



University of  
St Andrews

## Maternity leave

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1.4	Minor change to wording at 2.4	Published	Lisa Stewart HR	15/12/2021

British Sign Language (BSL) users can contact us via the online BSL Video Relay Interpreting Service: <https://contactscotland-bsl.org>

This document and forms associated with this document are available in an alternative format upon request.

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## 1. Introduction

- 1.1 This policy has been developed to provide information regarding the University's maternity leave offering. Any queries regarding the information outlined in this document should be directed to [HR Support](#) in the first instance. [Appendix A](#) provides further internal support contact details.
- 1.2 Additional guidance can be accessed on the University's [Maternity Leave webpage](#), including a list of frequently asked questions "FAQs" for the employee and the line manager, a link to the [maternity leave calculator](#), as well as helpful links to useful, relevant guidance and information.

## 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, employees are entitled to benefit from their normal terms and conditions of employment, except for salary for the whole duration of maternity leave.
- 2.4 There is no distinction between live and still births after 24 weeks of any pregnancy for the purposes of maternity leave. Absence relating to employees who suffer a miscarriage before 24 weeks of pregnancy should be treated as sickness.

## 3. Maternity pay packages

- 3.1 This section details the different payments that employees are eligible to, dependent on their length of service.
- 3.2 There is no additional payment for a multiple birth (such as twins).

**1. Employee has less than 26 weeks continuous service at the 15th week before the Expected Week Childbirth (EWC) stated on the MATB1 certificate (also known as a maternity certificate)**

- 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 form SMP1. You should contact the [Salaries Office](#) which will forward this form to you and you should claim any allowances from the Department for Work and Pensions directly.

**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 of Statutory Maternity Pay 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 are intended to ensure that individuals take an adequate amount of leave around their pregnancy and provide key information to expectant mothers so they can plan and manage their maternity leave to best suit their needs. The University must be given sufficient notice of maternity leave so unnecessary disruption can be avoided, as explained in [4.2.2: Notifying the University](#).

#### **4.2 Before the start of maternity leave**

##### **4.2.1 Maternity leave calculator**

- The [maternity leave calculator](#) has been developed to support expectant mothers plan their maternity leave and identify key dates and deadlines before and during their leave. Employees are encouraged to use this tool prior to submitting their maternity leave notification form. The calculator is a guidance tool, it does not ask for nor store any personal data.

##### **4.2.2 Notifying the University**

- Employees should notify their line manager of their pregnancy using the maternity leave notification form which is located in [HR Self-Service](#) (under Family Leave). **This must be submitted prior to the end of the 15th week before the baby is due at the latest.** The line manager will submit the form to [HR Support](#), which will instruct them to confirm the maternity leave dates to the employee in writing (within 28 days of notification of the pregnancy).

### 4.2.3 Risk Assessment

- In line with [Environmental Health and Safety Services](#) (EHSS) guidance, the employee should enrol on the Expectant and New Mothers training course via the online [EssentialSkillz Programme](#) and complete the accompanying [Risk Assessment](#). Any concerns raised in the risk assessment will be escalated to the School/Unit's EssentialSkillz administrator e.g. Health and Safety Coordinator for further action. More information is available from [EHSS](#).

### 4.2.4 MATB1

- The employee will normally receive a MATB1 (also known as a maternity certificate) from their GP or midwife around the 20th week of pregnancy. A copy of this must be submitted to Human Resources via [HR Self-Service](#) (under Family Leave), as this is necessary to enable/process the maternity pay.

### 4.2.5 Time off for antenatal appointments

- Employees can take reasonable paid time off to attend antenatal appointments made on the advice of a medical practitioner, registered health visitor or registered midwife, regardless of your length of employment with the University. The employee's line manager may ask to see the appointment card. More information can be found in the [Antenatal Appointment Policy](#).

## 4.3 Going on maternity leave

- Maternity leave can start at any time from the 11th week before the Expected Week of Childbirth (EWC). Any requests to change the maternity leave start date should be requested at least 8 weeks before the intended maternity start date.
- If an employee is absent from work within 4 weeks of the EWC and the absence is wholly or partly pregnancy related, the maternity leave will start automatically from this date.

## 4.4 Returning to work

- Notice of the return to work date is not required unless the employee wants to return prior to the date stated on their maternity leave notification form. If there is a request to change the return to work date, the employee must inform their line manager and [HR Support](#), at least 8 weeks before the intended return date, via email confirming the new return date.
- The employee will receive a letter from HR approximately 10 weeks prior to the end of the maternity leave confirming the expected date of return to work. Employees should ensure that they respond to this letter to confirm that they are intending to return to work on the date confirmed in the letter, or whether they intend to take annual leave directly after their maternity leave.
- Employees will normally return to their original job after maternity leave. In some cases, a return to their original job may not be possible, if for example, the department has restructured. If this happens, the employee will be guaranteed to return to a post of a similar grade. In all cases, the employee's return to work will be without loss of seniority or status.

- Further information for employees can be found on the [Maternity Leave webpage](#).

## 5. Keeping in touch

- 5.1 The line manager, or equivalent other e.g. Head of School/Unit may want to make reasonable contact with the employee during their maternity leave. Reasonable contact will vary according to individual circumstances and should be agreed between both the employee and the line manager (or equivalent) prior to going on maternity leave.
- 5.2 Employees can work for up to 10 days, by mutual agreement, during a period of maternity leave without it impacting on maternity leave or affecting the employee's right to statutory maternity pay. The idea behind this is to allow employees to keep in touch with colleagues and the School/unit during maternity leave. Keeping in Touch Days (KIT days) can be used for undertaking normal contractual duties or 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 the employee will be paid at their normal rate of pay or the appropriate rate for the work undertaken on these days. Alternatively, the employee can take time off in lieu. Working for part of a day will use up one KIT day. Employees will only be paid for the hours worked and these must be agreed in advance with the line manager.
- 5.4 KIT days do not extend the maternity pay periods in any way.
- 5.5 Employees will receive the normal hourly/salary rate for the hours worked. This payment will be inclusive of any maternity pay (including Statutory Maternity Pay) the employee is receiving when the KIT days are worked. Payment for KIT days will not exceed the normal payment for the pay/hours worked. Therefore, if an employee uses a KIT day during the full pay period, no additional payment will be made. If an employee uses a KIT day during the Statutory Maternity Pay period, the pay will be increased to their normal rate of pay for the hours worked (inclusive of SMP). If an employee uses a KIT day during the unpaid period of maternity leave, or the employee does not qualify for maternity pay, their normal rate of pay for the hours worked will be processed.
- 5.6 Once a KIT day has been completed, the employee will be required to complete a KIT form which is located in [HR Self-Service](#) (under Family Leave). Once completed, they must submit the form which will be sent to the line manager for authorisation. The line manager will submit the form to [Salaries](#), which will instruct them to process the payment. Payment will be made on the first pay date after Salaries receive the form; provided it is received by the relevant salary [cut off date](#).
- 5.7 KIT days are optional, and the University has no right to force anyone to work a KIT day. KIT 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 maternity leave.

## 6. Health and safety

- 6.1 The workplace must be assessed for risk while an employee is pregnant, within 6 months of the birth (if an employee returns to work by then) and for as long as an employee continues 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 the pregnancy. This is particularly important where the employee may be near complex apparatus, chemicals etc.
- 6.3 In line with [Environmental Health and Safety Services](#) (EHSS) guidance, the employee should complete a [New Mother's Risk Assessment](#). Any concerns raised in the risk assessment will be escalated to the School/Unit's EssentialSkillz administrator e.g. Health and Safety Coordinator for further action. More information is available from [EHSS](#).
- 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 duties or transferring the employee to a different workplace or job. Where none of these measures are practicable, the University reserves the right to suspend the employee from duties on full pay as long as the risk remains.

## 7. Support

- 7.1 Any questions employees have about matters raised in this policy should be discussed with their line manager in the first instance. In addition, employees and line managers can access further information about maternity leave on the [Maternity Leave webpage](#) or contact HR Support via email [hr.support@st-andrews.ac.uk](mailto:hr.support@st-andrews.ac.uk) or telephone on 3096.
- 7.2 Further internal support can be found in [Appendix A](#).

## 8. Version control

- 8.1 This document will be reviewed periodically in conjunction with the University's recognised Trade Unions. Any feedback on the policy content should be directed in the first instance to the [HRBP team](#) who will consider this as part of the review.

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
1.2	Change to review date	Published	Lisa Stewart HR	04/02/2021
1.3	Minor review of the policy: change to KIT wording, new maternity leave calculator & maternity webpage/FAQs.	Published	Lynsey Rattray HR	09/07/2021
1.4	Minor change to wording at 2.4	Published	Lisa Stewart HR	15/12/2021



## Appendix A: Internal support

Name of Department	Contact details	Service provided
<b>Chaplaincy</b>	<a href="https://www.st-andrews.ac.uk/chaplaincy/">https://www.st-andrews.ac.uk/chaplaincy/</a> <a href="mailto:chaplaincy@st-andrews.ac.uk">chaplaincy@st-andrews.ac.uk</a> 01334 462866 or 462492	Offers pastoral care and support for any employee, regardless of religion or belief (including non-belief). This includes sympathetic, confidential listening and a safe place to talk to someone about any issues affecting health and wellbeing.
<b>Environment, Health &amp; Safety Services (EHSS)</b>	<a href="https://www.st-andrews.ac.uk/ehss/">https://www.st-andrews.ac.uk/ehss/</a> 01334 462742 (Head of EHSS)	The EHSS team provides advice on all aspects of accident prevention and risk management.  The Head of EHSS is Hugh Graham.
<b>Equality Diversity &amp; Inclusion (EDI)</b>	<a href="https://www.st-andrews.ac.uk/hr/edi/">https://www.st-andrews.ac.uk/hr/edi/</a> <a href="mailto:diversity@st-andrews.ac.uk">diversity@st-andrews.ac.uk</a> 01334 461649	Provides a confidential service of advice to members of the University community (staff, students, visitors) on any aspect of EDI.  The Head of EDI is Sukhi Bains.
<b>Human Resources</b>	<a href="https://www.st-andrews.ac.uk/hr/">https://www.st-andrews.ac.uk/hr/</a> <a href="mailto:humres@st-andrews.ac.uk">humres@st-andrews.ac.uk</a> (general email enquiries) 01334 463096	Provides support to employees of University of St Andrews. <ul style="list-style-type: none"> <li>• HR web and policy page</li> <li>• Dedicated <a href="#">HR Business Partner</a> team for each School and Unit</li> </ul>
<b>Occupational Health</b>	<a href="https://www.st-andrews.ac.uk/ehss/occupationalhealth/">https://www.st-andrews.ac.uk/ehss/occupationalhealth/</a> 01334 462750 <a href="mailto:occhealth@st-andrews.ac.uk">occhealth@st-andrews.ac.uk</a>	Employees can refer themselves to OH for confidential health advice at any time. <ul style="list-style-type: none"> <li>• One-to-one consultation/appointments</li> <li>• Expert support and advice provided</li> <li>• Recommended adjustments to support the employee</li> <li>• Partnership with external health practitioners i.e. counselling services and CBT.</li> </ul>
<b>OSDS</b>	<a href="https://www.st-andrews.ac.uk/osds/">https://www.st-andrews.ac.uk/osds/</a> 01334 467198 Email: <a href="mailto:osds@st-andrews.ac.uk">osds@st-andrews.ac.uk</a>	Organisational and Staff Development Services (OSDS), formerly part of CAPOD, is the University's central provider of professional development for all University staff and is also responsible for a wide range of organisational development projects and initiatives.
<b>Trade Union Representatives</b>	<a href="https://www.st-andrews.ac.uk/staff/wellbeing/community/support/tradeunionrepresentatives/">https://www.st-andrews.ac.uk/staff/wellbeing/community/support/tradeunionrepresentatives/</a>	Trade union representatives are trained to deal and support employees with any workplace related matters of concern.