THE MORAY COUNCIL

MATERNITY LEAVE POLICY
(Including Neonatal Care Leave)

1.0 Introduction

1.1 The Moray Council recognises there is a need for staff to balance their domestic and work responsibilities to enhance an employee's work / life balance.

1.2 This policy sets out the statutory rights and responsibilities of employees who wish to take maternity leave and neonatal care leave. This policy applies to all pregnant employees, including part-time and temporary workers, regardless of hours worked or length of service are entitled to a period of 26 weeks ordinary maternity leave provided that certain notification requirements are met. These are set out in the following paragraphs.

2.0 Scope

2.1 To take advantage of Ordinary Maternity Leave you must inform Human Resources in writing, using application (Form M1), no later than the end of the 15th week before the week the baby is due:

- that you are pregnant
- the expected week of childbirth – by means of a medical certificate (MAT B1)
- the date you intend to start maternity leave (in writing – Form M1) and whether or not you intend to exercise the right to the Additional Maternity Leave period.

Please note that you can change the leave dates, provided you give 28 days notice.

2.2 In order to take Neonatal Care Leave and Pay, you must provide in writing to Human Resources stating:

- Your name
- Your baby's date of birth (or date of placement/entry to Great Britain if adopting)
- The start date or dates of neonatal care
- The date neonatal care ended (if applicable)
- The date on which you would like to take the leave (and pay)
- The number of weeks of Neonatal Care Leave (and pay) the notice is being given for
- Confirmation that the leave is being taken to care for the baby
- Confirmation that you are eligible to take the leave due to your relationship with the baby

3.0 Ordinary Maternity Leave

3.1 Maternity leave can start no earlier than the beginning of the 11th week before the expected week of childbirth, or it will begin on the day following the date of birth if this is sooner.

3.2 You may choose to work right up to the day of birth if you wish. However, if you are absent from work due to a 'pregnancy related' reason in the four weeks before the expected week of childbirth, you should let the Personnel Services Section know as soon as the absence begins as your maternity leave will start automatically from the first date of absence.

3.3 You should notify Human Resources of the actual date of childbirth at the earliest possible date and in any case, within 21 days of the birth. Please note that under Scottish Law, there is also a requirement to register the birth of your child within 21 days of the event.

3.4 We will write to you within 28 days of receiving your notification, and let you know when you are due to return to work if you take all of your maternity leave.

4.0 Additional Maternity Leave

4.1 All pregnant employees have the right to an additional period of maternity leave. This additional period of leave begins at the end of ordinary maternity leave, for 26 weeks, totalling 52 weeks maternity leave.

4.2 If you wish to take Additional Maternity Leave, you should:

- indicate (in writing – Form M1) whether or not you can confirm your intention to return to work for at least 3 months following the maternity leave.
- if you are unsure about returning to work, you should also indicate that you want the 12 weeks at 5/10th's of pay withheld.

4.3 Maternity leave can only be extended beyond the maximum limits on the grounds of ill-health. If you are ill and provide a Medical Certificate from your doctor, you can delay your return to work by up to 4 weeks. This certificate must be forwarded to the Personnel Services Section who will in turn advise the Line Manager and the Payments Section.

5.0 Start of Maternity Leave before the Notified Date

5.1 An employee cannot normally start her maternity leave unless she has given the Council the required notice, except in the following circumstances:

- If an employee give birth before the date she has notified, or before she has notified a date, her maternity leave period starts automatically on the day after the date of the birth. She must notify the Council, as soon as is reasonably practicable of the date of birth.

- If the employee is absent from work due to a pregnancy-related reason within four weeks of the expected week of childbirth but before the date she has notified, her maternity leave period begins automatically on the day after the first day of her absence. She must notify the Council that

she is absent from work wholly or partly because of pregnancy and of the date on which her absence for that reason began as soon as is reasonably practicable.

6.0 Maternity Pay

6.1 Maternity pay and the amount payable will depend on your continuous service with the Council and the level of National Insurance Contributions you pay.

6.2 All enquiries relating to maternity pay entitlement should be referred to Human Resources.

6.3 Occupational Maternity Pay is pay provided for in your contract of employment, in addition to Statutory Maternity Pay. Employees with less than 26 weeks continuous service, at the qualifying week are not eligible for Occupational Maternity Pay; please go to section 7.5 Statutory Maternity Pay.

6.4 Employees, both full and part-time, who have accrued a period of at least 26 weeks continuous service by the qualifying week, may be entitled to occupational maternity pay, as outlined in the following paragraphs:

Occupational maternity pay is only paid to employees who return to work for at least 3 calendar months following the birth of their baby. If you are unsure as to whether or not you will return to work, you can opt to have this money withheld. The Payroll Section will then pay the outstanding OMP on completion of the 3 month period.

Payable to All Employees:
The first 6 weeks of any period of maternity leave will be paid at 9/10th's of normal pay, offset against any payment made by way of Statutory Maternity Pay or Maternity Allowance where eligible.

Employees who intend to return to work:
For employee's intending to return to work, the next 12 weeks will be paid at 5/10th's of normal pay without any deduction. However, where the combined pay and Statutory Maternity Pay (or Maternity Allowance and any dependant's allowances) would exceed the full pay, a deduction will be made.

For the next 8 weeks of Ordinary Maternity Leave, Statutory Maternity Pay only, will be paid.

If for any reason, you fail to return to and remain at work, for at least 3 calendar months following your leave period, you will be required to refund the 12 weeks at 5/10th's of pay to the Council.

Payments by way of Statutory Maternity Pay are not refundable.

Employees who do not intend to return to work:
For employees who do not intend to return to work after the birth, the next 20 weeks of Ordinary Maternity Leave will be paid at Statutory Maternity Pay only.

6.5 **Statutory Maternity Pay**

Employees, both full and part-time, who are pregnant or have just given birth, are entitled to a maximum of 39 weeks statutory maternity pay (SMP), which covers the Ordinary Maternity Leave and part of the Additional Maternity Leave periods, if:

- you have worked for the Council for a continuous period of at least 26 weeks ending with the qualifying week, which is 15 weeks before the expected week of childbirth.

- your average weekly earnings in the eight weeks up to and including the qualifying week was at least equal to the lower earnings limit for National Insurance Contributions.

6.6 If you do not qualify for Statutory Maternity Pay you may be entitled to Maternity Allowance instead. The Social Security/Jobcentre Plus Office pay this direct to you. If eligible, you must notify the Payments Section of the amount of Maternity Allowance you are in receipt of. If you are not entitled to Statutory Maternity Pay or Maternity Allowance, you may be able to claim income support or other benefits.

6.7 The first 6 weeks of any period of maternity leave is paid at 90% of your average weekly earnings.
The remaining 33 weeks is paid at the Statutory Maternity Pay standard rate (current rates can be found at www.direct.gov.uk or www.hmrc.gov.uk), or 90% of your average weekly earnings, if lower.

6.8 Once entitlement to Statutory Maternity Pay has been established in the qualifying week, the Council is obliged to pay it, even if you were to leave before you want your Statutory Maternity Pay to start. If you decide not to return to work after the maternity leave, you do not have to pay back your Statutory Maternity Pay.

6.9 Statutory Maternity Pay is only payable when you are absent from work. However, up to ten 'Keeping in Touch' days to give employees the chance to go to work and keep in touch without losing their right to maternity pay is allowed. Employees cannot work during the first two weeks after the birth.
If you exceed the 10 'KIT' days and work for the Council in any particular week you are disqualified from receiving Statutory Maternity Pay for that week. Any Statutory Maternity Pay lost in this way is always lost at the standard rate.

6.10 In order to receive Statutory Maternity Pay, you must notify the Council, no later than the end of the 15th week before the week the baby is due or as soon as reasonably practicable:

- that you are pregnant;
- when the expected week of childbirth will be (in writing – MATB1);
- when you intend your maternity leave to begin (in writing – Form M1).

You can give notice for Statutory Maternity Pay at the same time as for Maternity Leave.

6.11 To qualify for Statutory Maternity Pay only, you must give at least 28 days' notice of the date you expect the Statutory Maternity Pay to start, as well as medical evidence of the pregnancy.

Please note that you can change the leave dates, provided you give 28 days notice.

7. Antenatal Care

7.1 A pregnant employee shall be allowed to take such reasonable time off, without loss of pay, as is required to attend for antenatal care, on production of evidence of appointments.

A prospective father, or the spouse, civil partner or partner of a pregnant woman, can take unpaid time off to attend up to two antenatal appointments. It is expected that normally no more than half a day is needed for an antenatal appointment, but the leave includes the time needed to travel to the appointment and any waiting time needed at the appointment, and can be for a maximum of six and a half hours on each occasion.

The employee needs to confirm:

- that he or she:
    - is the expectant mother's spouse, civil partner or partner, or
    - the child's father;
- that the purpose of the time off is to accompany the expectant mother to an antenatal appointment;
- that the appointment in question is made on the advice of a registered medical practitioner, registered midwife or registered nurse; and
- the date and time of the appointment.

The employee should endeavour to give his/her line manager as much notice as possible of when he/she needs the time off for the antenatal appointment and, wherever possible, try to arrange them as near to the start or end of the working day as possible. Employees and managers should ensure that the appropriate form (P30a) is complete and forwarded to Payroll Section.

8.0 Neonatal Leave and Pay

The Neonatal Care (Leave and Pay) Act is intended to support parents of babies who are admitted into neonatal care.

8.1 Who qualifies as Neonatal Care?

The Act sets out three categories of medical care which will count as neonatal care, these are:

- Any medical care received in hospital

- Medical care received elsewhere following discharge from an inpatient stay hospital. The care must be under the direction of a consultant and includes ongoing monitoring and visits to the child by healthcare professionals; or
- Palliative or end of life care.

Unfortunately, any medical care which does not fall within the definition above will not qualify, nor will any medical care which does not begin within the first **28 days** of the baby's birth

8.2 **Eligibility for Neonatal Care Leave (NCL)**

Neonatal **Leave** is a day-one right.

In order to qualify for Neonatal leave (NCL) the following conditions must be met:

- You must be an employee
- The baby must be born **on or after 6th April 2025**
- At the birth of the baby, you must be the baby's parents, intended parents (in relation to surrogacy) or partner, spouse, civil partner or adoptive partner to the baby's mother and you must have or expect to have responsibility for raising the child (similar rules apply in relation to adoption).
- The newborn must be admitted to neonatal care within the first 28 days of birth and must remain in neonatal care for at least 7 continuous days. The first period of 7 days begins with the day after the day your baby first receives neonatal care.
- Neonatal care leave must be taken to provide care for the baby
- Neonatal care leave must be taken in blocks of a week

8.3 **Eligibility for Neonatal Care Pay (NCP)**

In order to qualify for Neonatal care pay (NCP) see 6.5 above.

Neonatal Care Pay is paid at a flat rate per week at the current SMP rate or 90% of average weekly earnings, if this is less. Neonatal Care Pay may be paid for a maximum of 12 weeks and is payable within the first 68 weeks of the child's birth.

8.4 **Leave Entitlement**

This is applicable for babies born on or after 6 April 2025.

Parents can take one week's Neonatal Care Leave in respect of each interrupted week (7 days) that their baby receives neonatal care. The maximum amount of leave is **12 weeks**. The first qualifying period of 7 days begins with the day after the day your baby first receives neonatal care (i.e, days 2-8 of neonatal care). Neonatal care Leave can be taken from the day after the first qualifying period. This means that you are not able to start neonatal leave until day nine.

Leave must be taken within the first 68 weeks of the bays birth (or placement in the case of adoption)

Leave falls into two categories and will depend on when the leave is taken:

Tier 1 period leave applies to leave taken while your baby is still receiving care and up to a week post discharge. Tier 1 leave can be taken in non-continuous blocks of a minimum of one week at a time. The Tier 1 period leave ends on the 7th day after the day your baby stops receiving neonatal care.

Tier 2 period leave applies to all other leave and must be taken in one continuous block, there is no option to take more than one period of Neonatal Care Leave in the tier 2 period

8.5 **Notice Periods for Leave**

For each week of **Tier 1 period leave** (leave to be taken while your baby is still receiving care), notice must be given before you are due to start work on your first day of absence in that week unless it is not reasonably practicable in which case you must give as much notice as soon as it is reasonably practicable. Notice during a Tier 1 period does not need to be in writing.

Tier 1 period leave is only likely to be taken by a father or the mother's partner, as the mother will more than likely already be on Maternity leave during the Tier 1 period. If you are already on paternity leave when you wish to take Tier 1 period leave, you would just have to notify your employer before the time you are due to start work after paternity leave, that you wish to take Neonatal Care Leave.

For a single week of **Tier 2 period leave**, notice must be given no later than 15 days before the first day the of the Neonatal Care Leave to which the notice relates.

For two or more consecutive weeks of **Tier 2 Leave**, notice must be given no later than 28 days before the first day of the neonatal care leave to which the notice relates. The leave can only be taken in a single block.

Notice periods can be waived with agreement with your Line Manager.

9.0 <u>Keeping in Touch</u>

9.1 During Maternity Leave an employee is allowed up to ten days at work with normal pay as 'Keeping In Touch Days', without bringing the Maternity Leave period to an end. Normal pay will be an amount inclusive of SMP or Maternity Allowance, as appropriate.

9.2 KIT days do not have to be consecutive, and can be used for training or any other activity which enables you to keep in touch with your place of employment.

9.3 Keeping In Touch days can only be taken following agreement between yourself and your line manager as to the activity and the timing, of such activity.

9.4 Employees cannot be forced to take KIT days, nor does the Council have to offer them.

9.5 If you do participate in a KIT day(s), then you should notify Human Resources of the date(s) of these on the tear off slip on Form M2 indicating your return to work date. Human Resources will notify Payroll of the dates for record keeping purposes.

10.0 Reasonable Contact

10.1 An employer and employee are allowed to make reasonable contact during Maternity Leave/Neonatal Care Leave, to discuss such issues as the return to work. This does not constitute 'work' and does not therefore count towards the ten KIT days. Such contact will not bring the maternity leave to an end. Apart from discussing the return to work, the department should ensure that an employee is kept informed of other issues, such as job vacancies, significant workplace developments and training opportunities.

11.0 Transfer of Maternity Leave

11.1 If an employee proposes to return to work by giving proper notification in accordance with the rules set above, her spouse, civil partner or partner may be eligible to take up to 26 weeks' additional paternity leave (and additional statutory paternity pay if applicable) on her return to work.

11.2 The earliest that additional paternity leave may commence is 20 weeks after the date on which the employee's child is born and it must end no later than 12 months after the date of birth. The minimum period of additional paternity leave is two consecutive weeks and the maximum period is 26 weeks. The employee must therefore have at least two weeks of her maternity leave that remains unexpired.

12.0 Returning to Work

12.1 It is unlawful for a woman to return to work within 2 weeks of giving birth.

12.2 Is it not necessary to give notice of return from Ordinary Maternity Leave. You simply return 26 weeks after the leave commenced. However, you must give the Council at least eight weeks notice if you intend to return to work early.
If you attempt to return to work early without giving due notice, the Council may postpone your return by up to eight weeks days to a date no later than the end of the Ordinary Maternity Leave period. The return date should be agreed firstly with your department and then notified to Human Resources using the tear-off slip on Form M2. Notification of Keeping In Touch days should be included.

12.3 If you are ill and provide a Medical Certificate from your doctor, you can delay your return by up to 4 weeks. This certificate must be forwarded to Human Resources, who will in turn, advise the Line Manager and the Payroll Section.

12.4 Where you have notified the Council on Form M1 that you intend to take 26 weeks basic maternity leave but then change your mind and wish to extend your leave, you must write to your manager with copies to Human Resources and the Payroll Section outlining your revised intentions.

12.5 Is it not necessary to give notice of return from Additional Maternity Leave unless you intend to return early, in which case the Council has to be given at least eight weeks notice.

12.6 If you attempt to return to work early without giving due notice, the Council may postpone your return by up to eight weeks to a date no later than the end of the Additional Maternity Leave period. The return date should be agreed firstly with your department, and then notified to Personnel Services Section using the tear-off slip on Form M2. Notification of Keeping in Touch Days should be included.

12.7 If you are ill and provide a Medical Certificate from your doctor, you can delay your return by up to 4 weeks. This certificate must be forwarded to Human Resources, who will in turn, advise the Line Manager and the Payroll Section.

12.8 On receipt of notification of return to work date and/or medical certificate, Human Resources will send written confirmation to you, confirming expected/extended date of return and the re-start details, including the job to which you will return.

12.8 At the end of ordinary maternity leave you have the right to return to the same job with the same terms and conditions, unless a redundancy situation has arisen or there is some other reason why it is not reasonably practicable for the employer to take you back in the original job. In these circumstances, you are entitled to be offered a suitable alternative vacancy,

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12.9 Where an employee has terminated her employment due to pregnancy or childbirth but the child does not live, they will be entitled to return to work but without the right to return to the same post at the same grade and salary as applied immediately prior to the termination of employment, unless the Council determines that this is not practicable.

12.10 However, an employee will not be entitled to return to employment with the Council unless:

- a suitable vacancy exists; and
- she submits in writing, a doctor's statement that she is medically fit to return, if such a statement is required by the Council; and
- she satisfies the requirements in respect of the timing of her return to work.

13.0 Consecutive periods of Maternity Leave

13.1 An employee may become pregnant again during a period of maternity leave and therefore be entitled to another period of leave without returning to work. In this case, you have the right to return to your original job, or, if this is not reasonably practicable, to another which is similar.

14.0 Benefits

14.1 During both ordinary , additional maternity leave and Neonatal Care Leave, you are entitled to benefit from the terms and conditions of your employment, except remuneration.

14.2 Annual Leave and Public Holidays will continue to accrue during both the ordinary ,additional maternity leave period and Neonatal Care Leave(i.e. up to 58weeks). You must ensure that any holidays accrued prior to your maternity leave period, are taken prior to commencement of your maternity leave. All holidays accrued during your maternity leave period should be taken at the end of the leave period i.e. before returning to work.

14.3 Contributions to the Local Government Superannuation Scheme continue to be deducted from actual pay received (i.e. remuneration and Statutory Maternity Pay).
If you have a period of leave without pay, but would like this period to count as part of your pensionable service, **you must elect to do so within 30 days of returning to work.** Contributions for this period are paid on the reduced remuneration you were entitled to receive immediately prior to the unpaid period.
Payroll will notify the Pensions Section on your return and you will receive correspondence from the Pensions Section giving you the option to pay contributions for the unpaid period.
If you choose not to pay contributions for the period of unpaid leave, you will not receive credit for this period of service.
A leaflet explaining your pension benefits and information on your pension rights on taking maternity leave is enclosed with these guidance notes.

15.0 Continuous Service

15.1 If you return to Local Government service following a break for maternity reasons, you will be entitled to have previous service taken into account in respect of the sickness and maternity schemes, provided that your break in service does not exceed 8 years and no paid employment has intervened.

16.0 Health and Safety Issues

16.1 Once you have notified your manager that you are pregnant, a risk assessment needs to be carried out to ensure that if there are any issues or risk factors identified, that there are actions taken to address these issues. Specific advice should be sought from the Health and Safety section, ext 3178, should you need further information.

17.0 Breastfeeding

17.1 We will provide facilities to enable you to breastfeed your child and support adaptations to your working pattern to allow this. Time which you spend breastfeeding or expressing milk will be paid. Please let your manager know in advance of your return to work so that appropriate arrangements can be made.

Definitions

Childbirth - Childbirth means the live birth of a child, or a stillbirth after a pregnancy lasting at least 24 weeks.

Neonatal – newborn, or the first 28 days of life.

A Week's Pay – The term 'a week's' pay for employees whose remuneration for normal working hours does not vary with the amount of work done in the period, is the amount payable by the Council to the employee under the current contract of employment for working their normal hours in a week. Where there are no normal working hours a week's pay is the average remuneration in the period of 12 weeks preceding the date on which the last complete week ended, excluding any week in which no remuneration was earned.

Reference Documents

Form M1 – Notification of Maternity Leave/Resignation Due to Pregnancy – Employee to complete and submit to Human Resources.

Form M2 – Confirmation of Entitlement
Human Resources to complete and forward to Line Manager and Payroll Section.

Maternity Rights Flowchart

Date of Review:	2025
Policy Approved:	April 2025
Version Effective From:	April 2025
Next review Date:	2029/30

Form M1

THE MORAY COUNCIL

Notification of Maternity Leave / Resignation Due to Pregnancy

Please read the guidance notes on Maternity Leave/Pay issued by Human Resources, to familiarise yourself with your rights and entitlements relating to maternity leave and maternity pay before completing this form.

Section A: PERSONAL DETAILS

Full Name: …… Job Title: …….. Perm / Temp

Home Address: …… Department: ……..……..

(incl post code) …… Salary: ……

Telephone Number: …….. No Hrs per week: …….

National Insurance No …….. Payroll Number ……

Start Date (Moray Council): ……. Start Date (local authority): ……..

Supplied with: Mobile Phone YES/NO

Section B: MATERNITY LEAVE APPLICATION

1. I wish to confirm that I am: (Please tick one box only)

   ? taking my basic 26 weeks maternity leave
   ? taking 39 weeks leave i.e. taking my basic 26 weeks Maternity Leave plus 13 weeks additional leave (i.e. 39 weeks during which SMP is payable)
   ? taking additional maternity leave up to total of 52 weeks (see 1.5 of Guidance Notes)
   ? resigning from my post (please attach resignation letter)

2. My Maternity Leave will start on

Day	Month	Year

3. My expected date of childbirth is

Day	Month	Year

4. A copy of my maternity certificate (MATB1) is:

   ? Attached ? To Follow

Section C: RETURN TO WORK (see 4.0 of Guidance Notes) Please tick one box only

1. ? I wish to confirm my intention to return to work after the birth of my baby, for a period of at least 3 calendar months, and that I will return within the 52 week period beginning with the commencement of my maternity leave.

   or

2. ? As I am unable to confirm my intention to return to work for 3 calendar months, please withhold payment of my 5/10 ths pay.

I confirm that I wish to **apply for Maternity Leave/*resign in accordance with the above*, and that I have read, understood and accept the terms relating to Maternity Leave and Pay. (*Delete as required)

Signature……Date……

Once completed, please return this form to Personnel Services, no later than the end of the 15th week before the week the baby is due.
Please contact Human Resources if you require any help or explanation.

Form M2

THE MORAY COUNCIL

~ MATERNITY LEAVE CHECKLIST - ~

ACTION	DATE	DONE
First Day of Maternity Leave		
"Expected week of Childbirth" - the Sunday before your due date		
Date of Confinement - your due date		
Within 21 days of the birth you must notify Human Resources of the actual date of birth		
6 weeks at 9/10ths normal pay including SMP payable from		
12 weeks at 5/10ths normal pay plus SMP (Combined total not exceeding normal pay) payable from		
21 weeks SMP or 9/10ths of average pay whichever is the lesser payable from		
Agreed return to work date as per regulations		
Return to work date agreed with Department		

FOR INFORMATION ONLY

?

Exercising the Right to Return to Work after Maternity Leave (see Section 4.0 of the Guidance Notes)

To: Human Resources

From: ..... **Job Title**: .....

Department: ..... **Location**: .....

	Day	Month	Year
I write to confirm that I shall be returning to work following my maternity leave on:			

I notify that I have participated in the following keeping in touch days. No work under my contract of employment was required on these days.

Dates: ……

Signature:.....**Date**:.....……
…….

This notification must be received in accordance with Section 3.0 of the Guidance Notes.

MATERNITY RIGHTS FLOWCHART

GP confirms employee is expecting a baby.

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Employee is entitled to paid time off for antenatal care

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Employee is entitled to 26 weeks ordinary maternity leave (OML) regardless of length of service

↓

Average weekly earnings at or above Lower Earnings Limit. Entitled to 26 weeks Statutory Maternity Pay

⌫NO ⌫

May be entitled to MA or other benefits.

↓

Pregnant employee must tell their employer of their intention to take maternity leave by the 15th week before EWC, unless this is not reasonably practical. She will need to tell employer:
- that she is pregnant
- the week her baby is expected to be born
- when she wants her maternity leave to start (in writing if employer requests it).

Employee qualifying for SMP must give her employer at least 28 days' notice of when she wants it to start and medical evidence of EWC (maternity certificate Mat B1 can be used for this purpose

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Employee must give 28 days notice of any change of dates

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Employer must respond to employees' notification within 28 days, setting out when they expect the employee to return to work if they take their full leave entitlement.

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Earliest start date for maternity leave is the beginning of the 11th week before EWC.

↓

If employee is absent from work with a pregnancy related illness during the four weeks before the start of EWC, maternity leave starts automatically regardless of when she actually wants her maternity leave to start.

If baby born before the date employee has notified (or before any notification), maternity leave period starts automatically and employee must give employer notification as soon as is reasonably practicable.

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Employee continues to benefit from all terms and conditions during ordinary maternity leave except pay, and some of them during additional maternity leave.

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Employee returns to same job after OML as if she hadn't been away.

Employee returns to same job after AML as if she hadn't been away, unless not reasonably practicable and then should be offered similar job on terms and conditions no less favourable than original job.