

# Maternity Policy & Procedure

**Policy owner:** Chief People Officer  
**Policy approver:** Executive Committee  
**Approval date:** March 2024  
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**Document owner:** Senior Employee Relations and Policy Manager

## 1. Purpose

The purpose of this policy is to provide information regarding employees' entitlements to maternity leave and pay.

British Business Bank (the Bank), or the company, or us, or we) is committed to supporting working mothers and those that give birth. In recognition of this, the Bank offers enhanced levels of maternity pay over and above that offered on a statutory basis for eligible employees.

This policy will be applied fairly and with due regard for any protected characteristics an employee may have. Employees will not be treated less favourably because of pregnancy, being absent on maternity leave, shared parental leave, parental leave or for any other reason connected with pregnancy or maternity.

In some cases, an employee and their spouse or partner may be eligible to opt into the shared parental leave (SPL) scheme which gives more flexibility to share the leave and pay available in the first year. Employees will need to give us at least eight weeks' notice to opt into SPL, and must remain on maternity leave until at least two weeks after birth. For information about SPL, see our Shared Parental Leave Policy.

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## 2. Scope

This policy and its associated procedure apply to all employees of the Bank entities and operations and applies equally to full time and part time employees, regardless of hours worked, or length of service. It does not apply to colleagues or personnel who are not employees, including agency workers, consultants, self-employed contractors, volunteers or interns.

This policy will be reviewed from time to time to ensure that it reflects the Bank's legal obligations and our business needs.

This policy does not form part of any employee's contract of employment and the Bank may amend it at any time and may depart from it depending on the circumstances of any case.

The policy and associated procedures do not apply once the employee has left the Bank. Nothing in this policy can override any relevant statutory provisions or statutory employee entitlements.

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## 3. Entitlement to Maternity Leave

Employees are entitled to take up to 52 weeks of maternity leave, consisting of 26 weeks Ordinary Maternity Leave (OML) and a further 26 weeks Additional Maternity Leave (AML) which commences on the calendar day immediately after OML ends. The combined period of OML and AML is known as Statutory Maternity Leave (SML). The right to take SML applies to all employees of the Bank regardless of length of service, working hours or salary level, providing they supply the correct notice.

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## 4. Notification

Employees should inform us as soon as possible that they are pregnant. This is important as there may be health and safety considerations and we will carry out a risk assessment in the form set out in Annex 1 to assess any health and safety requirements. This may include altering employees' working conditions or hours, offering alternative work or duties (on the same or not less favourable terms) or suspending employees from duties on full pay (unless suitable alternative work has been unreasonably refused).

Before the end of the fifteenth week before the week that the employee expects to give birth (Qualifying Week), or as soon as reasonably practical afterwards, employees must tell us:

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- the week in which their doctor or midwife expects them to give birth (Expected Week of Childbirth - EWC); and
- the date on which the employee would like to start their maternity leave (Intended Start Date).

We will write to employees within 28 days to confirm the date we will expect the employee to return to work if they take their full maternity leave entitlement (Expected Return Date).

Once an employee receives a certificate from a doctor or midwife confirming their Expected Week of Childbirth (MATB1), the employee must provide us with a copy.

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## 5. Starting Maternity Leave

The earliest an employee can start maternity leave is 11 weeks before the Expected Week of Childbirth (unless their child is born prematurely before that date).

If an employee wants to change their Intended Start Date they should tell us in writing. Employees should give us as much notice as they can, but wherever possible they must tell us at least 28 days before the original Intended Start Date (or the new start date if the employee is bringing the date forward). We will then write to the employee within 28 days to confirm the new Expected Return Date.

Maternity leave should normally start on the Intended Start Date. However, it may start earlier if an employee gives birth before their Intended Start Date, or if an employee is absent for a pregnancy-related reason in the last four weeks before the Expected Week of Childbirth. In either of those cases, maternity leave will start on the following day.

Shortly before maternity leave is due to start we will discuss with the employee the arrangements for covering their work and the opportunities for the employee to remain in contact, should they wish to do so, during their leave. Line managers will agree the level of access required with employees and then confirm this with IT.

The law says that we cannot allow employees to work during the two weeks following childbirth.

In the unfortunate event of a stillborn baby after 24 weeks of pregnancy, or the loss of a child after childbirth (neonatal loss), the entitlement to the full period of SML and Statutory Maternity Pay (subject to the eligibility provisions in paragraph 6 below) shall still apply.

For details of the support available in the event of an early pregnancy loss or neo-natal care requirement, please see the Special Leave Policy.

Following your leave you may find you need some time to settle back into work and balance your responsibilities between work and your new or increased family. To assist with this, we allow you to work 80% of your hours in a pattern of your choosing, for the first three months after your return from leave (including any annual leave added to maternity leave) while being paid your full salary.

You must discuss and agree your plans with your manager and HR before you go on leave so that this can be accommodated.

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## 6. Statutory Maternity Pay (SMP)

This is paid by the Bank to those employees who qualify (as detailed below) and is payable regardless of whether the employee intends to return to work with the Bank after maternity leave. Employees are entitled to SMP if they:

- have been continuously employed by the Bank for at least 26 weeks at the end of the Qualifying Week, and are still employed during that week;

- have average earnings which are not less than the lower earnings limit set by the government each tax year during the eight weeks ending with the Qualifying Week (details of the current limit can be obtained from the HR Team);
- have provided a MATB1 certificate confirming their Expected Week of Childbirth; and
- provide the Bank with notification of their pregnancy and intention to take maternity leave as set out in paragraph 4 above.
- are still pregnant 11 weeks before the start of the Expected Week of Childbirth or have already given birth.

Eligible employees are entitled to a maximum of 39 weeks SMP. For the first 6 weeks, SMP is paid at the higher rate, which is equivalent to 90% of average earnings (including any allowances) calculated over the period of eight weeks prior to the Qualifying Week. For the next 33 weeks, SMP is paid at the lower of either the standard rate of SMP set by the government each year or 90% of average earnings, whichever is lower. If employees become eligible for a pay rise before the end of their maternity leave, they will be treated for SMP purposes as if the pay rise had applied throughout the eight-week period above, and SMP will be recalculated and increased retrospectively.

SMP is payable even if an employee's employment terminates with the Bank after the Qualifying Week.

As SMP usually changes each year, please see the link at paragraph 10 below to give you the current amount.

An employee who does not qualify for SMP may be able to claim Maternity Allowance (MA) instead. Please see <https://www.gov.uk/maternity-allowance> for further information.

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## 7. Company Maternity Pay (CMP)

Employees will qualify for Company Maternity Pay if they have been continuously employed during the 26-week period ending with the Qualifying Week, and provided that they are otherwise eligible for SMP. This is paid at the rate of the employee's normal basic salary for a maximum of 26 weeks and includes any SMP that may be due for that period.

The pay entitlement during a period of maternity leave shall therefore be 26 weeks CMP followed by 13 weeks SMP and 13 weeks unpaid leave.

Payment of CMP is conditional upon an employee signing a repayment agreement confirming in writing, prior to starting maternity leave: (a) that the employee intends to return to work for at least three months after maternity leave; and (b) that the employee accepts the repayment terms summarised in this paragraph 7. If the employee does not return to work for this minimum period any CMP (but not SMP) must be repaid in accordance with the repayment requirements set out below.

The Bank may deduct some or all the CMP which is repayable in accordance with this clause from any final salary/expenses or bonus payments/accrued holiday pay which are due to the employee. If the total amount of CMP to be repaid is not met from deductions, it will be repayable as a debt and we will set out a repayment schedule for the relevant amount.

The three-month return period can include annual leave.

If the employee returns to work for more than three months after maternity leave, no CMP is repayable.

An employee does not have to return any CMP if the Bank terminates their employment, unless the Bank was entitled to and did terminate the employee's employment summarily.

## 8. Breastfeeding

### Breastfeeding and expressing milk

We recognise that on your return to work from maternity leave you may still be breastfeeding or expressing breast milk during the day. We understand that for some breastfeeding can be a difficult subject to discuss. However, we encourage you to ask for any support that you need at work to help you while you are on your breastfeeding journey.

We will support you by enabling you to have time away from your duties to breastfeed or express milk.

If you are breastfeeding and require support at work, you are encouraged to speak to your line manager who will help you to manage your workload around the need to breastfeed/express. If for any reason you are unable to approach your line manager, you can speak to Human Resources.

We urge you to be as open as possible about any help that you need to ensure that you are provided with the right level of support.

### Facilities

If you are breastfeeding, you can access a meeting room in either of the Bank's offices. You can use this room to express milk, breastfeed, change your baby or to take a rest in private. You can book this room by contacting reception who will have the ability to cancel booked meetings to make the room available to you. Room bookings made by reception on your behalf will be marked as 'private'. The room is equipped with a moveable screen, a 'do not disturb' notice for you to put on the door and a lock, in Steel City House there will be a wedge for you to ensure the door cannot be opened from outside (unfortunately the doors are not currently lockable).

In Steel City House the allocated room is Bamford and in London it is Stephenson.

We provide access to fridges in the kitchen areas of both locations. Please mark breastmilk carefully with your name, the date and 'do not touch'.

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## 9. Roles and Responsibilities

The Bank commits to training managers and communicating with all other employees about their rights and responsibilities under this policy.

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## 10. Compliance

All employees are expected to comply with the requirements of this policy. All managers have a duty to ensure that they and all the employees they are responsible for are aware of, and comply with, the Bank policies and procedures.

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## 11. Further Information

Current statutory eligibility criteria and payment provisions are provided in this policy document for guidance purposes only. Employees are advised to check the following website for the latest information on eligibility and statutory payment provisions, <https://www.gov.uk/maternity-pay-leave>

**Version control**

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Description</b>	<b>Approved by</b>	<b>Date approved</b>	<b>Date published</b>
V 1.0	17 Dec 2018			Executive Committee	17 Dec 2018	20 Dec 2018
V 1.1	21 Nov 2019			Chief Risk Officer	21 Nov 2019	
V 1.2	13 July 2020	People Strategy and Organisational Development Director		Executive Committee	13 July 2020	
V 1.3	21 July 2021	People Strategy and Organisational Development Director	One material change, and all other changes are simply clarification/updated drafting to make the document more user friendly	PRG		
V1.4	10 August 2021	People Strategy and Organisational Development Director	As above	Executive Committee	10 August 2021	
V 2.0			Intranet version Migrated to new branded template			20 August 2021
V3.0	26 May 2023	Organisation Design, People Relations & Policy Director	Material Changes - Enhancements to family friendly policies, service eligibility, phased return, payback period and paternity leave level	Executive Committee	23 May 2023	26 May 2023
V4.0	29 August 2023	Organisation Design, People Relations & Policy Director	Biannual Review – non-material changes	CPO	29 August 2023	30 August 2023
V5.0	March 2024	Senior Employee Relations and Policy Manager	Non material biannual update	CPO	March 2024	March 2024
V5.1	August 2024	Senior Employee Relations and Policy Manager	Non-material note about breastfeeding	CPO	August 2024	September 2024

## Appendix A

### Maternity Procedures

#### Sickness Absence during Pregnancy

If you are off sick due to a pregnancy-related illness at any time during the four weeks before your Expected Week of Childbirth, your maternity leave will usually commence automatically on the following day. For any pregnancy related absence due to sickness prior to this time, you will receive your normal contractual entitlement to sick pay in the same manner as you would during any other sickness absence, provided you have not yet started your maternity leave.

For any absence due to sickness once your maternity leave has commenced you will receive maternity pay rather than sick pay. Such periods will be recorded separately and disregarded when reviewing sickness absence levels.

#### Keeping in Touch

Shortly before maternity leave commences the Bank will discuss arrangements to keep in touch during your leave should you wish to do so. The Company reserves the right in any event to maintain reasonable contact with you from time to time during your maternity leave. This may be to discuss plans for returning to work, to discuss any special arrangements to be made, training to be given to ease the return to work process, or simply to update you on developments at work during your absence.

Except for during the first two weeks immediately after childbirth, you can, if you choose, work for the Company (or to attend training) for up to 10 days during either OML or AML without that work bringing the period of maternity leave to an end and without loss of a week's SMP/CMP. These are known as Keeping-in-Touch (KIT) days. Any work carried out on a day counts towards one KIT day and will be paid at your normal basic rate for your contracted hours for that day in the next available pay run, and this will be inclusive of any maternity pay entitlement. KIT days are entirely optional for both employee and employer and must be approved by your manager.

If you are in receipt of CMP when you decide to take an optional KIT day, that will cover your full pay for the day and there is no additional pay for that day.

#### Returning to work

You are expected to return to work on the Expected Return Date, unless you notify the Company otherwise. It would assist the Company if you confirm as soon as is convenient during maternity leave if you will be returning to work as expected. This will allow your line manager to update you on any changes that might have occurred during your maternity leave, discuss any training needs you may have, and discuss any changes to working arrangements you may wish to discuss.

If you wish to return earlier than the Expected Return Date, you must give the Bank at least 8 weeks' notice of the new date of return, in writing. If you fail to do so, the Bank may postpone your return to such a date as will give the Company 8 weeks' notice, if this is not later than the Expected Return Date.

You may be able to return later than the Expected Return Date if you request annual leave or parental leave, which will be at our discretion (please see the Parental Leave Policy for further information on parental leave). If you are unable to return to work due to sickness or injury, this will be treated as sickness absence and our Managing Absence Policy will apply.

If you decide not to return to work after maternity leave, you must give notice of resignation as soon as possible and in accordance with the terms of your contract of employment. If the notice period would expire after maternity leave has ended, the Bank may require you to return to work for the remainder of the notice period. Once you have given notice that you will not be returning to work, you cannot change your mind without the Company's agreement. This does not affect your right to receive SMP.

At the end of OML employees are entitled to return to their original job on the same terms and conditions as if they hadn't been away from work. At the end of any AML they should also be able to return to their original job, unless this is not reasonably practicable (e.g. because the role no longer exists). In this case they are entitled to return to a suitable and appropriate alternative job with terms and conditions that are no less favourable than in their original role.

If required, it will be arranged for you to attend a company induction session on your return or on one of your KIT days.

### **Phased return**

Following either OML or AML, you may find you need some time to settle back into work and balance your responsibilities between work and your new or increased family. To assist with this, we allow you to work 80% of your hours in a pattern of your choosing, for the first three months after your return from leave (including any annual leave added to maternity leave) while being paid your full salary.

You must discuss and agree your plans with your manager and HR before you go on leave so that this can be accommodated.

We may not be able to commit to allowing you to work reduced hours if you have not notified HR of your desire to do so before your return to work.

### **Flexible Working Requests:**

You can request a change in your working hours or working pattern to apply following your return from SML. All requests for part time working or other flexible working arrangements will be considered under the Company's Flexible Working Policy and Procedure. It is helpful if such requests are made as early as possible. You may wish to put your request in to start after your 80% phased return or to consider how you might incorporate this into any flexible working request.

### **Time Off for Antenatal Care**

Once you have advised the Company that you are pregnant, you are entitled to take reasonable paid time off work to attend antenatal appointments as advised by your doctor, registered midwife or registered health visitor. You should attempt to organise these appointments at the beginning or end of the day if possible to minimise disruption to the business. You are required to produce evidence of the appointments, such as a medical certificate or appointment card/email to your line manager who will pass to the HR Team for your file.

### **Annual Leave**

You will continue to accrue contractual annual leave entitlement during the whole period of SML. Annual Leave cannot be taken at the same time as maternity leave; therefore, we ask that you use your holiday entitlement in one of the following ways: -

1. By taking it immediately prior to your maternity leave or immediately following your maternity leave (to increase the length of your absence from work), providing this can be accommodated by the Bank; and/or



2. By using it immediately upon your return to work to support a flexible return. As an example, you could work 3 days and have 2 days as annual leave each week for the first month upon your return. This option must be approved in advance by your line manager.

Any outstanding annual leave accrued during the calendar year that has not been taken as per the above may be taken during the remainder of the holiday year as normal. Any holiday entitlement for the year that cannot reasonably be taken in a leave year due to a period of maternity leave can be carried over to the next holiday year and should be taken as soon as possible.

### **Terms and Conditions**

While you are on OML or AML you continue to benefit from all your terms and conditions of employment, except in respect of pay, which is replaced by SMP or CMP (where applicable), as referred to above. The first two weeks of maternity leave is compulsory and this and the rest of your OML will be treated as working time for bonus purposes. You will not accrue bonus whilst you are on AML. You will receive any bonus attributable to the period during which you were not on maternity leave.

The Bank reserves the right to suspend any benefits that are expressly provided for business use only (e.g. a mobile telephone).

### **Pension Contributions**

If you are a member of the pension scheme, during any period you are in receipt of Statutory Maternity Pay only, or during any period of unpaid maternity leave, the Bank will continue to contribute to your pension under the salary sacrifice arrangement at the rates set out in your contract of employment, based on what your earnings would have been if you had not been on maternity leave.

During any period you are in receipt of Company Maternity Pay (see the Company Maternity Pay section of this Policy) you will be required to contribute 2% or 3% (depending on the rate at which you have opted to contribute) based on the amount of Company Maternity Pay you are receiving at the time (excluding any Statutory Maternity Pay). The Bank will contribute 8% or 15% (depending on the rate of contribution), but based on what your earnings would have been if you had not been on maternity leave. The Bank will also make an additional contribution equivalent to the difference (if any) between the contribution paid by you and the contribution based on what your earnings would have been if you had not been on maternity leave. If you want to make additional voluntary contributions to your pension scheme, please speak to HR.

### **Childcare Vouchers**

If you are currently part of a childcare voucher scheme and sacrifice part of your salary in exchange for childcare vouchers you should be aware that the value of the childcare vouchers is excluded from your gross average weekly earnings when the calculations are made to determine SMP. You will continue to receive Childcare Vouchers throughout your maternity leave. Please note that the Childcare Voucher Scheme is now closed to new entrants.

**Annex 1**

**RISK ASSESSMENT FOR EXPECTANT MOTHERS**

<b>Organisation name:</b>	British Business Bank		
<b>Name of employee:</b>			
<b>Department:</b>			
<b>Job title:</b>			
<b>Date of childbirth/expected date of childbirth:</b>			
<b>Date of risk assessment:</b>			
<b>Name and job title of person carrying out risk assessment:</b>			
<b>Risks to new and expectant mothers</b>	<b>Risks identified - who could be at risk and how</b>	<b>Precautions already taken to reduce those risks</b>	<b>Further action necessary (including dates when action will be taken and name of person/people responsible for taking action)</b>

<p>Physical hazards:</p> <ul style="list-style-type: none"> <li>• awkward spaces and workstations</li> <li>• vibration</li> <li>• noise</li> <li>• radiation</li> </ul>			
<p>Chemical hazards:</p> <ul style="list-style-type: none"> <li>• handling chemicals such as drugs, pesticides, or lead</li> </ul>			
<p>Biological agents:</p> <ul style="list-style-type: none"> <li>• infections</li> </ul>			
<p>Working conditions:</p> <ul style="list-style-type: none"> <li>• inadequate facilities (including inadequate rest rooms)</li> <li>• excessive working hours (including night work)</li> <li>• unusually stressful work</li> <li>• exposure to cigarette smoke</li> <li>• high or low temperatures</li> <li>• lone working</li> <li>• working at heights</li> <li>• travelling</li> </ul>			

<ul style="list-style-type: none"> <li>exposure to violence</li> </ul>			
Any other hazard:			
Details of any advice provided by the employee's GP or midwife:			
<b>Employee's signature:</b>			
<b>Date:</b>			
<b>Signature of person carrying out risk assessment:</b>			
<b>Date:</b>			

**PLEASE RETURN COMPLETED FORM TO HR FOR THE PERSONNEL FILE**