

## HR Intranet Guide: Maternity Leave

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Appendix 1 - Redeployment for staff 'at risk' of redundancy

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## 1. Overview

- 1.1 Every pregnant member of staff is entitled to 52 weeks' maternity leave regardless of length of service. The pay you receive during your maternity leave depends on how long you have worked for the University, or for another employer from whom we recognise continuous service (see 'Part 4: Pay' for more details).
- 1.2 We recommend you print off the [maternity checklist](#) (Word) and discuss this with your line manager.

### Legal considerations and protection from discrimination

- 1.3 You have a legal responsibility to notify your employer of your pregnancy by the 15th week prior to the expected week of childbirth (EWC). The legislation that protects you at work while pregnant will only apply once the University knows about your pregnancy, so you should notify HR and your line manager as soon as possible.
- 1.4 Once the University has been notified you will be entitled to paid time off to attend antenatal classes, and you will be protected against pregnancy-related discrimination.

## 2. Notifying UWE Bristol of your pregnancy

### Informing HR and your manager

- 2.1 Going public with your news is a personal decision; however, you should notify your line manager and Human Resources of your pregnancy as soon as possible. HR will send you more information about next steps.
- 2.2 The 15th week before your baby is due is the latest you can notify the University of your pregnancy. Your MatB1 form (maternity certificate), normally issued after your 20 week scan at around the 25th or 26th week of pregnancy, will need to be sent to HR as soon as possible. The date on the MatB1 will be used for calculating your pay and cannot be changed.

### Starting maternity leave

- 2.3 Maternity leave can start on any day of the week, and the earliest date you can start is the beginning of the 11th week before the expected week of childbirth (EWC) – week 29 of your pregnancy. However, you can choose to carry on working right up to the day on which your baby is due, which is the latest you can start maternity leave.
- 2.4 You will need to give at least 28 days' notice of the date on which you wish to start your maternity leave by submitting a [maternity leave notification form](#) (Word). If you are absent from work for a pregnancy-related reason during the 28 days before the start of your EWC, your maternity leave and pay will start on the first day of absence.

- 2.5 If your baby arrives early your maternity leave will start on the day after the birth. In this case, you will need to notify us of the date of birth as soon as you are able so that we can make the necessary adjustment to ensure that your statutory maternity pay (SMP) is paid at the correct time.

### **Stillbirths or miscarriages**

- 2.6 If you suffer a stillbirth or miscarriage after the 24th week of pregnancy, you will still be entitled to the maternity leave and pay option that you qualify for. If a stillbirth or a miscarriage happens before the 24th week of pregnancy there is no entitlement to maternity pay or leave. However, you may wish to consider taking [compassionate leave](#) or [sickness absence leave](#). There are various levels of support the University can offer, including face-to-face counselling through the [employee assistance programme](#) during this difficult time.

## **3. Before your maternity leave**

- 3.1 Once you have notified HR and your manager of your pregnancy, your manager will meet with you to discuss certain things, including:
- carrying out a [risk assessment](#) (Word) to remove any potential risk to you and your baby (see also the [health and safety guidance](#) (PDF) for new and expectant mothers)
  - carrying out a [workstation review](#) and make [reasonable adjustments](#) (Word) as necessary
  - when you are intending to start maternity leave, to plan cover for your absence
  - how your annual leave will be managed
  - how to maintain reasonable contact and how you wish to be kept in touch.

### **Annual leave**

- 3.2 You will continue to accrue annual leave during the whole period of maternity leave. We recommend that you use as much of this as possible prior to starting maternity leave.
- 3.3 Alternatively you can return to the payroll at the end of maternity leave and use the accrued leave to delay your physical return to work. You should discuss annual leave options with your manager in the usual way. Use the [annual leave calculator](#) (Excel) to calculate what you will accrue.
- 3.4 When you return from maternity leave you will be compensated for the actual number of bank holidays and UWE Bristol closure days that occurred during your maternity leave. As this leave cannot be taken in advance of starting maternity leave, you can choose whether to take it immediately following maternity leave or to have them paid as a lump sum.

## Antenatal appointments

- 3.5 You are entitled to paid time off for antenatal appointments, such as midwife appointments and scans. Antenatal care is not just restricted to medical examinations but also includes relaxation and parent-craft classes. Your manager may ask to see evidence of these appointments.
- 3.6 If you wish to attend other antenatal classes (such as National Childbirth Trust, pregnancy yoga etc.) not prescribed by your midwife or GP, you are expected to use annual leave if these take place during your working hours or discuss other options with your manager. The flexitime scheme [currently remains suspended](#), however, a flexible approach to carrying out work can still be taken if it works for the requirements of your role and the team.
- 3.7 Fathers and partners are also eligible to go with mothers to antenatal appointments. The University provides paid time off for attending the first appointment; the second is offered as unpaid time off and can be managed using [annual leave](#) or a flexible approach as outlined above.

## 4. Pay

- 4.1 You are entitled to 52 weeks maternity leave regardless of length of service. However, the pay you receive during your maternity leave depends on how long you have worked for the University, or for another employer from whom we recognise continuous service.

Length of continuous service	Pay entitlement
At least one year by the beginning of the 29th week of pregnancy.	<p>You qualify for the University's occupational maternity scheme as follows:</p> <ul style="list-style-type: none"> <li>• 6 weeks – full pay (90% SMP and 10% OMP), then</li> <li>• 12 weeks – half pay plus SMP (combined totals will not exceed your full pay), then</li> <li>• 21 weeks – SMP weekly rate or a rate equal to 90% of your average weekly earnings (whichever is lower), then</li> <li>• 13 weeks – unpaid leave.</li> </ul>
At least 26 weeks by the beginning of the qualifying week (25th week of pregnancy).	<p>You qualify for the statutory maternity scheme as follows:</p> <ul style="list-style-type: none"> <li>• 6 weeks – 90% of your average weekly earnings, then</li> <li>• 33 weeks – SMP weekly rate or a rate equal to 90% of your average weekly earnings (whichever is lower), then</li> <li>• 13 weeks – unpaid leave.</li> </ul>

Less than 26 weeks by the beginning of the qualifying week (25th week of pregnancy).	<p>52 weeks – unpaid leave.</p> <p>You should contact Jobcentre Plus as soon as possible to find out if you are eligible to claim maternity allowance.</p> <p>If you are eligible, you will need to bring your MatB1 form to HR as soon as possible so that we can take a copy and issue you with form SMP1, which you will need to return to Jobcentre Plus with your maternity allowance (MA1) claim.</p>
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- 4.2 Maternity pay will be paid on the usual payday. Statutory maternity pay (SMP) and occupational maternity pay (OMP) will be identified separately on your payslip, which will be automatically sent to your home address during your maternity leave.
- 4.3 Maternity pay is subject to normal deductions for income tax, national insurance and superannuation (if you are in the pension scheme). During your maternity leave, you will continue to be due salary increments and pay awards in the normal way.

### Maternity and pension

- 4.4 If you are contributing to the pension scheme, the paid period of your leave will count as reckonable service for assessing pension benefits on retirement. Unpaid periods do not count as reckonable service.
- 4.5 To purchase any lost pension benefit following a period of unpaid maternity leave please see the relevant scheme details below.

Pension scheme	How to purchase	Details
Teachers' Pension Scheme (TPS) members.	Visit the TPS ' <a href="#">pay more to get more</a> ' webpage.	You can calculate the cost via the TPS additional pension calculator and apply via your 'my pension online' account.
Local Government Pension Scheme members.	Visit the <a href="#">Avon Pension Fund webpage</a> and select 'buy extra pension'. An online calculator and application form can be found here.  You will need to contact the Payroll and Pensions team for your 'lost pensionable pay'	Under this arrangement the cost is shared: one third by the employee, two thirds by the employer. This can be paid as a lump sum or monthly payments via your salary.

	figure to complete the application.	If you make the election within 30 days of returning from unpaid maternity absence, this becomes a Shared Cost Additional Pension Contract (SCAPC).
University Superannuation Scheme members.	Contact the Payroll and Pensions Team in HR for further advice at <a href="mailto:pensions@uwe.ac.uk">pensions@uwe.ac.uk</a> .	

### **Termination of fixed term contract**

- 4.6 If your contract of employment comes to an end when you are on maternity leave we will pay you all outstanding statutory maternity pay in one final payment when you leave. If you are in receipt of occupational maternity pay this only accrues on a daily basis and will be paid up to the end of your employment with the University, if this is before the end of the OMP period.

## **5. During maternity leave**

### **KIT days**

- 5.1 Keeping in touch (KIT) days enable you to work for up to 10 days during maternity leave without losing your entitlements to statutory maternity pay (SMP) or your maternity leave ending as a result of your return. KIT days may be useful for training or away days that help you keep in touch with your colleagues.
- 5.2 KIT days cannot take place within two weeks of the birth of your child, nor can they be used to extend the maternity leave period. They can be used consecutively, individually or in blocks, but must be by agreement with you and your line manager. Any work on any day (even as little as an hour) will count as a whole KIT day.
- 5.3 Please ensure you print off a [KIT day form](#) (Word), and complete this on the day you attend work, ensuring this has been signed off by your manager. This form must then be signed off and send to Payroll in HR on the same day.

### **Changing from maternity leave to shared parental leave**

- 5.4 If you intend to end your maternity leave and enter the shared parental leave scheme, you must complete the [shared parental leave application form](#) (Word), giving us notice that your maternity leave will be ending. See the shared parental leave guide for more information.

### **Pregnancy within a probationary period**

- 5.5 If your probationary period has not been confirmed before the start of your maternity leave, your probationary period will be extended due to the absence. Your manager should plan further meetings with you when you return to work. The final report should be submitted six months after your return.

### **Pregnancy on a fixed-term contract**

- 5.6 HR will remain in contact with you and your manager regarding your fixed term contract, just as if you were not on maternity leave, and will keep you informed at every stage. If your post is not to be extended, and you have the requisite length of service, you will be eligible to be redeployed into a suitable alternative role.
- 5.7 If your contract of employment or assignment comes to an end when you are on maternity leave in your paid period, we will pay you all outstanding statutory maternity pay in one final payment when you leave.
- 5.8 If you receive occupational maternity pay, this only accrues on a daily basis and will be paid up to the end of your employment with the University if this is before the end of the occupational pay period.

### **Leaving your job**

- 5.9 If you decide to not return to work after the birth, you need to notify us in writing, giving your contractual period of notice. If you do not specify a date, your resignation will be effective from the end of the statutory maternity pay period.
- 5.10 If there is any statutory maternity pay (SMP) owed to you it will be paid as a lump sum. You will not be required to pay back any occupational maternity pay (OMP).

## **6. Returning from maternity leave**

### **Planning for your return**

- 6.1 Legally you need to take a minimum of two weeks leave after the birth of your baby.
- 6.2 You are entitled to remain absent for a period of 52 weeks and the University will assume that you will take the maximum leave to which you are entitled, unless you notify your line manager and HR otherwise.
- 6.3 You will need to give at least eight weeks' notice of your return by completing the [maternity return form](#) (Word). Your manager will arrange a return to work induction to ensure that your transition back into the workplace is as smooth as possible.

- 6.4 You are entitled to return to the same job on the same terms and conditions of employment that were in place when you started your maternity leave. However, if it is not reasonably practicable for you to return to your role, you would be offered a suitable alternative. The terms and conditions would be no less favourable than those of your original job.
- 6.5 If you are unable to return to work because of illness, you must provide a doctor's certificate and the absence will be treated as sick leave from your return date – the normal conditions governing sick pay and sick leave will then apply.

### **Flexible working**

- 6.6 If you wish to return to work on reduced hours we would encourage you to discuss this with your manager prior to the start of your maternity leave. You will need to take into consideration how annual leave is managed, as this accrues at the rate at which maternity leave starts. If a change of hours is agreed this will take effect when you return to work following maternity leave. See the [flexible working arrangements](#) guide for more information about flexible working.

### **Breastfeeding**

- 6.7 We support your choice in how and where you feed your baby, and we will support breastfeeding at work if that is your desire. By law, it is up to you to decide how long you wish to breastfeed your baby and returning to work doesn't mean you have to stop.
- 6.8 If you return to work and are breastfeeding, we have an obligation to provide you with a suitable, healthy and private area so that you can express or breastfeed (a toilet is not considered a suitable area). There are also several suitable rooms available across the University:
- 6X231 – Frenchay.
  - 2E33a – Frenchay.
  - 1H029b – Glenside.
- 6.9 Your manager should allow you to use your breaks to be able to express your milk. If your childcare is close to work then you may be able to arrange breaks from work scheduled around feeding to allow you to feed your baby.
- 6.10 Although the flexitime scheme [currently remains suspended](#), a flexible approach to carrying out work can still be taken if it works for the requirements of your role and the team. We encourage you to discuss suitable arrangements with your manager, including how and where you will be able to store expressed milk.
- 6.11 You should notify us and your manager in writing that it is your intention to breastfeed so that suitable arrangements can be put in place ready for your return.



- 6.12 There is a section on the [maternity return form](#) (Word) for you to complete if this is applicable. For further information regarding suitable places and facilities please refer to the [health and safety guide regarding room to rest and recover](#).

### **Childcare vouchers**

- 6.13 From 4 October 2018, childcare voucher schemes will close to new applicants. You may be able to get [Tax-Free Childcare](#) (external link) instead. For further information, please see the [childcare voucher scheme guide](#).

### **Parents Group**

- 6.14 The Parents Group is a source of support for those who are about to go on maternity or paternity leave, those who have recently returned, adoptive parents and anyone caring for babies/children. It provides members with the opportunity to share information and influence UWE Bristol policy-making on areas such as managing parental leave, the return to work and work-life balance.
- 6.15 Visit the [Parents Group](#) page to find out more.