

# Maternity Policy

<b>Team responsible for Policy:</b>	Regulatory Compliance Team
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## 1. About this policy

- 1.1. This policy outlines the statutory rights and responsibilities of employees who are pregnant or have recently given birth, and sets out the arrangements for pregnancy-related sickness, health and safety, and maternity leave.
- 1.2. You are entitled to take time off during your working hours to attend antenatal care. Employees with a qualifying relationship with a pregnant woman or her expected child are also entitled to take time off to accompany her to the appointment.
- 1.3. This policy does not form part of any employee's contract of employment and we may amend it at any time.

## 2. Entitlement to maternity leave

- 2.1. All employees are entitled to up to 52 weeks' maternity leave, consisting of 26 weeks' ordinary maternity leave (OML) and 26 weeks' additional maternity leave (AML).
- 2.2. You are entitled to maternity leave in accordance with this policy if your child is stillborn after 24 weeks of pregnancy or born alive at any stage of pregnancy but does not survive (neonatal loss). If eligible, you will also be entitled to maternity pay in accordance with paragraph 5.

## 3. Notification

- 3.1. Please inform us as soon as possible that you are pregnant. Please also notify us regarding any health and safety considerations that you perceive.
- 3.2. Before the end of the fifteenth week before the week that you expect to give birth (Qualifying Week), or as soon as reasonably practical afterwards, you must tell us:
  - a) the week in which your doctor or midwife expects you to give birth (Expected Week of Childbirth); and
  - b) the date on which you would like to start your maternity leave (Intended Start Date).
- 3.3. You should notify us by emailing [mail@paystream.co.uk](mailto:mail@paystream.co.uk).
- 3.4. Once you receive a certificate from a doctor or midwife confirming your Expected Week of Childbirth (MATB1), you must provide us with a copy.

## 4. Starting maternity leave

- 4.1. The earliest you can start maternity leave is 11 weeks before the Expected Week of Childbirth (unless your child is born prematurely before that date).
- 4.2. If you want to change your Intended Start Date, please tell us in writing. You should give us as much notice as you can, but wherever possible you must tell us at least 28 days before the original Intended Start Date (or the new start date if you are bringing the date forward).

- 4.3. Your maternity leave should normally start on the Intended Start Date. However, it may start earlier if you give birth before your Intended Start Date, or if you are absent for a pregnancy-related reason in the last four weeks before your Expected Week of Childbirth. In either of those cases, maternity leave will start on the following day.
- 4.4. Shortly before your maternity leave is due to start, you should discuss with your line manager at the client's company and the agency the arrangements for covering your work.
- 4.5. The law says that we cannot allow you to work during the two weeks following childbirth. You must therefore take a minimum of 2 weeks' maternity leave after your baby is born (or 4 weeks if you work in a factory).
- 4.6. If you no longer wish to take your maternity leave or wish to change the start date or the end date you will need to send an email to [mail@paystream.co.uk](mailto:mail@paystream.co.uk) informing PayStream of this change one week before payment is due to be paid. This will help prevent any overpayments of maternity pay, described in paragraph 5 below.

## 5. Maternity pay

- 5.1. Statutory maternity pay (SMP) is payable for up to 39 weeks, provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. The first six weeks of SMP are paid at 90% of your average earnings and the remaining 33 weeks are at a rate set by the government each year.
- 5.2. You are advised that SMP is subject to tax and national insurance contributions.
- 5.3. SMP cannot be taken in conjunction with any other payment, for example, work performed that is not a "keeping-in touch" day (explained in paragraph 7), or any other statutory payment, such as Statutory Sick Pay ("SSP").
- 5.4. If you do not meet the criteria to claim SMP, we will fill out an SMP1 form which you may use to claim support from alternative sources, for example, maternity allowance from your local Jobcentre Plus office. Information on maternity allowance can be viewed at: <https://www.gov.uk/maternity-allowance/overview>.

## 6. During maternity leave

- 6.1. With the exception of terms relating to pay, your terms and conditions of employment remain in force during OML and AML.
- 6.2. Holiday entitlement will continue to accrue during maternity leave and can be carried over to the next holiday year where necessary. You cannot receive more than one type of statutory leave at the same time. If you are on the advanced holiday pay model, you can take holiday leave but this will cause a break in your SMP pay and you will need to be re-assessed based on eligibility criteria explained above. If you are on the accrued holiday pay model, again you can take holiday leave and claim holiday pay, but this will cause a break in your SMP pay and you will need to be re-assessed. If you are in receipt of SHPP, you can insert periods of annual leave in between blocks of shared parental leave.
- 6.3. If you are a member of the pension scheme, we shall make employer pension contributions during OML and any period of paid AML, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any maternity pay you are receiving, unless you inform the Pensions Administrator that you wish to make up any shortfall.

## 7. Keeping in touch

- 7.1. We may make reasonable contact with you from time to time during your maternity leave, although we will keep this to a minimum.
- 7.2. You may work (including attending training) on up to ten "keeping-in-touch" days during your maternity leave. This is not compulsory and must be discussed and agreed with your line manager and agency.
- 7.3. You will be paid at your normal basic rate of pay for time spent working on a keeping-in-touch day and this will be inclusive of any maternity pay entitlement.

## 8. Returning to work

- 8.1. You must return to work on the Expected Return Date unless you tell us otherwise. If you wish to return to work earlier than the Expected Return Date, you must give us eight weeks' prior notice of the date. It is helpful if you give this notice in writing. 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.
- 8.2. If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.