



University of
St Andrews

Maternity leave policy

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Purpose	To provide information to pregnant employees regarding their eligibility to maternity leave and pay.

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
1.1	Minor change to maternity notification form.	Published	Lisa Stewart HR	05/03/2020

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1. Introduction

- 1.1 This policy has been designed to explain the benefits of the University scheme and to set out your obligations under it. If you have any queries regarding the information in this document or would like further advice please email [Human Resources](#).

2. Statutory entitlement

- 2.1 All employees are eligible for 52 weeks maternity leave irrespective of their length of service or hours of work. This is made up of 26 weeks of ordinary maternity leave (OML) and 26 weeks of Additional Maternity Leave (AML).
- 2.2 All employees must take a period of two weeks compulsory maternity leave directly following childbirth and cannot return to work during that period.
- 2.3 Employees will enjoy the same terms and conditions on AML as they enjoy during OML except salary (other than maternity pay). Therefore, you are entitled to benefit from your normal terms and conditions of employment, except for salary for the whole duration of your maternity leave.

3. Maternity pay

- 3.1 This section details the different payments that you will be eligible for dependent on your length of service. You should work out how long you have worked at the University and find the appropriate option from the three listed below.
- 3.2 There is no distinction between live and still births after 24 weeks of any pregnancy for the purposes of maternity leave. An employee who suffers a still birth is entitled to the maternity pay detailed in Option 2(a)

1. Employee has less than 26 weeks continuous service at the 15th week before the Expected Week Childbirth (EWC)

- You will not be entitled to Statutory Maternity Pay (SMP).
- You may be eligible for Maternity Allowance through the Department of Work and Pensions, for which you will need to complete a SMP1 form. The Salaries Office will forward this form to you and you should claim any allowances from the Department for Work and Pensions.

2(a). Employee has 26 weeks continuous service at the 15th week before the EWC and the employee is returning to work

You will be entitled to the University's enhanced maternity pay package. Currently this is calculated as follows:

- 16 weeks of full salary and;
- 23 weeks at the statutory maternity pay ([SMP](#)) rate per week or 90% of your gross average weekly earnings if this is less than the SMP rate per week;
- the remaining 13 weeks will be unpaid.

If you are eligible and opt for the University's enhanced maternity package, this is subject to you returning to work at the University after your maternity leave for at least a period of 3 months. If you

do not return to work, then you will normally be required to repay the enhanced element of any Maternity Pay received.

2(b). Employee has 26 weeks continuous service at the 15th week before the EWC and the employee is not returning to work

- You will be entitled to [Statutory Maternity Pay \(SMP\)](#).

4. Procedures

4.1 The procedures listed are intended to ensure that individuals take an adequate amount of leave around their pregnancy. It is also important that the University is given sufficient notice so unnecessary disruption can be avoided during maternity leave. [Appendix F](#) is a flowchart detailing the maternity procedure at a high level and [Appendix G](#) lists the key maternity dates for pregnant employees.

4.2 Before the start of your maternity leave

4.2.1 Once you know that you are pregnant you should notify your Head of School/Unit and Human Resources by submitting a [maternity leave notification form](#). This must be done prior to the end of the 15th week before your baby is due **at the latest**. A word version of this form can be found on the [HR policy page](#) or via the following [link](#).

4.2.2 Once the University has been notified of your pregnancy, you will be requested to undergo a [risk assessment](#) for Health and Safety purposes to ensure your continued safety at work. Information can be found on the [Environmental Health and Safety Services website](#).

4.2.3 Human Resources will respond to you in writing within 28 days of receiving your [maternity leave notification form](#), setting out the date you will be expected to return from your maternity leave, depending on your eligibility for leave.

4.3 MATB1

4.3.1 You will normally receive your MATB1 from your GP around the 20th week of your pregnancy. A copy should be forwarded directly to [Human Resources](#), as this is necessary to enable payment of your maternity pay.

4.4 Time off for antenatal appointments

4.4.1 You can take reasonable paid time off to attend ante-natal appointments made on the advice of a medical practitioner, registered health visitor or registered midwife, regardless of your length of employment with the University. Your Head of School/Unit may ask to see your appointment card.

4.5 Going on maternity leave

4.5.1 You may start your maternity leave at any time from the 11th week before your Expected Week of Childbirth (EWC) and you should give at least 8 weeks' notice of the date you intend to leave work.

4.5.2 If you are absent from work within 4 weeks of your EWC and your absence is wholly or partly due to your pregnancy, your period of maternity leave will start automatically.

4.6 Returning to work

- 4.6.1 You do not need to give notice of your return to work date unless you wish to return before the date stated on your [maternity leave notification form](#). If you do wish to return earlier, you must inform your Head of School/Unit in writing, with a copy to [Human Resources](#), confirming the date you wish to return. This should be received at least 8 weeks before your revised return date.
- 4.6.2 You will receive a letter from Human Resources approximately 10 weeks prior to the end of your maternity leave confirming your expected date of return to work. It would be appreciated if you could respond to this letter to confirm that you are intending to return to work on that date or whether you intend to take annual leave directly after your maternity leave.
- 4.6.3 When you return from maternity leave you will return to your original job. In some cases a return to your original job may not be possible, if for example, your department has restructured. If this happens you will be guaranteed to return to a post of a similar grade. In all cases your return to work will be without loss of seniority or status.
- 4.6.4 Further information for employees can be found in [Appendix C](#). For Heads of School/Unit, more information can be found in [Appendix D](#).

5. Keeping in touch

- 5.1 During maternity leave, your line manager/Head of School/Unit may make reasonable contact with you. Reasonable contact will vary according to individual circumstances and should be agreed between both the employee and your line manager prior to going on maternity leave.
- 5.2 You can work for up to 10 days, by mutual agreement during your maternity leave without it impacting on your maternity leave or it affecting your right to statutory maternity pay. The idea behind this is to allow you to keep in touch with colleagues and your School/unit during your leave. Keeping in Touch Days (KIT days) can simply be used for you to undertake normal contractual duties or it could be used for other work requirements such as, attendance at a scheduled conference, training, team meetings, away days, or performance & development reviews.
- 5.3 The days do not have to be worked consecutively and you will be paid at your normal rate of pay or the appropriate rate for the work you undertake on these days. Working part of a day will count as one day's work. You will be paid per day irrespective of the total number of hours worked during a KIT day. The payment is calculated by taking your average monthly salary and dividing it by the total number of calendar days in that specific month.
- 5.4 KIT days do not extend the maternity pay periods in any way.
- 5.5 All payments will include Statutory Maternity Pay where applicable. Managers are responsible for advising the Salaries Office of any work undertaken by the employee in order that the necessary salary payments can be made. To pay an employee who undertakes KIT days, please complete and return the form in [Appendix H: Record of Keeping In Touch days \(KIT days\)](#) to the Salaries Office. A word version of this form can be found on the [HR policy page](#) or via the following [link](#).
- 5.6 KIT days are optional, and the University has no right to force you to work your KIT day entitlement. Keeping in Touch days may be undertaken at any stage during maternity leave,

except during the two weeks compulsory maternity leave period or during any annual leave period that is used directly after your maternity leave.

6. Health and safety

- 6.1 Your workplace MUST be assessed for risk while you are pregnant, within 6 months of the birth (if you return to work) and for as long as you continue to breast feed.
- 6.2 Both the University and the employee have an obligation to ensure that work is not carried out in an unsafe environment during your pregnancy. This is particularly important where you may be near complex apparatus, chemicals etc.
- 6.3 Your Head of School/Unit will arrange for the assessment to be carried out and a copy of this will be forwarded to Human Resources.
- 6.4 If unacceptable risks are identified, the University will take all reasonable measures to alleviate the problem. This may include restricting the range of your duties or transferring you to a different workplace or job. Where none of these measures is practicable, the University reserves the right to suspend you from your duties on full pay as long as the risk remains.

7. Queries

- 7.1 If you have any queries regarding this policy please contact Human Resources on ext. 3096 or e-mail hr.support@st-andrews.ac.uk.

Version number	Purpose / changes	Document status	Author of changes, role and school / unit	Date
1.0	Migration of policy to the Governance Zone.	Published	Lisa Stewart, Human Resources	12/06/2019
1.1	Minor change to Appendix A.	Published	Lisa Stewart HR	05/03/2020

Appendix A: Maternity leave notification form

Please note: A word version of this form can be found on the [HR policy page](#) or via the following [link](#).

To be completed by employee:

Name	
School/Unit	

I wish to return to work at the end of the maternity leave period.	Yes, Returning	<input type="checkbox"/>	Not returning	<input type="checkbox"/>
The expected week of childbirth (EWC) is: (date shown on MATB1 form)				
Maternity leave start date: (date maternity pay will commence)				
Maternity leave end date:				
I have enclosed the MATB1 form				<input type="checkbox"/>
I will forward the MATB1 form to you in due course.				<input type="checkbox"/>
<ul style="list-style-type: none">I understand that if I wish to change the date on which I am going to commence my maternity leave, I must give the University at least 8 weeks' notice in writing (wherever practicable).I understand that if I do not return from maternity leave or fail to return to work for a period of 3 months and have received the University's enhanced package, that the University has the right to reclaim whole or part of the non-statutory element of maternity pay.				
Sign to confirm agreement:	Date:			

To be signed by Head of School/Unit:

Signed:	Date:
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Completed forms should be submitted to Human Resources for processing.

(Please note that the MATB1 form must be provided before any payment can be made to you).

If internal replacement cover for maternity leave is required, approval must be sought from the [Director of HR](#) via email. For approval to recruit externally, please complete the relevant [workforce planning forms](#).

Appendix B: Annual leave information

Before commencing your maternity leave

- Ensure you have taken all the annual leave you have accrued since the beginning of the holiday year.
- You will not normally be allowed to carry these holidays forward.
- You can take your holiday entitlement prior to the start of your maternity leave.

Annual leave accrual during your maternity leave

- You continue to accrue annual leave entitlement whilst you are on maternity leave – see table below.
- Leave accrued during maternity leave may be carried forward into the holiday year in which you return, and you may add this to the end of your maternity leave. This would mean that although your maternity leave would end on the agreed date you would not actually return to the workplace until the end of the holiday period.
- The 5 public holidays should not form a part of holiday calculations; if you are working or on paid leave when this falls, you will receive payment for them but they are not transferable.
- The table below highlights the number of days accrued depending on your grade and length of service. These figures will be affected should you decide to return early from maternity leave.

Grade and service	Total Holiday Due	Number of completed months											
		1	2	3	4	5	6	7	8	9	10	11	12
Grades 1 – 4 inclusive < 4 years' service	30	3	5	8	10	13	15	18	20	23	25	28	30
Grades 1 – 4 inclusive > 4 years' service but < 6 years' service	32	3	5	8	11	13	16	19	21	24	27	29	32
Grades 1 – 4 inclusive > 6 years' service	34	3	6	9	11	14	17	20	23	26	28	31	34
Grades 5 – 9 inclusive	34	3	6	9	11	14	17	20	23	26	28	31	34

Appendix C: FAQs for pregnant employees

This section deals with some of the frequently asked questions about maternity leave and returning to work. If you have any queries which are not answered below, please contact [Human Resources](#) or via telephone on extension 3096.

Returning to work

What happens if I don't want to return to work?

If you decide not to return to work, you should inform your Head of School/Unit and Human Resources as soon as you have decided. If you do not return to work, then you will normally be required to repay the enhanced element of any Maternity Pay received. If you need further information you should contact the Salaries Office on ext. 2569.

If I am on a fixed term contract, am I entitled to Maternity Pay?

Regardless of whether you are on a fixed-term or standard contract, if you meet the qualifying periods stated in the policy then you are entitled to the relevant maternity pay.

If my contract ends during my maternity leave what will happen?

You will continue to receive your maternity pay and, in the event that you have received the University's enhanced maternity pay package in this circumstance you will not be expected to repay the enhanced element.

Some funding bodies cover maternity leave and contracts may be extended to continue beyond the maternity leave period to allow you to return to work. Please note that your Principal Investigator should discuss this with the [Finance Advice and Support \(FAS\) Team](#).

What happens if I want to take an extended period of leave at the end of my maternity leave?

In some circumstances it may be possible for you to extend your maternity leave period into a career break, but this must be discussed with your Head of School/Unit and Human Resources. Any agreement on extended leave will depend on the varying circumstances of the job and must be approved by the relevant member of the Principal's Office.

Is my entitlement to Research Leave affected by taking maternity leave?

No, your continuous service with the University is not affected by taking maternity leave and therefore your entitlement to apply for and take Research Leave is unaffected. Further details about Research leave can be obtained from <https://www.st-andrews.ac.uk/staff/ppd/leave/>

What happens if I am ill during my pregnancy?

Any absence in excess of 24 weeks connected with your pregnancy or childbirth must be supported by a medical certificate and will be dealt with under the University's [Sickness absence policy](#).

If you are off sick in the 4 weeks before your Expected Week of Childbirth and the reason for your absence (or part of it) is related to your pregnancy, your maternity leave will commence immediately.

What happens if I am ill and can't return to work at the end of my maternity leave?

If you are not able to return to work at the end of your maternity leave because of illness you should notify your Head of School/Unit and Human Resources as soon as possible and follow the absence procedures as outlined in the [Sickness absence policy](#).

Can I come back to work part-time?

You do not have an automatic right to return to work part-time, but you are entitled to ask about the possibility of changing your hours. If you think you would like to return to work on a part-time basis you should discuss this with your Head of School/Unit as early as possible. Any request will be given reasonable consideration by the University. The [Flexible working policy](#) provides further information about this process. You should be aware that any change in your hours will be permanent and you do not have a right to revert to full time hours in the future.

What happens if I don't come back to work?

If you do not return to work on the date agreed and fail to notify the University of your absence, then disciplinary action may be taken.

Salary, pension, holidays and ante natal care

Do I still have to pay tax while I'm on maternity leave?

Yes – all maternity benefits are subject to tax and national insurance in the same way as your salary.

What happens to my pension contributions while I'm on maternity leave?

Your membership of either USS or S&LAS will be maintained during the duration of your paid maternity leave. If you are on unpaid maternity leave, then your contributions stop until you return to work. Once you have returned, the Pensions Administrator will contact you detailing the shortfall in contributions during this period and give you an option to maintain your contributions. Employer contributions missed as a result of any unpaid leave will only be paid over if you elect to maintain your employee contributions after a period of nil pay.

Employees will benefit from salary sacrifice if they are receiving full pay from the University, unless it is not beneficial to them. Where employees are receiving statutory pay only (i.e. after enhanced family friendly pay or enhanced sickness pay ceases), pension contributions will become a deduction rather than a salary sacrifice. Once the employee goes back onto full pay, they will move back into the salary sacrifice scheme. Any questions regarding salary sacrifice should be directed to the [pension administrator](#).

Will my monthly salary remain the same for the period I am receiving full pay?

It may vary slightly since maternity pay is calculated on a weekly rather than monthly basis. If you have any questions, please contact the [Salaries Office](#).

Do I still get an increment while I'm on maternity leave?

Yes – your entitlement to annual increments is unchanged.

What happens to the annual pay award if I'm on maternity leave?

You are entitled to the annual pay award and this will be administered as normal. Your maternity payments will be recalculated for the date the pay award is awarded to reflect the annual pay award.

What happens to my annual leave while I'm on maternity leave?

You should make sure that you have taken any annual leave accrued since the beginning of the holiday year before you go on maternity leave. Your annual leave will continue to accrue throughout your maternity leave.

If you wish to take annual leave at the end of your maternity leave you should inform your Head of School/Unit as soon as possible and at least 8 weeks before your maternity leave ends. Full details of your holiday entitlement can be found in [Appendix B – Annual Leave Information](#).

Appendix D: FAQs for line managers and Heads of School/Unit

This section provides guidance for Heads of School/Unit regarding maternity leave. An easy to use flowchart can be accessed in [Appendix E](#).

Once an employee informs you that they are pregnant you should ensure that they are not subject to any harassment, discrimination or unfavourable treatment on the grounds that they are pregnant.

Do I need to carry out a Health and Safety risk assessment?

As part of a general duty of care, managers must ensure that a risk assessment of a pregnant employee is carried out. Employees must let the Head of School/Unit know of their pregnancy as soon as possible, so that a Health and Safety assessment can be carried out. Further information about the process can be found on the [Health & Safety page](#).

Are the entitlements the same if women are on fixed-term contracts?

Women on fixed term contracts are entitled to maternity pay. In circumstances where the contract expires during maternity leave, if the employee has enough qualifying service then they will be entitled to maternity leave. Non-renewal of a fixed-term contract due to pregnancy is discriminatory.

Am I allowed to contact a member of staff who is on maternity leave?

A manager may make reasonable contact with an individual on maternity leave. Prior to the start of maternity leave managers should discuss arrangements for staying in touch with an employee, such as Keeping in Touch days. Employees, with the agreement of their manager, can undertake 10 days' paid work during their maternity leave period.

Is there anything I should be aware of following her return to work?

Managers should be aware that changes may have taken place during a woman's maternity leave and should therefore ensure that she feels welcomed and is updated. An employee on maternity leave has the right to return to the same job on the same terms and conditions that they held prior to going on maternity leave. Any problems in the employee returning to work should be discussed with a member of Human Resources.

I've had a request for breast feeding facilities – what should I do?

The School/Unit should endeavour to find a quiet, private space for women to express and store breast milk or if reasonably practical allow the employee to change her hours of work.

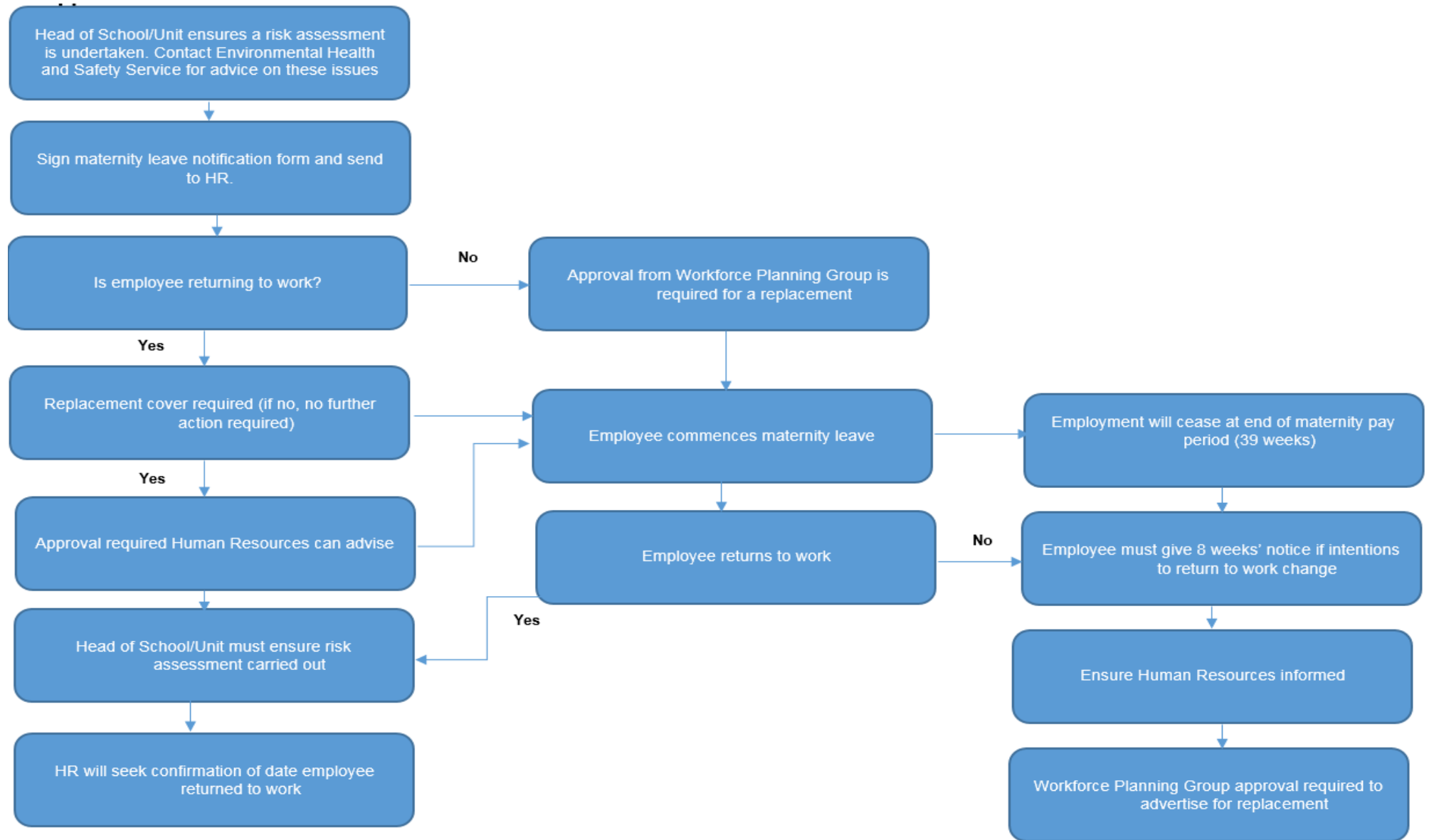
Do I have to agree a request for part time working?

An employee returning from maternity leave has the right to request to work flexibly. For further information please read the [University's Flexible working policy](#) or contact Human Resources via telephone on extension 3096.

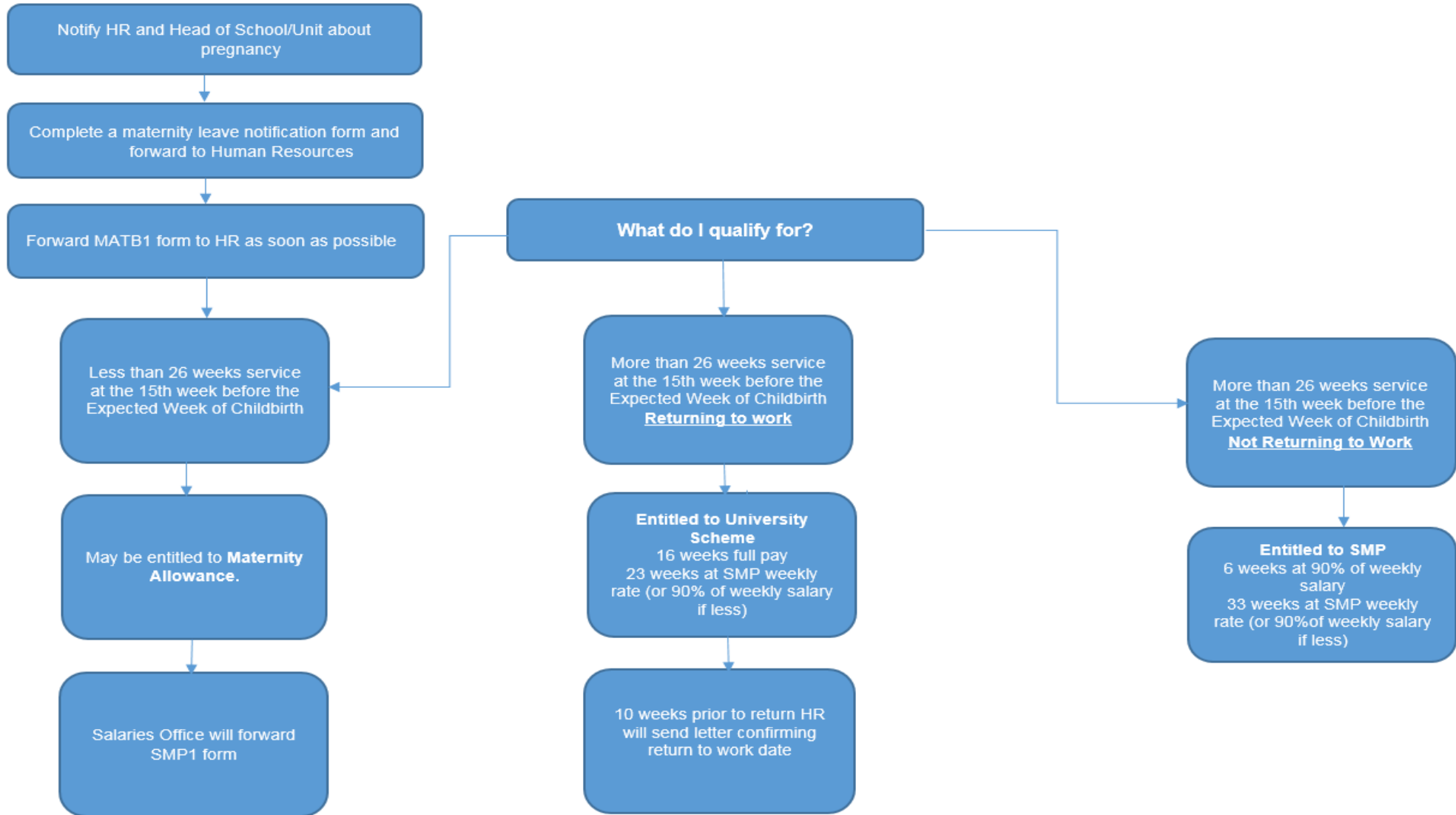
Who does the work whilst my member of staff is on maternity leave?

A post can be covered by colleagues on acting-up allowances, secondments or by recruiting a temporary replacement. Please contact [Human Resources](#) or via telephone on extension 3096 for clarification.

Appendix E: Flowchart for Head of School/Unit



Appendix F: Flowchart summary for pregnant employee



Appendix G: Key dates for your calendar

Find out your Expected Week of Childbirth (EWC) and then use the table below so you can clearly see when you have to complete each stage of the process.

Before or after EWC date	Date	Notes
15 weeks before EWC		If you are pregnant this is the latest date by which you should notify us of your intention to take maternity leave.
11 weeks before EWC		This is the earliest week in which you will be allowed to commence maternity leave. You may choose to leave any time between now and the birth of your child.
8 weeks before		This is the latest week in which you can change your maternity leave start date.
4 weeks before		If you are off sick from this week onwards as a result (or partly) of your pregnancy, your maternity leave period will commence automatically.
EWC		Expected Week of Childbirth (the week in which your GP estimates your baby is due)
Baby born		
Week 1 & 2		You are legally required to take maternity leave in the 2 week period after the birth of your child.
Week 15		This is the earliest week in which you will stop receiving maternity pay. (i.e. if you went off 11 prior to the EWC would mean that you have had 26 weeks absence).

Appendix H: Keeping in Touch Days (KIT) form

Please note: A word version of this form can be found on the [HR policy page](#) or via the following [link](#).

Staff on maternity leave may, by agreement with their Head of School/Unit, undertake up to 10 days' paid work during their maternity leave. These days are known as Keeping in Touch (KIT) days. The type of work undertaken is a matter of agreement between the employee and the Head of School/Unit. The days may be used for any activity which would ordinarily be classed as work under the employee's contract and could be particularly useful in enabling attendance such as at a conference, training activity, away day or departmental meetings.

Please complete once employee has completed their KIT day.

Employees name:	
Employee ID:	
School/Unit/Residence:	

Date/s of contact day	Total hours attended

Salary to be charged to:					
Cost centre		Analysis code		Detail code	

I certify that the hours stated above have been worked by me, as part of my KIT day entitlement:	Certified by line manager/Head of School/Unit:
Signed:	Signed:

Please return the completed form to the Salaries Office for processing. KIT days will be included in your monthly salary and will be detailed on your payslip. The days will be paid on the first pay date after Salaries receive this completed form; provided it is received by the relevant salary cut off date.