



Policy on maternity leave

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1. Entitlement

All pregnant employees are entitled to a period of 52 weeks maternity leave regardless of the length of continuous service.

They can choose to stay on maternity leave for the 52 week leave entitlement or end it early and share the remaining weeks leave with their partner, by opting in to Shared Parental Leave. Further information about our Shared Parental Leave policy can currently be found at <http://hr.leeds.ac.uk/spl>.

The amount of maternity pay you will be paid depends on how long you have been employed by the University. The entitlement and options are shown in the table below.

Type of Leave	Option	Service	Leave Entitlement	Payment
Statutory Maternity Leave - Basic Right	Option A	Less than 52 weeks service before the expected week of childbirth and intends to return to work.	52 weeks	In most cases entitled to 39 weeks Statutory Maternity Pay (SMP) or Maternity Allowance (MA)* +13 weeks unpaid
University Maternity Leave	Option B	52 or more continuous weeks service before the expected week of childbirth and intends to return to work	52 weeks	8 weeks full pay (which includes 8 weeks SMP/MA*) + 16 weeks half pay plus SMP/MA* + 15 weeks SMP/MA* + 13 weeks unpaid
University Maternity Leave	Option C	52 or more continuous weeks service before the expected week of childbirth and intends to return to work	52 weeks	16 weeks full pay (which includes 16 weeks SMP/MA*) + 23 weeks SMP/MA* + 13 weeks unpaid
Resignation	Option D	Do not intend to return to work		39 weeks SMP/MA*

If you would like advice on the above options, please contact your Faculty/Service HR Manager.

* You may be entitled to statutory maternity pay (SMP)¹ which is paid through the University payroll. If you are not eligible for SMP, you may be entitled to maternity allowance (MA)²

¹ Eligibility for SMP:

- 41 weeks continuous employment with the University before the expected week of childbirth
- Average earnings above the lower limit of National Insurance contributions
- SMP is payable at the rate of 90% of full pay for 6 weeks, followed by 33 weeks at the lower rate.
- The current SMP lower rate can be obtained from the Payroll Office.

² Eligibility for MA:

- Employed for 26 weeks in the 66 weeks before the expected week of childbirth
- Average earnings of £30 a week

Please note: SMP/MA is payable from the first day of leave and paid for complete weeks. For example, if leave begins on a Tuesday it will finish on a Monday. If you are receiving SMP/MA and leave is not taken in complete weeks, your SMP/MA payments will be affected as payment cannot be made for part weeks.

which is claimed from local JobCentre Plus offices and therefore will be deducted from your salary payments.

If you are eligible for University maternity pay (options B and C), and you are unable to claim MA through Jobcentre Plus the amount will be reimbursed by the University.

To find out if you are entitled to SMP, you can use the on-line calculator available at <https://www.gov.uk/government/news/calculate-your-leave-and-pay-when-you-have-a-child>.

The rate of SMP/MA increases in April each year, current rates are available at <https://www.gov.uk/employers-maternity-pay-leave/entitlementat> and from the Payroll office.

2. Antenatal care

You are entitled to paid time off for antenatal care and classes. You should provide your Head of School/Service (or nominee) with as much notice as possible and you may need to provide evidence of the appointment.

3. Notification of maternity leave

You should notify your Faculty/Service HR Manager and Head of School/Service (or nominee) by the end of the 15th week before the Expected Week of Childbirth (EWC).

4. Applying for maternity leave

To apply for maternity leave you should complete an application form currently available at http://hr.leeds.ac.uk/mat_leave. The completed form should be returned to your Faculty/Service HR Manager together with the maternity certificate (MATB1) which provides evidence on when the baby is due. The earliest this may be issued by the doctor or midwife is 20 weeks before the expected week of childbirth. A copy of the application form should be passed to your Head of School/Service (or nominee).

A letter will be sent from HR confirming maternity leave arrangements, detailing pay entitlements and expected return to work date.

5. Starting maternity leave

Maternity leave can start at any time from 11 weeks before the expected week of childbirth. You can change the start date of your maternity leave as long as at least 28 days notice is given. Shorter notice may be possible by agreement with your Head of School/Service (or nominee).

If the baby is born before the maternity leave was due to begin, the day after the date of delivery will be regarded as the first day of maternity leave.

6. Health and safety

Under the Health and Safety at Work Act the University is required to carry out a detailed risk assessment on expectant mothers as early in pregnancy as possible. Please find details of this in the policy on health and safety risk assessment for new or expectant mothers currently available at http://hr.leeds.ac.uk/download/downloads/id/179/risk_assessment_for_expectant_mothers.

7. Terms of employment

Except as varied in this policy, all other terms and conditions of employment will continue to apply as though you had not been absent.

8. Sickness absence

If you are absent from work due to illness prior to the fourth week of the expected week of childbirth (whether or not related to the pregnancy), the absence will be dealt with under the sickness absence regulations.

If you are absent from work due to a pregnancy related illness during the four weeks before the expected week of childbirth, maternity leave will automatically start regardless of the date the leave was actually due to start.

9. Pension arrangements

Pension contributions will continue to be deducted as normal while you are in receipt of maternity pay, based on the level of pay you are receiving. Further information about pension arrangements during leave can be found at http://hr.leeds.ac.uk/download/downloads/id/405/family_leave-pension_arrangements.

10. Probation

If you are on probation at the start of your maternity leave, the probationary period will be extended by the period of your maternity leave.

11. Research Excellence Framework (REF)

If you are eligible to be included in the REF and, as a result of your absence your research productivity is significantly affected, the number of outputs required for submission for REF may be reduced. The number of outputs you will be required to submit will be based on the published REF Panel Criteria and working methods in place at the time of the relevant exercise. Information about the most recent REF exercise can currently be found at <http://www.ref.ac.uk/>. Your Head of School/Service (or nominee) will discuss any implications with you.

12. Fixed-term and open ended, fixed funded contracts

If you are employed on a fixed-term or open ended, fixed funded contract and this contract expires or the funding ceases during your maternity leave period, your contract/funding will be extended until the end of your statutory maternity pay period. The extension will be solely in order to facilitate the continuing payment of your maternity leave pay. As a result, you will be unable to return to work unless further funding is obtained to extend your contract/funding or you obtain another post with us.

Consultation about the expiry of your fixed-term/fixed funded contract will be in accordance with the University's Procedure to Support the Employment Security of Staff on Fixed Funding or Fixed Term Contract which can currently be found at http://hr.leeds.ac.uk/FF-FTC_emp_security.

13. Salary deductions

Car parking permits and payment³ may be suspended during maternity leave. Salary deductions e.g. trade union subscriptions⁴ etc will normally be suspended during any period of unpaid leave. Further advice may be sought from the Payroll office.

14. Annual leave

You will continue to accrue 25 days (pro-rata) annual leave during your maternity leave. However, under the Working Time Regulations the minimum entitlement is 28 days each holiday year, including bank holidays and closure days. If your total holiday entitlement falls below 28 days (pro-rata) in any holiday year, including bank holiday and closure days that fall during your leave, an upward adjustment to your holiday entitlement will be made.

Annual leave accrued up to the date of commencement of maternity leave should be taken before starting leave. Annual leave accrued during maternity leave should, where reasonably practical, be taken in the holiday year in which the return to work falls⁵. Dates of annual leave should be agreed with the Head of School/Service (or nominee).

If you are employed on a fixed term or open ended, fixed funded contract, you will receive payment for any outstanding annual leave on the expiry of your contract/funding.

15. Contact with colleagues

It is good practice for you and your Head of School/Service (or nominee) to maintain reasonable contact during your leave. This will help to ensure that you are kept up-to-date on changes within your school/service, for example staffing changes, job opportunities, and personal circumstances that will help ease your return to work.

Keeping in touch will also help the Head of School/Service (or nominee) to be kept informed about your plans to return to work so that arrangements can be put in place.

You are encouraged to discuss with your Head of School/Service (or nominee) and colleagues how you wish contact to be maintained, and how your availability or otherwise should be communicated.

16. Work during maternity leave

Keeping in touch days

With the agreement of the Head of School/Service (or nominee), you may do up to ten day's work, 'keeping in touch days'. These days are different to having reasonable contact during maternity leave as described under section 15. The types of activity that may be covered will depend on your role, but may include attending a training session, a conference or team update.

There is no obligation on the Head of School/Service (or nominee) to offer keeping in touch days, nor is there any obligation on you to work such days. You cannot work during the two weeks immediately after the birth. Work carried out on any day will constitute a day's work.

³ Please contact Car Parking for further information.

⁴ If you pay your trade union subscriptions through the University's payroll, please check with your trade union regarding the implications of subscription suspension

⁵ Employees may use part of their annual leave accrued during maternity leave as an equivalent amount of unpaid leave before the return to work.

If you undertake work in addition to the ten 'keeping in touch days' during the maternity leave period it will be deemed that you have returned to work from the date the work commenced, and maternity payments will stop.

Payment for keeping in touch days

Keeping in touch days will be paid at your normal daily rate of pay. If you are receiving full pay, no additional payment will be made. If you are receiving half pay no pay or SMP/MA only, you will be paid the difference between what you are receiving under your maternity pay and your normal rate of pay. Where a full day is not worked, you will receive payment for the hours worked based on your normal hourly rate. The total payment will not exceed your normal daily rate.

Notification of keeping in touch days

To request payment, form 'Payment for KIT and SPLIT days' should be completed by the Head of School/Service (or nominee) and returned to the Payroll office who will arrange for payment to be made with your next salary payment, depending on payroll deadlines. The form can currently be found at http://hr.leeds.ac.uk/mat_leave.

17. Work for another employer

SMP and University maternity pay will be shortened if, whilst receiving payment from the University, you start work with another employer, who was not employing you during the 15th week before the expected week of childbirth.

18. Still births or miscarriages

If you miscarry your baby earlier than the 25th week of your pregnancy, you will not qualify for maternity leave, SMP, MA or University maternity pay. Sickness absence should be dealt with under the normal sick pay arrangements.

If your baby is stillborn from the 25th week of pregnancy onwards, you will be eligible for maternity leave, SMP, MA or University maternity pay in the normal way.

19. Returning to work

Earliest date of return

In accordance with legislation, you are obliged to take a minimum of two weeks maternity leave immediately following the birth. The University is not allowed to let new mothers work during this two week period..

Notification of return

If you are returning to work at the end of your maternity leave, you are not obliged to provide formal notification of your return. However, to make sure that arrangements are made for your salary payments to be made in good time, it would be helpful if you could confirm this in writing to your Faculty/Service HR Manager and Head of School/Service (or nominee) at the earliest opportunity.

If you wish to return before the end of your maternity leave, you will have to give eight weeks' notice in writing to your Faculty/Service HR Manager and Head of School/Service (or nominee). However, this notice period may be varied by agreement with your Head of School/Service (or nominee).

If you are employed on a fixed-term or open ended, fixed funded contract, which has been extended solely to facilitate your statutory maternity pay, you will be unable to return to work unless further funding is obtained to extend your contract/funding or you obtain another post with us.

On return to work your Head of School/Service (or nominee) will arrange a return to work induction. Its purpose is to update you on any changes that have taken place in the School/Service during your absence and to look at what support mechanisms can be put in place to help you settle back in to work.

20. Right to return to work to the same post

On returning to work after maternity leave, you will have the right to return to the same post if your total absence amounts to 26 weeks or less. If your total leave is more than 26 weeks, you will have the right to return to the same post unless the post is redundant. In such cases, you will return to a suitable alternative post where one is available.

You will have the right to return to the same job unless the post is redundant. In such cases, you will return to a suitable alternative post where one is available.

21. Returning to work on a part time basis

If you are considering returning to work on a part-time basis or changing your working pattern either in the short-term to help ease yourself back into work, settle your child in to nursery etc. or longer-term, you are encouraged to discuss your plans with your Head of School/Service (or nominee) at the earliest opportunity.

Although there is no automatic right to change your working pattern, your Head of School/Service (or nominee) will actively consider your proposals. Alternatively, you may wish to consider using our parental leave and/or flexible working policies or, using part of your annual leave. Information about these policies can be found at:

Parental leave: http://hr.leeds.ac.uk/parental_leave

Flexible working: http://hr.leeds.ac.uk/flexible_working

22. Not returning to work

If you decide to resign, you will need to give the required notice in line with your employment contract. If you have received UMP and do not return to work for a period of at least 3 months, we will claim back the non-statutory part of your UMP.

If you are employed on a fixed term or open ended, fixed funded contract that comes to an end at the end of your maternity leave period and it has not been possible to find appropriate redeployment, you would not be expected to repay the non-statutory part of your UMP. However, if you are offered an extension or renewal of your current contract/funding and/or another post is available at the University, but choose not to accept it, we will claim back the non-statutory part of your UMP if you reject or do not pursue such options.

You will need to repay the UMP in full within 3 months of your leaving date.

If you are still entitled to SMP at the time of leaving, you will receive the remaining payment on a monthly basis through the University payroll.

23. Shared parental leave

If you are considering taking Shared Parental Leave, you can find further information in our Shared Parental Leave policy currently available at <http://hr.leeds.ac.uk/spl>.

24. Further information

Further information about this policy can be obtained in the first instance from your Faculty/Service HR Manager/Officer.

If you require this document in an alternative format (for example braille, large print or e-text) please contact Human Resources at hr@leeds.ac.uk.