week OML three weeks before your EWC, but have two days' pregnancy related illness in the fourth week before your EWC, you will be entitled to continue to work until the third week before the EWC but your Maternity Pay Period will commence four weeks before your EWC, thereby depriving you of one week of your SMP entitlement.

SMP is paid in to your bank account in the same way as salary is normally paid and is treated as earnings and is therefore subject to income tax and national insurance deductions.

It is important for maternity pay purposes that you notify your line manager if, during the Maternity Pay Period, you are taken into legal custody or start to work for another employer.

1.7 OCCUPATIONAL MATERNITY PAY

Occupational Maternity Pay (OMP) will be offered to associates who intend to return to work after maternity leave and whose child is born on or after 1st July 2023. OMP comprises of;

- 100% for 20 weeks which will be inclusive of any payments of SMP/MA OR SMP/MA alone were this is greater.
- 19 weeks at the standard rate of SMP.
- 13 weeks unpaid leave.

The above will be calculated using 'average weekly earnings' which is calculated over the period of eight weeks up to and including the Qualifying Week. For the purpose of calculating average weekly earnings, shift allowances, over-time payments, bonuses are all included. **Please Note** – If a pay review occurs during maternity leave, any change to your rate of pay will be applied from the date that such change takes effect. In certain

circumstances, the law requires that, where a pay rise is received during a period of maternity leave, SMP should be recalculated and backdated to take account of the change. However, given the enhanced OMP offered by the Company (to those who are eligible), sums paid as OMP will be used to offset any increase to SMP that may be applicable. For those who are not eligible to receive OMP or where the OMP received is less than the required adjustment to SMP, we will make an applicable payment to you so as to comply with our legal obligations.

To qualify for OMP, an associate must meet the following criteria;

- Have completed 2 years' service by the qualifying week
- Intend to return to work for a period of at least 6 months after maternity leave
- Provide evidence of the EWC
- Provide written confirmation of the intention to return to work after maternity leave
- Complete a Payment of Occupational Maternity Pay Authorisation form (see Appendix 2) which is available from the HR department

Payment of OMP is conditional on the associate returning to work for a period of at least 6 months after maternity leave. Should the associate decide not to return to work or leave voluntarily within 6 months of returning from maternity leave or during maternity leave, the Company reserves the right to reclaim any OMP paid. Any reclaiming of pay does not include SMP.

For associates who indicate that they do not intend to return to work after their period of maternity leave, SMP as detailed in section 1.6 will be paid.

1.8 RETURNING TO WORK

Return to work after OML

An associate who returns to work during or at the end of their OML period is entitled to return to the same job on the same terms and conditions of employment as if they had not been absent.

Return to work after AML

An associate who returns to work during or at the end of their AML period is entitled to return to the same job on the same terms and conditions of employment as if they had not been absent. However, if it is not reasonably practicable for the Company to let the associate return to their old job they should be offered a job:

- that is both suitable and appropriate for their to do
- on terms and conditions that are no less favourable than those for their original job

If the Company offers the associate a job that fulfils the criteria above and they unreasonably refuses it, they will have effectively resigned.

Notification to return to work

If you return to work after your maximum maternity leave entitlement (twenty-six weeks' OML plus twenty-six weeks' AML) you do not have to give the Company advance notification of your return. However, the Company would expect that you telephone the week prior to your return to confirm arrangements. The Company will assume that you will take the maximum leave you are entitled to unless the Company receives notice from you to the contrary.

If you wish to return to work before the end of the maximum period of leave you are entitled to, you must give the Company at least eight weeks' notice of your intention to do so. If you do not give the full eight weeks' notice, the Company is entitled to postpone your return to a date which will ensure that eight weeks' notice is given, so long as that would not take the return date beyond the end of the maximum maternity period.

If you are unable to return to work at the end of the maternity period, the normal Company rules in relation to sick leave and sickness absence, including those relating to notification and certification of sickness absence, will apply.

Shared Parental Leave

Shared Parental Leave enables eligible parents to choose how to share the care of their child during the first year of birth or adoption. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. All eligible associates have a statutory right to take Shared Parental Leave. There may also be an entitlement to some Shared Parental Pay.

Shared parental leave enables mothers to commit to ending their maternity 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, or to return to work early from maternity leave and opt in to shared parental leave and pay at a later date.

For further information please refer to the [shared parental leave](#) policy which is available from the company intranet.

Keeping in Touch Days

Apart from the 2 weeks following childbirth, an associate can agree to work for the Company or attend training/conferences/team meetings etc. for up to 10 days during either OML or AML without bringing their period of maternity leave to an end and without loss of contractual maternity pay or loss of a week's SMP. These will be known as 'keeping in touch (KIT) days'.

There is no requirement or right for an associate to carry out any work during their maternity leave. Any work undertaken will be agreed in advance with their manager and the Human Resources Department and any KIT days worked will be paid as a normal working day and will be subject to normal tax and NI deductions.

Contact during maternity leave

The organization reserves the right to maintain reasonable contact with associates during maternity leave. This may be to discuss associates' plans for 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.

Flexible Working Request

All requests by you to work flexibly should be made in line with the [Flexible Working Policy](#). On your return to work after a period of leave that includes a period of maternity leave such a request should be directed in the first instance to the Human Resources Department.

1.9 CONTINUATION OF TERMS AND CONDITIONS DURING MATERNITY LEAVE

All your normal terms and conditions remain in force during OML, except for the terms relating to pay.

All your normal terms and conditions remain in force during AML, except for the terms relating to pay. Any benefits will continue as normal.

Entitlement to bonus will not continue to accrue during ordinary or additional maternity leave. Any bonus payment will be pro-rated on the period within the Financial year you contributed to the business before going on Maternity Leave.

The two-week compulsory maternity leave will be regarded as if you were at work and you will receive a bonus payment for that period.

1.9.1 Holiday Entitlement

The associate's contractual annual leave entitlement will continue to accrue throughout both OML and AML. An associate may not take annual leave during maternity leave.

Any statutory holidays which fall during your maternity leave period should be added to and taken as annual leave. Statutory holidays which fall before or after your maternity leave period should be taken as normal.

You are encouraged to consider using a proportion of your annual leave entitlement before the start and after the end of your maternity leave.

If the maternity leave period is likely to cross two annual leave years, you may carry over annual leave accrued in the first leave year but must use these days within 3 months following your return to work. Any annual leave accrued in the second leave year may be taken as normal.

Annual leave cannot be taken between the end of the paid maternity period and the beginning of any unpaid maternity period

The Company cannot pay an associate in lieu of any untaken statutory annual leave unless the contract is terminated.

1.9.2 Pension

Any pension contributions will continue as normal during your OML. You are entitled to pension contributions during any period of paid AML.

1.9.3 Consecutive periods of Leave

Should you fall pregnant during your AML, you will be entitled to receive Maternity Leave for the second child. It may not be reasonable to return to an identical job, or a suitable alternative job after such a lengthy absence from the workplace.

1.9.4 Continuous Employment

Your AML period counts towards your period of continuous employment, but only the following parts of your contract of employment continue to apply

- The Company is still obliged to maintain your trust and confidence
- You are still obliged to act in good faith towards the Company
- You are still bound by any terms and conditions of employment relating to confidentiality, acceptance of gifts and non-competition with the Company
- The notice provisions contained within your terms and conditions of employment continue to apply
- You remain entitled to a redundancy payment upon redundancy, if you would otherwise have qualified
- Any contractually binding terms in relation to discipline or grievance

1.9.5 Redundancy

In the event your role is affected by a redundancy situation occurring during your maternity leave, you will be fully consulted.

In the event the Company identifies suitable alternative employment for you, the Company will offer you that post before the end of your current employment, to take effect immediately on the ending of the current employment. Such employment will be suitable and appropriate and offered on terms that are not substantially less favourable than if you had continued to be employed under the previous contract.

If the Company is unable to identify suitable alternative employment, you will be made redundant and shall be given the appropriate redundancy payment. If you unreasonably refuse the offer of suitable alternative employment then you may not be entitled to receive your statutory redundancy payment.

Summary

This is a summary of the main conditions relating to Maternity Leave and the payment of SMP. For individual clarification of your statutory and contractual entitlements, please contact the HR Department as soon as you know you are pregnant.

Notification of intention to take maternity leave

Associate's name:	Job title:
Department:	Manager:
Date of commencement:	
I wish to inform you that I am pregnant and I intend to take maternity leave as follows:	
My last day of work will be on:	
I will start my maternity leave on:	
My expected date of childbirth is:	
I intend to return to work after my maternity leave on:	
I enclose my MAT B1/medical certificate issued by my doctor/midwife/recognised medical practitioner confirming when my baby is due.	
<input type="checkbox"/> I believe that I am entitled to statutory maternity pay. <input type="checkbox"/> I do not intend to return to work after my maternity leave and I therefore confirm that I wish to resign from my employment with the organisation and leave on the last day prior to the commencement of my maternity leave. <input type="checkbox"/> I wish to take shared parental leave.	
(tick as appropriate)	
<p>To qualify for maternity leave, you must return this form to the HR Department by no later than the end of the 15th week prior to your expected week of childbirth. Your maternity leave cannot begin prior to the eleventh week before your expected week of childbirth. A copy of this form along with your MAT B1/medical certificate will be placed on your personnel file where it will be held for the duration of your employment plus 7 years following the end of your employment. The Company treats personal data collected during the maternity leave process in accordance with the Company's data protection policy. Information about how your data is used and the basis for processing your data is provided in the Company's associate privacy notice.</p>	
Signed:	
Dated:	

This form is to be completed by associates who meet the qualifying criteria set out in the Maternity Policy and wish to participate in the Occupational Maternity Pay scheme.

Name:	
Department:	
Expected Date of Childbirth:	
Maternity Leave Start Date:	
End Date of Additional Maternity Leave (AML):	

Declaration:

As per the Company Maternity Policy, I understand that Occupational Maternity Pay (OMP) is only paid to associates who intend to return to work for a period of 6 months or more after Maternity Leave.

I understand that should I decide not to return to work or leave within 6 months of returning from maternity leave or during maternity leave voluntarily the Company will reclaim any OMP paid (any reclaiming of pay does not include SMP).

I hereby agree to reimburse the value of any OMP paid to me to Terumo Aortic, Vascutek Ltd should I leave employment for any reason (other than redundancy or long-term ill health) directly after, during or within 6 months of returning from Maternity Leave.

I authorise Terumo Aortic, Vascutek Ltd to make this deduction from my final salary. I agree to pay separately any balance due which exceeds my final salary. The Company will advise me of the balance owed and I agree to pay this direct or Terumo Aortic, Vascutek Ltd will pursue me to recover the balance as an ordinary debt.

I confirm that I have provided the HR department with written confirmation of my intention to return to work after maternity leave for a period of at least 6 months.

The information on this form will be administered by the payroll department for processing maternity pay. A copy of this form will be placed on your personnel file where it will be held for the duration of your employment plus 7 years following the end of your employment.

The Company treats personal data collected during the maternity leave process in accordance with the Company's [data protection policy](#). Information about how your data is used and the basis for processing your data is provided in the Company's [associate privacy notice](#).


Signed:..... Print:.....

Date:.....

FOR HR/PAYROLL DEPARTMENT USE ONLY

HR Authorised by

Date:.....



At Terumo Aortic, we are 100% focused
on addressing every segment of the
aorta, from the aortic root to the iliacs.