

Caring and Family Leave

Maternity Leave

Statutory Entitlement to Maternity Leave

If you are expecting a baby, you will be entitled to maternity leave and the right to return to work in accordance with current legislation in the Isle of Man.

Duration of Maternity Leave

You will be entitled to 26 weeks Ordinary Maternity Leave (OML) regardless of your length of service with us. OML may start at any time from the 11th week before the expected week of childbirth. During OML contractual benefits will be unaffected except for salary.

If you have completed 26 weeks continuous employment by the beginning of the 14th week before the expected week of childbirth you are also entitled to 26 weeks Additional Maternity Leave (AML). AML begins at the end of OML. Your contract of employment continues during AML.

You should note that the terms of your employment contract relating to continuous service will continue during AML and annual leave will accrue up to the limit specified under the Annual Leave Regulations (currently 20 days). Other terms and conditions of the contract such as payment of salary will not continue during AML.

Notice for the Start of Maternity Leave

You are requested to notify the HR team in writing as soon as is reasonably possible, but in any case not later than 21 days before the week your baby is due:

- Advising that you are pregnant;
- Advising when the expected week of childbirth will be, which should be supported by means of a Maternity Certificate Mat B1 which is issued by your doctor or midwife;
- Advising the date on which you intend to start your maternity leave (which must be at a date no earlier than the 11th week before the expected week of childbirth).

We will give you a written acknowledgement within 28 days of receiving the above notification advising you of the intended start date for your maternity leave and your expected 'return to work' date. Your maternity leave start date can subsequently be changed by you as long as you inform us in writing the earlier of:

- 28 days before your original maternity leave start date;
- 28 days before your new date (the amended date) that maternity leave will commence.

If you decide to change your maternity leave start date, we will advise you of the date you are expected to return to work, within 28 days of your maternity leave commencing.

Absence due to Childbirth, Pregnancy Related Illness or Unrelated Illness before the intended Maternity Leave start date.

If childbirth occurs before you are able to give notification to us, we acknowledge that it would not be practicable for the above notification to be met.

Should this be the case, maternity leave will begin automatically on the day after the date of birth (even if this is before the beginning of the 11th week before the expected week of childbirth) and you are requested to advise us of the date of childbirth as soon as is reasonably practicable.

If you are absent for a pregnancy related reason, you are requested to provide details of the date on which the absence started. Should a pregnancy related illness result in absence during the 6 weeks preceding the expected week of childbirth, we have the right to automatically commence your maternity leave. In the event of miscarriage, absence will be recognised as sick leave and signed doctor's medical certificates should be submitted to us in the usual manner.

If you are absent due to an illness unrelated to your pregnancy, you can remain on sick leave until you start your maternity leave on the date you have already notified to us and a Doctor's certificate should be submitted in the usual manner for any period of absence.

Time Off for Ante-Natal Care

If you are expecting a baby, (or someone that you have a qualifying relationship with is Expecting a baby) you are entitled to time off in order to attend ante-natal care on two occasions (of up to 6.5 hours on each occasion); which may include relaxation and parent craft classes, as well as medical examinations, if taken on medical advice. There will be no deduction of salary for attendance at authorised appointments.

A qualifying relationship is defined as:

- Husband, wife or civil partner who lives with the pregnant woman in an enduring family relationship.
- The father of the expected child.
- A relative (i.e. parent, grandparent, sister, brother, aunt or uncle).

After the first appointment, you should give us:

- Certification from your GP or midwife stating you are pregnant;
- An appointment card showing appointments that have been made.

Contact during maternity leave

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

Keeping in touch days

Except during the first two weeks from childbirth, you may agree to continue to work for up to a maximum of ten days during either your ordinary or additional maternity leave without that work bringing the period of your maternity leave to an end. These are known



as “keeping in touch” days. Any work carried out on a day shall constitute a day’s work for these purposes. We have no right to require you to carry out any work, and you have no right to undertake any work, during your maternity leave. Any work undertaken, including the amount of salary paid for any work done on keeping in touch days, is entirely a matter for agreement between us and you. Any keeping in touch days worked do not extend the period of your maternity leave.

Statutory Maternity Allowance (Isle of Man)

Maternity allowances are paid by the Isle of Man Government Department for Health and Social Security (DHSC) for up to a maximum of 39 weeks at a set rate. A DHSC Maternity Allowances Claim Form must be used to claim maternity allowances from the DHSC. We do not pay salary during maternity leave (either OML or AML).

Statutory Maternity Pay (UK)

Statutory Maternity Pay_SMP is paid for a maximum of 39 weeks.

For the first six weeks, you may receive 90% of your average weekly earnings before tax. For the remaining 33 weeks, you may receive either £187.18 per week or 90% of your average weekly earnings, whichever is lower.

To be eligible for SMP, you generally need to have worked for us for at least 26 weeks continuously before the week your baby is due and meet certain other conditions. SMP is paid through our usual payroll and is subject to tax and National Insurance deductions.

Company Maternity Pay (Isle of Man and UK)

Subject to you having at least 12 months employment with us, you will be eligible to receive Company Maternity Pay, which is 50% of your usual basic weekly or monthly salary payable for the first 6 months of your maternity leave. You will be required to remain in the Company’s employment for at least 12 months following your final payment of Company Maternity Pay. If you resign during maternity leave or within 12 months of your final Company Maternity Pay payment you will be required to reimburse 100% of the costs incurred by the Company. For more information, please contact the HR team.

The Right to Return to Work

Upon completion of OML, you are able to return to the same job on the same terms and conditions as if you had not been absent other than if you have requested to alter your terms and conditions on return (e.g. requested to work part-time hours, reduce your hours etc.).

Upon completion of AML, you are able to return to the same job you had before OML and AML began. If this is not reasonably practicable, you will be offered a similar job, which provides terms and conditions no less favourable than your original job.

We will give serious consideration to requests for returning to work on a part-time basis. However, if this cannot be accommodated in the original job, an alternative part-time



position may be considered. All requests to return to work on a part-time basis or any requests to amend working hours will be considered in accordance with business needs.

If you decide to return to work before the expected date of return you must give at least 28 days written notice to us before the day on which you propose to return, of your intention to return early. If you return to work earlier than the end of OML without giving the 28 days' notice, we may postpone your return to work for up to a maximum of 4 weeks, until 28 days' notice has been given.

If you qualify for AML but only wish to take the 26 weeks' OML you are requested to give us 28 days' notice of your return to work as you will be returning to work before your full maternity leave entitlement (i.e. up to the end of AML) has ended. If you return to work earlier than the end of OML or AML without giving us 28 days' notice, we may postpone your return to work for up to 4 weeks, until 28 days' notice has been given.

If your return has been postponed under these circumstances, you will not be entitled to receive salary should you return to work during the period of postponement. If you are unable to return to work at the end of OML or AML due to sickness or a pregnancy related illness, the normal contractual arrangements for sickness absence will apply.

Deciding not to return to work

If you decide not to return to work you must confirm this in writing to the HR team, giving the notice required in your contract of employment, advising the date upon which this is to take effect. If you have been in receipt of Company Maternity Pay you will be required to reimburse 100% of costs.

Postponing the return to work

You or we may postpone the return to work, once only.

Postponement by You

You may only postpone your return to duty on medical grounds for up to a maximum period of 4 weeks after the date of return previously notified to us. We will require written advice giving the reason for postponement, an alternative date of return and a medical certificate.

Postponement by the Company

We may postpone your return to duty up to a maximum period of 4 weeks after the date of return previously notified. You will be informed of a revised expected date of return and the reason for postponement, in advance of the intended 'new' return to work date.