Maternity/Adoption Policy
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1 Purpose

The purpose of the Policy is to set out the existing provision for employees of the University who are pregnant or have been matched with a child for adoption.

2 Eligibility

2.1. Maternity/Adoption Leave

- Pregnant employees are entitled to 52 weeks maternity leave irrespective of length of service.
- Employees wishing to take adoption leave are entitled to 52 weeks adoption leave if they have more than 26 weeks service in the Qualifying Week. If you have less than 26 weeks service in the Qualifying Week you have no statutory entitlement to Adoption Leave, however as an employee of the University you are able to take up to 52 weeks unpaid adoption leave.

2.2. Maternity/Adoption Pay

The amount of pay that you qualify for depends on your length of service at the Qualifying Week.

2.3. The Qualifying Week is:

- 15 weeks before your baby is due
- the week in which you are notified of an approved match for adoption
- if fostering for adoption the week the child comes to live with you
- if adopting from overseas the week in which you receive “official notification”
- the week your baby is due via surrogate
3 Entitlements

3.1. Maternity/Adoption Pay

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<th>Length of Service at Qualifying Week*</th>
<th>Maternity Pay</th>
<th>Adoption Pay</th>
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| 1 or more years                      | 39 weeks including:  
|                                      | 18 weeks Occupational Maternity/Adoption Pay** (full pay inclusive of Statutory Maternity Pay/Maternity Allowance)/Statutory Adoption Pay  
|                                      | 21 weeks of Statutory Maternity/Statutory Adoption Pay  
|                                      | 13 weeks unpaid leave |
| 26 weeks – less than 1 year          | 39 weeks including:  
|                                      | 6 weeks at 90% of salary  
|                                      | 33 weeks of Statutory Maternity/Statutory Adoption Pay  
|                                      | 13 weeks unpaid leave |
| Less than 26 weeks service           | Employees may be eligible for Maternity Allowance | No entitlement to Statutory Adoption Pay.  
|                                      | You should contact your local council to determine if you are entitled to any other help. |

*If you are entitled to Occupational Pay and your contract of employment comes to an end during your leave you will receive the Occupational Pay you are entitled to up until your leave date. Any Statutory Pay you are entitled to following your leave date will continue to be paid via the University Payroll.

**To receive Occupational Maternity/Adoption Pay you must provide a written undertaking on your Leave Request Form to return to work for a minimum period of one month following the end of your leave.

3.3. If you participate in a salary sacrifice scheme e.g. Pensions+, Childcare Vouchers, Cycle to Work, you may receive less Statutory Pay.

3.3.1. For those who have more than 52 weeks service at the Qualifying Week the University ensures that participating employees are no worse off by paying Occupational Maternity/Adoption Pay (as defined in the table above).

3.3.2. For those with more than 26 weeks but less than 1 year as at the qualifying week, salary sacrifice would result in reduced Statutory Maternity/Adoption Pay for the first 6 weeks of your leave. Statutory Maternity/Adoption Pay is calculated on the amount of average weekly earnings during the 8 week-period before the Qualifying Week.

By participating in salary sacrifice there is a reduction of salary for National Insurance purposes during this period which can then reduce entitlement.

In these circumstances the University will ensure there is no detriment to any employee with salary sacrifice arrangements by paying a “top-up” payment equal to the amount you would have received, if you were not
participating in salary sacrifice. If you commence leave and your fixed term contract ends within the first 6 weeks (where you are entitled to 90% SMP), and you have been a member of any of the salary sacrifice schemes, the University will ensure there is no detriment by paying a ‘top-up’ payment equal to the amount you would have received if they were not participating in salary sacrifice.

3.4. To qualify for Statutory Maternity/Adoption Pay:

3.4.1. You must have average weekly earnings in the 8 weeks up to and including the Qualifying Week are at least equal to the lower earnings limit for National Insurance Contributions although you do not actually have to have paid the contributions.

3.4.2. In the case of pregnancy, you are still pregnant by the beginning of 11 weeks before your baby is due or have had the baby at that time.

3.5. If you are not entitled to Statutory Maternity Pay the Payroll and Pensions section will provide you with a SMP1 form once your MATB1 form has been submitted to your local HR team. The form explains the reasons for ineligibility and provides instructions on how to apply for Maternity Allowance.

3.6. To qualify for Maternity Allowance:

3.6.1. You must have been employed and/or self-employed for at least 26 weeks in the 66 weeks up to and including the week before your baby is due. The 66 week period is known as the Test Period. Part weeks are counted as full weeks.

3.6.2. Your average weekly earnings are at least £30 or more a week over any 13 weeks in the Test Period.

3.6.3. You are still pregnant by the beginning of 11 weeks before your baby is due or have had the baby at that time.

3.7. If you are not entitled to Statutory Adoption Pay the Payroll and Pensions section will provide you with a SAP1 form once your request for Adoption Leave has been submitted to your local HR team. The form explains the reasons for ineligibility. You may be able to obtain support from your local council.

3.8. Please see 5.4 for information with regard to the impact of any unpaid leave on your pension arrangements.

3.9. The University treats all staff the same with respect to Maternity/Adoption Leave and Pay regardless of their type of contract, i.e. fixed-term or open. A flow chart is available which shows the procedure for those staff on fixed term contracts.

3.10. Any enhancements or awards due whilst you are on Maternity/Adoption Leave will be considered in the usual way and pro-rated appropriately based on the time you were at work.
4 Further Entitlements

4.1. All employees who are pregnant, or have been matched with a child and are planning to take adoption leave, are able to take paid time off to attend appointments. The number of maternity appointments normally ranges from 7 to 10. Employees taking Adoption Leave are entitled to attend 5 paid adoption appointments. Apart from the first appointment, evidence of appointments must be provided to your manager if requested.

4.2. As with all medical appointments, appointments should be arranged after consultation with your line manager to minimise disruption to work. As far as is reasonably practicable, such appointments should be arranged at times which would cause least disruption to your work.

4.3. You should inform your manager as soon as possible after your pregnancy has been confirmed. In the case of adoption your manager should be notified of the date of placement as soon as possible but no later than 7 days after you are notified you have been matched with a child. In both instances the information can be kept confidential if requested.

4.4. In the case of pregnancy you should advise your manager as soon as possible for health and safety reasons.

4.4.1. The University is required to protect the health and safety at work of all employees and others, including new and expectant mothers. On notification of your pregnancy it is the responsibility of your line manager to complete a New and Expectant Mother Risk Assessment with you.

4.4.2. The Occupational Health & Safety Service can provide advice/guidance on the completion of the risk assessment. There is also information available via the Government’s guidelines for new and expectant mothers.

4.5. Entitlement to annual leave accrues during Maternity/Adoption Leave. Annual leave may be taken immediately prior to, or immediately following leave by agreement with your manager. Staff are expected to take all of their holiday entitlement during the holiday year in which it accrues. However, where it is agreed with your manager that this is not practicable due to operational reasons or exceptional circumstances, leave can be carried forward into the next holiday year but this must be taken at the end of the leave period, immediately prior to your return to work.

4.6. You are entitled to be credited for Bank Holidays and University Closure Days that fall on your normal days of work during paid Maternity/Adoption Leave.

4.7. To determine what annual leave, bank holiday and closure days you should be credited you should refer to the Leave Calculator which can calculate your entitlements on a full time or part time basis. Bank Holidays and Closure Days/hours that fall your normal days of work during your paid Maternity/Adoption Leave must be taken at the end of your leave period before you return to work.
4.8. In the sad circumstances where a pregnancy ends in stillbirth during the first 24 weeks of pregnancy (defined as miscarriage) Maternity Pay is not payable. In these circumstances any absence would be managed in line with the sickness absence policy.

4.9. If you have already commenced Adoption Leave, providing 8 weeks leave remain, and the child’s placement doesn’t take place or ends:
   - you will be able to continue adoption leave for up to 8 weeks
   - if you are in receipt of statutory adoption pay, you will continue to receive this for up to 8 weeks
   - the 8 week period commences after the end of the week in which you were told the placement would not be happening or is ending

4.10. With your and your manager’s agreement you can work up to 10 optional “keeping in touch” days during your leave. You will receive full pay for the hours worked on these days, payment will be made at the end of your period of leave.

4.11. If you are entitled to statutory maternity/adoption leave you and your partner may also be entitled to Shared Parental Leave. In order for you and/or your partner to take shared parental leave you are required to curtail your maternity/adoption leave, as the total amount of maternity/adoption/shared parental leave that can be taken is 52 weeks.

5 Pensions

5.1. If you are a member of USS/RBP/NHS on contributory basis, or if you are a member of NEST, contributions to the fund are made by both you and the University throughout the paid period of Maternity/Adoption Leave.

5.2. Your contributions are based on your actual pay received for the pay period (including Statutory Maternity/Adoption Pay); the University will contribute the balance required to ensure you continue to accrue pension benefits as though you were working at your normal rate of pay. For example, if you are entitled for 39 weeks paid leave (Occupational and/or Statutory Maternity/Adoption Pay) you will accrue normal pension benefits throughout this period.

5.3. The first 39 weeks of Maternity/Adoption Leave will be regarded as normal pensionable service regardless of whether it is paid or unpaid so the University may meet the whole cost of providing accrual of your pension benefits if you are not entitled to receive any pay during this period.

5.4. If you are taking unpaid leave beyond this period you will be contacted by the Payroll and Pensions Section to discuss whether you wish to maintain contributions during the period of unpaid leave. If you wish to maintain your contributions, the University will also maintain its contributions, ensuring that you continue to accrue pension benefits. If you choose not to maintain your own pension contributions, your membership of the scheme will continue in that you will continue to be covered by the death in service provisions, but you will not
accrue any pension benefits during this period. However, if your employment comes to an end your membership of the pension scheme will end with it unless you transfer to another employer linked to the same scheme.

5.5. If you are an RBP/USS Pensions+ member you will continue with your pensions salary sacrifice during paid periods of Maternity/Adoption Leave, providing your salary less any salary sacrifices is not reduced below National Minimum/Living Wage. Salary sacrifices cannot be made against any statutory payments including Statutory Maternity/Adoption Pay, so the sacrifice will only apply to Occupational Maternity/Adoption Pay. If you choose to take a period of unpaid leave you will be contacted by the Payroll and Pensions Section to discuss whether you wish to increase your salary sacrifice on your return to work to maintain your pensionable service during the unpaid period.

5.6. If you do Keeping in Touch days during the unpaid period of your Maternity/Adoption leave, no pension contributions will be due.

For further information, click here to contact the Payroll and Pensions Team.

6  Returning to Work

6.1. You must take a minimum of 2 weeks Maternity/Adoption Leave. We will presume you are going to return to work on the date stated on your Maternity/Adoption Leave Request Form. Therefore, if you are going to return to work on this date, we do not require any further notification from you.

6.2. On your return to work your manager should meet with you to ensure you are made aware of changes that have taken place while you have been away from the workplace, and carry out a PDR with you to agree objectives to get you back into the PDR cycle.

6.3. You have the right to change your return date as long as you inform your manager at least 8 weeks before the date you wish to return. If you do not inform your manager in this timescale the University has the right to confirm an amended return date 8 weeks from the date you notified your manager you wish to change your return date. The University cannot amend your return date beyond 52 weeks leave.

6.4. If you are returning during or at the end of the first 26 weeks, classed as Ordinary Maternity/Adoption Leave, you are entitled to return to the same job on the same terms and conditions of employment as if you had not been absent.

6.5. If you are returning after the first 26 weeks, classed as Additional Maternity/Adoption Leave, you are entitled to return to the same job on the same terms and conditions of employment as if you had not been absent, or if that is not reasonably practicable, to a similar job.

6.6. Flexible Working
6.6.1. If you would like to explore the possibility of flexible working please see the Flexible Working Policy. You do not have a legal right to return from leave to different working arrangements, however the University will consider seriously all requests.

6.6.2. If you wish to request to return to different working arrangements, you must submit your Flexible Working Request at least 8 weeks before your date of return from Maternity/Adoption leave.

6.7. Resignation and Redundancy

6.7.1. Should you wish to resign you should give the University notice as laid down in your conditions of service.

6.7.2. If you are entitled to Statutory Maternity/Adoption Pay and resign you will continue to be paid for a period of up to 39 weeks. If you receive Occupational Maternity/Adoption Pay and do not return to work for at least one month at the end of your leave the University has the right to reclaim all or part of the non-statutory element of your Occupational Pay.

6.7.3. Should a redundancy situation arise when you are on Maternity/Adoption leave that may affect you, the University will consult with you in accordance with the arrangements that are put in place for all affected employees. For further information see the Redundancy Policy.

Associated Policies and Documents:
- Maternity/Adoption Leave Procedure
- Maternity/Adoption Leave Request Form
- Flowchart for employees taking Maternity/Adoption Leave
- Maternity/Adoption Leave Guidance for Managers
- Keeping in Touch Days FAQs and Form

<table>
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<tr>
<th>Policy Area Lead</th>
<th>Jan Halliburton, Emily Thomas</th>
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<tr>
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<td>Staff Committee</td>
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<td>Approval Date</td>
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