



# Maternity Leave Policy



## Maternity Leave Policy

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# 1. Introduction

- 1.1 The University is committed to supporting employees to understand the choices available to them when planning for the birth of a child, as families now have additional options open to them with regards to managing time off during the first year following their child's birth. This policy should be read in conjunction with the University's policies on [Paternity Leave](#) and [Shared Parental Leave](#) to ensure that employees are fully aware of the options available to them and their family. The [University Nursery](#) provides childcare at subsidised rates depending on eligibility and availability.
- 1.2 The University provides Enhanced Maternity Pay, which exceeds the statutory provision.
- 1.3 This policy sets out all entitlements and associated processes that apply to the available maternity leave and pay options.
- 1.4 The following definitions are used within this policy:

<u>Expected Week of Childbirth (EWOC)</u>	The week, beginning with midnight between Saturday and Sunday, in which it is expected that childbirth will occur.
<u>Qualifying Week (QW)</u>	The 15th week before the EWOC.
<u>Ordinary Maternity Leave (OML)</u>	The first 26 week period of maternity leave entitlement during which the employee will continue to receive all relevant terms and conditions of employment except salary and pension. If entitled to SMP, this will be paid for the full 26 week period.
<u>Additional Maternity Leave (AML)</u>	The remaining 26 week period of maternity leave entitlement during which the contract continues and, as per OML, the employee will continue to receive all relevant terms and conditions of employment except salary and pension. If entitled to SMP, this will be paid for the first 13 weeks of Additional Maternity Leave. The remaining 13 weeks will be unpaid.
<u>Statutory Maternity Pay (SMP)</u>	This is paid (up to 39 weeks) by the University to employees who meet the statutory conditions. This is paid at the statutory rate set by the Government in the relevant tax year.
<u>Enhanced Maternity Pay (EMP)</u>	This is an enhanced rate paid by the University in addition to (or on top of) any SMP entitlement as an additional and flexible benefit to eligible staff, to allow them to receive full or half pay (depending on the option chosen) for a period of time.

<u>Maternity Allowance (MA)</u>	This is paid (up to 39 weeks) to employees who are not entitled to SMP but who meet the qualifying conditions for Maternity Allowance.
<u>Shared Parental Leave (SPL)</u>	An alternative or supplementary option to maternity leave, which allows a mother to reduce their maternity leave entitlement and share the remainder of their time off with their partner (if eligible). Details are available in the University's Shared Parental Leave Policy.

1.5 The provisions of this policy apply to all employees, irrespective of the type of contract they have. Any questions or concerns regarding eligibility should be directed to the relevant [College/University Services HR team](#). Where this policy refers to "partner" this is regardless of gender and includes same-sex partners.

1.6 The [Process Diagram – Maternity Leave Overview](#) provides a high-level summary of the procedure.

## 2. Maternity Leave & Pay Entitlement

2.1 All new mothers are entitled to take up to one years' maternity leave (52 weeks). This is not pro-rated for part-time workers and it does not require a minimum length of service however it is subject to satisfying the notification requirements below.

This 52 week period is split into two blocks, referred to as:

- Ordinary Maternity Leave (OML) for 26 weeks
- Additional Maternity Leave (AML) for 26 weeks.

\*Note – the law requires a mother to take at least 2 weeks off, following the birth of their child

2.2 The University offers Enhanced Maternity Pay (EMP) which exceeds the statutory pay provision by providing 18 weeks of full pay during an employee's maternity leave. In order to make this additional benefit more flexible, the University offers employees two options when deciding how they wish to receive their Enhanced Maternity Pay. There is no minimum service requirement for this benefit and staff are required simply to be an employee of the University at the Expected Week of Childbirth (EWOC).

2.3 Employees with variable hours will have their Enhanced Maternity Pay calculated based on average earnings over the 12 months preceding the Qualifying Week, if no clear or established hours are scheduled over the maternity pay period.

2.4 Employees may also qualify for Statutory Maternity Pay (SMP) if they have a minimum of 26 weeks service prior to the end of the qualifying week (i.e. 15 weeks before the expected week of childbirth) and have average earnings above the "lower earnings limit" for national insurance purposes for the relevant period (usually the 8 week period before the Qualifying

Week). Those entitled to SMP will receive this directly from the University. Details of how this is paid is broken down in the table below.

2.5 Those not eligible for Statutory Maternity Pay will be issued with form SMP1 which should be used to claim Maternity Allowance (MA). To find out more and/or claim Maternity Allowance please visit <https://www.gov.uk/maternity-allowance>. Pay and Pensions will adjust any Maternity Pay amount to account for Maternity Allowance to ensure no overpayment is made, unless otherwise notified (i.e. where Maternity Allowance is not being claimed or an individual is not eligible). Colleagues who are not claiming Maternity Allowance or are not eligible to do so should notify Pay & Pensions as soon as possible to ensure their maternity pay is accurate.

2.6 Enhanced Maternity Pay plus Statutory Maternity Pay (SMP) or Maternity Allowance (MA) may not exceed full normal pay. In instances where this is the case then a reduction will be made so that full pay is not exceeded.

2.7 Employees with earnings below the lower earnings threshold will not qualify for Maternity Allowance but may be able to receive additional financial support from their local Council.

2.8 The different options around enhanced maternity pay are as shown below:

<b>Enhanced Maternity Pay Options</b>	
<p><b><u>Option A</u></b></p> <p>9 weeks' paid at full pay, followed by;</p> <ul style="list-style-type: none"> <li>• 18 weeks' at half pay (SMP or MA will also be paid at this time in addition to half pay, if eligible), then;</li> <li>• 12 weeks' at the appropriate rate of SMP or MA (if eligible), then;</li> <li>• 13 weeks' unpaid.</li> </ul> <p><i>(SMP or MA elements will be paid at the appropriate rate provided the employee meets the eligibility criteria laid out by the <a href="#">Government</a>)</i></p> <p><i>During full pay periods, SMP or MA is included such that no employee may receive more than full pay. If in receipt of MA, this needs to be declared to the University (as per section 2.4 above).</i></p>	<p><b><u>Option B</u></b></p> <p>18 weeks' paid at full pay, followed by;</p> <ul style="list-style-type: none"> <li>• 21 weeks' at the appropriate rate of SMP or MA (if eligible), then;</li> <li>• 13 weeks' unpaid.</li> </ul> <p><i>(SMP or MA elements will be paid at the appropriate rate provided the employee meets the eligibility criteria laid out by the <a href="#">Government</a>)</i></p> <p><i>During full pay periods, SMP or MA is included such that no employee may receive more than full pay. If in receipt of MA, this needs to be declared to the University (as per section 2.4 above).</i></p>

2.9 An illustrative [Maternity Pay Calculator](#) is available to assist employees in understanding their maternity pay entitlement.

2.10 Additional flexibility around time off may be achieved by considering use of the University's Shared Parental Leave policy. Further information is included in Section 7 below.

### 3. Antenatal Care

- 3.1 A pregnant employee is allowed to take reasonable paid time off to attend antenatal appointments regardless of their length of employment with the University. This can cover, for example, pregnancy related medical appointments or parenting classes made on the advice of a Medical Practitioner, Health Visitor or Midwife. Employees may be requested to provide evidence of appointments to their line manager and, if possible, appointments should be made at times which cause minimal disruption to the working day.

Partners of pregnant employees also have rights to antenatal care as detailed in [Section 10 – Partners Rights During Pregnancy/Maternity Leave](#).

### 4. Notification Process

- 4.1 To ensure that the University can provide full support with regards to health, safety and wellbeing, employees should notify their line manager of their pregnancy as early as possible. This may just be informally in the first instance.
- 4.2 The [Checklist – Planning for Maternity Leave](#) should be used by both employees and managers, alongside this policy, to guide discussions and key considerations before, during and after maternity leave.
- 4.3 Employees should then enter their formal request for maternity leave through [Employee Self Service](#), where they will be asked to specify the date on which the period of leave will begin and the payment option they wish to take (either Option A or B).
- 4.4 Having been notified of the pregnancy, the line manager will ensure that a [risk assessment](#) of the employee's workplace is carried out as soon as possible (further information on this can be found in the [Guidance Notes for Managers](#) and on the [Safety and Environmental Protection Services](#) website).
- 4.5 The employee should forward their Maternity Certificate (MATB1 form) to the relevant [College/University Services HR team](#) no later than the end of the qualifying week (i.e. the 15<sup>th</sup> week before the estimated week of childbirth);
- 4.6 On receipt of the MATB1 form, College/University Services HR will write out to the employee to confirm the leave and pay arrangements. The leave entitlement will be calculated from the agreed date of cessation of work, or from the day after the actual date of cessation of work, if earlier. Employees who are ineligible for SMP will receive an SMP1 form from the University which will be required as part of any claim for maternity allowance.

### 5. Commencement of Maternity Leave

- 5.1 Employees may commence maternity leave at any time from the 11th week before the expected week of childbirth to the actual date of birth, subject to compliance with the notification procedures.
- 5.2 If an employee is absent from work due to any pregnancy related illness during the four week period prior to the commencement of the EWOC (including the continuation of an existing pregnancy related absence), maternity leave will automatically commence regardless of when it was initially planned to begin. In such cases, the maternity leave will begin on the day after the first day of the employee's absence from work. The employee (or their partner/spouse) must notify the line manager that they are absent from work wholly or partly because of pregnancy related illness as soon as possible, specifying the date on which the absence began. Where notification is provided by a partner/spouse, this should be followed up in writing by the employee as soon as is reasonably practicable.
- 5.3 Where an employee gives birth before their maternity leave period is due to commence they should notify their line manager, as early as possible once they are able to do so, of the date on which they gave birth. This ensures that maternity pay can be managed appropriately. In this instance, the maternity leave period will commence automatically on the day after the date of birth.

## 6. Keeping In Touch During Maternity Leave

- 6.1 During the maternity leave period the line manager and the employee should maintain reasonable contact with each other. This allows the employee to keep up to date with any workplace developments or changes and provides an opportunity to ask and discuss any work related questions. Communication arrangements should be agreed before any maternity leave begins.
- 6.2 Keeping in Touch (KIT) Days - On agreement with their line manager, employees may work up to a maximum of 10 days during their maternity leave period. These days are known as 'keeping in touch' (KIT) days. These days may be taken at any stage during the maternity leave, except within the first 2 weeks after the baby is born. Keeping in touch days should be mutually agreed – i.e. the employee is not required to undertake such days and the University is not obliged to agree to them. Employees will receive the normal hourly/salary rate for the hours worked on such days; inclusive of any maternity pay they are currently receiving (i.e. maternity pay will be 'topped up' by salary to the level of normal pay). The type of work undertaken should be agreed between the employee and their line manager. KIT days can be used to attend (but are not limited to) training courses, staff meetings, away days or performance & development reviews and should not necessarily be restricted to the performance of the employee's normal duties. It is the responsibility of the line manager to monitor KIT days, and to record these within [Manager Self Service](#) within 5 days of the employee attending work.

## 7. Shared Parental Leave (SPL)

- 7.1 Shared Parental Leave allows eligible parents to convert a mother's maternity leave/SMP (or a portion thereof) into Shared Parental Leave/Pay which can then be shared between both parents as they wish in order to share the care of their child during the first year. Full details can be found in the University's [Shared Parental Leave Policy](#).

## 8. Returning To Work After Maternity Leave

- 8.1 The [Checklist – Planning for Maternity Leave](#) highlights the key considerations to be taken into account when an employee returns to work following a period of maternity leave.
- 8.2 Change of return date (notice required) - If an employee intends to return to work before the end of their full maternity leave period (i.e. 52 weeks), or before a date they had previously agreed, they must give 8 weeks' written notice of the new date on which they intend to return to their line manager (with a copy to the relevant [College/University Services HR team](#)). If the required notice is not given, the line manager may postpone their return until the full 8 weeks' notice has been given. Please note, the law requires that an employee takes a minimum of 2 weeks' maternity leave following the birth of their baby.
- 8.3 Right to return to the same/similar role – An employee returning to work from a period of Ordinary Maternity Leave (OML) will generally return to the job in which they were employed prior to the leave, on the terms and conditions that would have applied had they not been absent. Where an employee is returning from a period of Additional Maternity Leave (AML), they are entitled to return either to the same job, or if this is not reasonably practicable (for example due to exceptional circumstances such as a unit restructure), to an equivalent job which would be considered suitable alternative work, on terms and conditions no less favourable than would have applied if they had not been absent.
- 8.4 Flexible Working - On returning from a period of maternity leave, an employee may wish to consider applying for a change to their working hours/pattern. Employees considering this option should look at the University's [Flexible Working Policy](#) for further details.
- 8.5 Employees may also wish to familiarise themselves with relevant leave policies such as [Ordinary Parental Leave](#) and [Emergency Time Off to Care for Dependents](#) and/or with facilities such as the [Childcare Vouchers Scheme](#) or the [University Nursery](#).
- 8.6 Sickness Absence - Any absence following the end of the period of maternity leave will be managed in accordance with the University's [Sickness Absence Policy](#).

## 9. Employees Not Returning to Work

- 9.1 If the employee does not intend to return to work, they must comply with their obligation to give notice as set out in their terms and conditions of employment.
- 9.2 In the event that an employee's contract comes to an end during maternity leave, their Enhanced Maternity Pay (EMP) will cease when they leave. In such circumstances the



local HR Team will inform the individual of the impact this will have on any statutory maternity benefits.

## 10. Partners Rights During Pregnancy/Maternity Leave

### Antenatal Care

10.1 Expectant fathers, civil partners or partners of pregnant employees have a right to take unpaid time off during working hours to accompany them to up to two antenatal appointments made on the advice of a Medical Practitioner.

The right is available to:

- the spouse or partner of the pregnant employee
- the father or parent of the pregnant employee's expected child

10.2 The expectant partner may be requested to provide evidence of any appointments to their line manager by declaring the following:

- The date and time of the appointment;
- That they qualify for the time off through their relationship to the mother or child;
- That the time off is for the purpose of attending an antenatal appointment with the expectant mother and that it has been made on the advice of a registered medical practitioner, nurse or midwife.

10.3 Where possible, appointments should be made at times which cause minimal disruption to the working day.

10.4 Managers should try to allow for a degree of flexibility (e.g. allowing an employee paid time off to attend an appointment on the basis that the time will be worked back), if possible, where an employee wishes to attend an antenatal appointment but does not wish to take unpaid leave.

## 11. Additional Information

11.1 Maternity leave and pay covers both single and multiple births and as such, entitlement to leave and pay will remain the same irrespective of the number of children born as a result of the same pregnancy.

11.2 During periods of OML and AML the employee is entitled to all relevant terms and conditions of employment (except for payment of salary/pension) which would have applied had they not been absent.

11.3 Where an employee exercises their right to return to work following a period of maternity leave the period of absence will be considered as continuous service with the University.

- 11.4 Pension rights and contributions shall be managed in accordance with the provisions of the relevant superannuation scheme, providing that these provisions do not conflict with any statutory requirements that may apply at the time.
- 11.5 The employee will be entitled to progress through the normal annual increments on the University's salary scale in accordance with their terms and conditions of employment, to take effect from the normal incremental date.
- 11.6 Annual leave entitlement will continue to accrue, as normal, during ordinary and additional maternity leave. Any accrued annual leave may be used in lieu of an equivalent amount of unpaid maternity leave subject to the approval of the Head of School/RI/University Service.
- 11.7 Where an individual is on maternity leave whilst on the University's Redeployment Register they will be flagged to the relevant hiring manager and offered a priority interview for any vacancy they apply for providing they have the potential to meet the essential criteria.

## 12. Other Provisions

- 12.1 Average weekly earnings will be calculated in accordance with the statutory maternity pay regulations that apply at the time.
- 12.2 An eligible employee will remain entitled to maternity leave (and/or pay) if their baby is stillborn after the start of the 24<sup>th</sup> week of pregnancy, or if their baby dies after being born.

## 13. Review

- 13.1 This policy will be regularly reviewed by the University and may be amended at any time following appropriate consultation.

## 14. Additional Information / Support

For further advice and information on this policy, please contact your [College/University Services HR team](#).

The following links may also be helpful:

[Shared Parental Leave Policy](#)

[Paternity Leave Policy](#)

[Parental Leave Policy](#)

[Emergency Time Off to Care for Dependents](#)

[University of Glasgow Childcare Voucher Scheme](#)

[University Nursery](#)

[Maternity Pay Calculator \(for employees\)](#)

[Maternity Cost Calculator \(for Managers\)](#)

Further information on maternity allowance and benefits can be viewed on the Gov.uk website at: [Expecting or bringing up children - Benefits](#)

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