

**Post Office Ltd.
Employment Policy Guide**

Contents

1	Purpose
2	Maternity Leave
2.1	Ordinary Maternity Leave
2.2	Additional Maternity Leave
2.3	Compulsory Maternity Leave
3	Maternity Pay
3.1	Post Office Ltd. Maternity Pay
3.2	Statutory Maternity Pay
3.3	Maternity Allowance
4	Applying For Maternity Leave
5	Miscarriages And Stillbirths
6	Flexible Working & Other Leave
6.1	Flexible Working
6.2	Annual Leave, Public and Post Office Ltd. Holiday
7	Equal Opportunities
8	Protection Against Dismissal
9	Health And Care
9.1	Time off for Appointments
10	Other Benefits
10.1	Pension
10.2	Company Cars
11	Keeping In Touch
12	Returning To Work
13	Failure to Return to Work
14	Further Information
Annex 1	Pregnancy And Maternity Timetable

1. Purpose

The purpose of this guide is to give guidance on maternity leave for those individuals wishing to apply (and their line managers), on maternity leave arrangements within Post Office Ltd. It applies to all individuals with an expected week of childbirth of 5 October 2008 or later

It covers a range of issues relating to pregnancy and maternity, such as leave available and the benefits payable whilst on Maternity Leave. The guide covers the statutory minimum arrangements as well as detailing the enhanced benefits provided under Post Office Ltd. maternity leave arrangements.

This guide is not intended to be an authoritative statement of the law. Further guidance on legal issues, the maternity process or Post Office Ltd. policy can be obtained in the first instance from HR Services on 08456016260.

2. Maternity Leave

2.1 Ordinary Maternity Leave

All pregnant employees, regardless of length of service, are entitled to 26 weeks **Ordinary Maternity Leave** by law. During those 26 weeks they will continue to benefit from the terms and conditions of employment EXCEPT REMUNERATION.

2.2 Additional Maternity Leave

All pregnant employees are also entitled to a further 26 weeks of **Additional Maternity Leave**, making a total of 52 weeks. (Including the 26 weeks Ordinary Maternity Leave). During Additional Maternity Leave, those who are expecting babies on or after 5 October 2008 will continue to benefit from their terms and conditions of employment EXCEPT REMUNERATION.

2.3 Compulsory Maternity Leave

All individuals must take a minimum of 2 weeks **Compulsory Maternity Leave**, which commences on the day that childbirth occurs. After that it is for the individual to choose how much more of their maternity leave entitlement they would like to take.

3. Maternity Pay

HR Services will be able to advise on what maternity pay an individual is entitled to depending on their length of service etc (this may result in the individual being referred to the DWP). However, an overview of the different types of Maternity Pay available is shown below. Please note that, in order to qualify for Post Office Ltd Maternity Pay, individuals must remain Royal Mail employees throughout their pregnancy and maternity leave.

3.1 Post Office Ltd. Maternity Pay

All employees of Royal Mail Group plc working in Post Office Limited who have at least 1 year's continuous service and who qualify for Statutory Maternity Pay will qualify for full pay and assigned shift payments for the first 26 weeks (including 2 weeks compulsory maternity leave.) They will then be entitled to Statutory Maternity Pay for the first 13 weeks of Additional Maternity Leave. Any Additional Maternity Leave that follows this will be treated as Unpaid Leave (up to 13 weeks).

3.2 Statutory Maternity Pay

If an individual does not qualify for Post Office Ltd Maternity Pay they may be entitled to Statutory Maternity Pay (SMP), providing:

- That they have 26 weeks continuous service at the end of the qualifying week (15 weeks before the expected week of childbirth), and
- Their average earnings in the 8 weeks up to and including the qualifying week have been at least equal to the lower earnings limit for NI contributions.

In summary, SMP is paid as follows:

- 6 weeks at 90% of average earnings (Higher Rate SMP)
- 33 weeks at a lower flat rate - £123.06 from April 2008 (normally reviewed annually –this is known as Lower Rate SMP)

3.3 Maternity Allowance

For individuals with less than 26 weeks continuous service at the qualifying week (15 weeks before the expected week of childbirth) they may be entitled to Maternity Allowance (MA) - £123.06 a week for 39 weeks (or 90% of their earnings for 26 weeks if this is less than £123.06 a week). HR Services will provide a form SMP1 to individuals, along with returning the MATB1 to enable them to make an application to MA from their local DWP office.

4. Applying For Maternity Leave

4.1 To qualify for Maternity Leave and Pay individuals will need to apply by:

- Writing to HR Services, via their line manager, at least 15 weeks prior to the Expected Week of Childbirth (EWC).
- Indicating the EWC, the date they wish to start Maternity Leave and how long is required (if known). Note that it is possible for an employee to change their mind during maternity leave about when they would like to return.
- Produce a certificate of pregnancy issued by a registered GP or a certified Midwife stating the expected date of childbirth - a 'MATB1'

form (if issued earlier than 14 weeks prior to the date of childbirth HR Services cannot accept it and the individual will be asked to get another one).

- 4.2** Statutory provisions state that an individual may change her mind about the start date of her maternity leave providing she gives 28 days notice, wherever it is reasonably practicable to do so. In practice many things occur which might cause a change, which make 28 days notice difficult to achieve, and a degree of common sense should be applied to enable the individual to provide as much notice as is practically possible. However during the four weeks before the Expected Week of Childbirth, Post Office Ltd. can insist that maternity leave commences if the individual were to go sick for a pregnancy related reason.
- 4.3** HR Services will send a written acknowledgement of the notification of the individual's pregnancy within 28 days confirming an expected date of return, and which will assume that the individual will take her full entitlement to maternity leave.
- 4.4.1** Full entitlement in this instance will be taken as 26 weeks Ordinary Maternity Leave **and** 26 weeks Additional Maternity Leave unless the individual advises that she wishes to return at an earlier date in her request for leave.
- 4.4.2** The employee guide makes reference to this assumption, as does the request letter. The employer confirmation letter will then confirm relevant dates and rates.
- 4.5.1** To ensure accurate control is exercised over the absence the Line Manager should confirm with HR Services that the individual has indeed started their maternity absence and also when they have resumed work.
- 4.5.2** The e mail should go to HR Absence with details of name / pay number, office and date absence started or date individual resumed.
- 4.6.1** Under the Maternity leave provisions the individual is not required to send any notification of her return to work unless she wishes to return before the end of her maternity leave (Ordinary or Additional).
- 4.6.2** The employer is not required to send any further requests about return to work having confirmed the maternity leave arrangements.
- 4.6.3** Line managers will need to ensure that the individual's return to work dates are noted in the office diary for planning purposes.
- 4.6.4** Note that there is now a right under the maternity legislation for an employer to maintain "reasonable contact" for the purpose of arranging the employee's return to work.

5. Miscarriages and Stillbirths

If a miscarriage is suffered before the end of the 24th week of pregnancy and the individual is absent from work this will be classed as Sick Leave and not Maternity Leave.

If a stillbirth occurs on or after the 24th week of pregnancy this will be classed as Maternity Leave and Maternity rules will apply.

6. Flexible working & other leave

6.1 Flexible Working

New parents have the right to request flexible working arrangements to take account of their changed circumstances.

As the employer we have a statutory obligation to give serious consideration to each request.

For further details refer to the policy document on flexible working and section 12 below.

6.2 Annual Leave, Public and Post Office Ltd. holidays:

6.2.1 An individual may not take annual leave during or between Ordinary or Additional Maternity leave periods but she may take annual leave before her maternity period starts or when it ends. Annual leave accrued during maternity leave cannot normally be carried over into another leave year.

6.2.2 During Maternity Leave an individual will continue to accrue contractual annual leave as normal. Leave accrued during Ordinary Maternity Leave will be paid leave. However, leave accrued during Additional Maternity Leave will be paid only up to the individual's maximum statutory entitlement under the Working Time Regulations, ie. For those working a standard five day week, a maximum of 12 days up to 1 April 2009 and 14 days thereafter (including Bank Holidays).

6.2.3 Any Bank/ Public holidays which fall whilst an employee is on Ordinary Maternity Leave will be credited to the employee's Annual Leave on return to work. Those falling during Additional Maternity Leave will be credited as unpaid leave but those falling during Ordinary Maternity Leave will be credited as paid leave.

6.2.4 If an individual's entitlement to paid Annual Leave has already been exceeded for the year to date when her maternity leave commences, and the individual does not intend to return to work, the value of any excess paid leave taken will be deducted from any monies due to her on the last day of service. In circumstances where the employee has taken less paid Annual Leave on their leaving date than is their entitlement, payment will be made to the employee for any outstanding paid Annual Leave.

7. Equal Opportunities

Under Equal Opportunities legislation every woman has the right not to be discriminated against on the grounds of or as a result of her pregnancy. Post Office Ltd. is totally committed to providing equality of opportunities.

Post Office Ltd. expects that pregnant women and those on maternity leave should have the same opportunities made available to them regarding:

- Vacancies
- Promotion
- Pay and Benefits (also, refer to section 10)
- Conditions of Service

and that their need for respect, training and development, involvement, recognition and reward should not be affected.

All pregnant individuals and those on/ or recently on Maternity Leave should be treated in a way which is sensitive to their circumstances and not in any way singled out for inferior treatment.

8. Protection Against Dismissal

Any woman dismissed because she is pregnant or for any other reason connected with the pregnancy is automatically unfairly dismissed regardless of the length of service. If a pregnant individual is being dismissed, for some other reason e.g. misconduct, expired contract, the reason for the dismissal must be clearly communicated and documented showing that the pregnancy is irrelevant.

Special rules apply if dismissal by redundancy is being considered, expert advice and guidance should be sought from HR Services and Legal Services.

8.1 Sex Discrimination and Pregnancy

It is very important to note that any detrimental treatment of a pregnant woman because she is pregnant or on maternity leave constitutes direct sex discrimination (See Section Equal Opportunities policy) for which the employee could be awarded substantial compensation by an Employment Tribunal.

9. Health & Care

For most women, working during pregnancy (or post-natally) poses no health problems at all. However, if the job involves a lot of physical activity, different or lighter duties may need to be considered.

Line managers must undertake a risk assessment in line with Health and Safety policy. Details of risk assessment and risk assessment forms can be found in the Health and Safety manual.

Any issues arising from the assessment should be discussed between the individual and line manager. Further advice can be obtained from both HR Services on 08456016260, and Employee Health Services on 08006888777.

9.1 Time off for Appointments

All pregnant individuals, regardless of length of service, have a statutory right not to be unreasonably refused time off, without loss of pay, to enable them to keep appointments, and/or to attend a clinic etc. for ante-natal care which may include relaxation and/or parenting classes

Whilst in many cases employees would be able to arrange to attend some sessions outside their duty time, this may not always be so, particularly where there are a limited number of sessions provided outside of working hours. It is essential, however, that they keep their line manager fully informed of the times of their appointments in order for them to assist in accommodating the need for time off.

10. Other Post Office Ltd. Benefits

Individuals on Maternity Leave remain contracted to Royal Mail Group employment. Therefore, most benefits will continue throughout the period of leave. Specific details can be obtained from HR Services, however details regarding some of the main benefits are as follows:

10.1 Pension

Pension contributions (the individual's contributions and Royal Mail Group plc's) are paid during the paid part of Maternity Leave. Contributions will be reduced during the period when the employee is receiving statutory maternity pay only. For any period of unpaid Maternity Leave, pension contributions are not paid and this is classed as non-reckonable service for pension purposes and individuals will have the opportunity to pay contributions to the Pension Scheme to ensure that pensionable service is not lost. Further details on this can be obtained from HR Services or the Pensions Helpline on 0114 2414545 (5456 4545)

10.2 Company Cars

Those individuals with personal contract cars or job need cars may retain these whilst on Maternity Leave (both OML and AML). If the individual has opted for a car allowance, this will be paid during OML only.. In addition, 'Designated Pool Cars' are not associated with a particular individual and will be needed by the Business, therefore cannot be retained by the individual after Maternity Leave has commenced.

10.3 Bonus and commission

This is a very complex area and further guidance on entitlement during maternity leave should be sought from HR Services with reference to the rules of the specific bonus/commission scheme that is applicable.

11. Keeping In Touch

When an individual is away from work for a while they can sometimes feel isolated. It is important that individuals are kept informed of what is happening at work, especially prior to returning. In the case of Maternity Leave individuals **must** be kept informed to ensure they have fair and equal access to opportunities such as job applications etc. (Failure to keep an employee informed may lead to a possible claim for discrimination).

Prior to commencing Maternity Leave, the individual and their line manager should discuss and agree on what level of information and contact is appropriate and **there is a legal obligation for line managers to do this**. A proforma is provided within the employee guide to help the individual confirm such arrangements.

Examples of some of the types of information that may be shared with an individual are as follows:

- *Local job vacancies*
- *Team/Business Unit news*
- *Royal Mail wide key information*
- *Work developments and points of interest*
- *Pay Awards*
- *Changes to employment policies or terms and conditions*

There is now a statutory right for the employer to make “reasonable contact” with an employee absent on maternity leave for the purpose of arranging her return to work.

The Government has also introduced “Keeping in Touch Days” to enable an employee on maternity leave to voluntarily attend work and be paid on her usual contractual basis for up to 10 days without triggering the end of her leave or affecting her entitlement to statutory maternity pay. The purpose of this is to enable the employee to participate in relevant work or training which will smooth her eventual return to work. Note that attending a Keeping in Touch Day is optional for the employee and managers must avoid pressurising her in this respect. For any days worked by the employee during the period when Statutory Maternity Pay is paid, pay will be reduced by the rate of Statutory Maternity Pay to ensure that the individual does not exceed her usual contractual basic pay. During the unpaid portion of her additional maternity leave any days worked under the ‘keeping in touch days’ must be with pay.

12. Returning To Work

12.1 When an individual decides to return at the end of the 52 weeks maternity period (Additional Maternity Leave) there is no statutory requirement to notify the line manager of the intention to return. However, in order to help with arrangements and preparation in facilitating the employee's return the individual should be encouraged to do so as earlier notification would be mutually beneficial.

12.2 If the individual decides that they wish to return to work earlier or later than the agreed return date, they are required to give 8 weeks' notice in writing of their intention to return. Individuals should be advised that this notification should be sent to their line manager who should then advise HR Services accordingly. Where they wish to delay their return, the notice should be sent 8 weeks before the originally agreed return date.

12.3 When an individual has notified an intention to return in accordance with the notification arrangements but is then unable to make a physical return to work due to ill health, a doctor's medical certificate will be acceptable as evidence of a return and the individual will then be treated within the normal sick pay rules.

12.4 An individual usually has the right to return to the same job at the end of Ordinary Maternity Leave (except in a redundancy situation when special rules apply). The position is slightly different if she takes Additional Maternity leave and where it is not reasonably practicable for her to return to the same job at the end of Additional Maternity Leave, she has the right to return to another job that is suitable for her and appropriate for her to do in the circumstances, If an individual cannot return to the same job, advice should be sought from HR Services on whether it is appropriate to offer her an alternative role.

12.5 Post Office Ltd. is committed to flexible working practices that benefit both the Business and the individual. Given that the return to work following maternity leave can be a time of some stress for the mother a positive approach by line managers in seeking to accommodate changed circumstances may be of mutual benefit in enabling the individual to successfully return to the workplace.

12.6 Breastfeeding

Some returning mothers may still be breastfeeding. Under Health and Safety law the business must provide a suitable storage facility for a woman expressing milk. It follows that a woman would require suitable privacy to express milk. Line managers are expected to use common sense in meeting such a requirement.

12.7 Childcare Vouchers

Royal Mail Group have a childcare voucher scheme which may help with reducing childcare costs and so help an employee's return to work. The scheme is run in conjunction with Busy Bees, the UK's largest childcare voucher provider. Royal Mail has a dedicated helpline on 0800 043 7112 where further information can be obtained.

12.8 Flexible Working Options

12.8.1 Some of the flexible working options available to individuals returning to work after Maternity are set out below. This is not exhaustive and does not preclude options such as adjusting attendance patterns where this can meet both the needs of the individual and the business.

12.8.2 New statutory provisions give individuals the right to ask for flexible working arrangements in order to meet their changed circumstances. As an employer we are required to give such a request serious consideration. We are not obliged to agree to all requests providing we have reasonable grounds to decline, but managers should be seeking to accommodate requests where possible.

12.8.3 The decision to change working practices ultimately lies with the line manager and the Business. However, case law shows that indirect discrimination can occur if an employer refuses a request from a woman to undertake her job on a part-time basis, on account of childcare responsibilities, and the employer cannot objectively justify the need for the job to be undertaken on a full-time basis only. Again, early notification would aid arrangements and preparation in seeking to accommodate such requests.

12.8.4 Career Break

Business units within the Royal Mail Group, including Post Office Ltd., operate a number of career break schemes. These are aimed at enabling individuals to take time off to provide primary care to children. There are eligibility requirements; therefore if an employee is interested in this option they should contact HR Services who will be able to provide further details. Individuals will need to ensure that they make any request in time to ensure arrangements can be made to fit in with their requirements.

12.8.5 Job Share

Post Office Ltd. operates a Job Share scheme. This is where one full-time job is shared between two individuals. Pay, holidays and benefits are also divided. Interested employees should contact their line manager who will be able to provide further details on this being a possibility (refer to Job Share Scheme guidelines).

12.8.6 Part-Time Working

It may also be possible to return to work on a Part-Time basis or for working hours to be 'flexible'. Individuals should contact their line manager who will be able to provide further details (refer to Part-Time Working Scheme guidelines).

13. Failure to Return To Work

Line managers should seek advice from HR Services on action to be taken should an individual fail to return to work on the agreed date. Line managers should also advise HR Services of the outcome to ensure any pay changes etc. are actioned quickly.

14. Further Information

Further information connected to Maternity policy can be obtained from HR Services or by referring to the POL HR Help site.

Queries on process administration may be referred to HR Services.

There are also organisations outside Post Office Ltd. who can provide expert advice. A contact list of '*Useful Addresses*' is included in the POL Maternity Leave employee guide.

Annex 1

PREGNANCY AND MATERNITY TIMETABLE

This timetable aims to give a guide to key dates relating to work before and after the baby is born.

WHEN	WHAT TO DO
When an Individual is pregnant	Individual needs to notify line manager <ul style="list-style-type: none">• Managers will need to plan cover for the job• Allow time off for ante-natal appointments• Provide advice and support• Provide individual with copy of employee guide• Conduct risk assessment
At least 15 weeks before the expected week of childbirth.	Apply for Maternity Leave to HR Services via line manager HR Services will work out and advise on entitlements for the individual and confirm expected return to work date.
After 26 weeks of pregnancy	Individual will need to ask their GP or Midwife for their MATB1 form and forward this to HR Services <ul style="list-style-type: none">• This is needed to process Maternity payments - if the individual is not eligible to Statutory Maternity Pay (SMP) the MATB1 will be returned to enable the individual to claim Maternity Allowance (MA) from the DWP
After 29 weeks of pregnancy	If an individual would like to commence Maternity Leave at the earliest opportunity, this is the earliest time paid absence can commence
Commencement of leave	Line manager confirms start of maternity leave via e mail to HR Services
After the baby is born	Individual will ideally notify line manager. The individual will also need to register the birth (within 6 weeks) and claim for any benefits they are entitled to.
During Maternity Leave	Individuals and the line manager to keep in contact, as agreed. Individuals may attend paid Keeping in Touch Day(s) if they wish.
On return from maternity leave	Line manager confirms resumption via e mail to HR Services (HR Absence).