



THE UNIVERSITY *of* EDINBURGH

Maternity Policy

1. Policy Statement

The University is committed to helping its staff to balance their family and work commitments.

This policy explains the leave and pay available to you during your pregnancy and in the first year following the birth of your child. It will support you in planning for maternity leave and returning to work after leave.

2. Scope

This policy applies to all employees of the University.

3. Abbreviations and Definitions

UEMP is University of Edinburgh maternity pay

SMP is statutory maternity pay

MA is maternity allowance

Qualifying week is the 15th week before the baby's due date i.e. the point at which you are 25 weeks' pregnant

Qualifying period is the eight weeks up to the 15th week before the baby's due date

KIT days are keeping-in-touch days

4. Entitlement

4.1 Leave

4.1.1 Antenatal Appointments

You will have scheduled medical appointments throughout your pregnancy as advised by your GP or midwife. You are entitled to a reasonable amount of paid time off work so that you can attend these.

4.1.2 Maternity Leave

You can take up to 52 weeks of maternity leave. By law, you must take a minimum of two weeks'

maternity leave immediately after the birth of your child to protect you and your child's wellbeing
- this is known as Compulsory Maternity Leave.

4.2 Pay

4.2.1 University of Edinburgh Maternity Pay

We pay enhanced maternity pay - referred to as University of Edinburgh Maternity Pay (UEMP). This is equivalent to your normal full pay i.e. the salary payment you usually receive for your contractual working hours.

UEMP aligns to your contract throughout your period of paid leave. Your UEMP may therefore change if, for example, you receive a pay award or increment, or if you have multiple posts and one comes to an end during your maternity leave.

Unlike Statutory Maternity Pay (SMP) (see section 4.2.3), there is no length of service requirement for UEMP.

You will be entitled to UEMP if you:

- are employed by the University at the baby's due date, and
- return to work for at least three months after your maternity leave.

The return to work period starts when you physically return to work. Periods of paid or unpaid absence before you return to work, e.g. annual leave or sickness absence, do not count towards the three month period.

You have a choice of how UEMP is paid to you:

- 18 weeks' full pay, or
- 9 weeks' full pay plus 18 weeks' half pay, or
- SMP only

These are outlined in the table below.

Note: Some staff will have different entitlements due to, for example, the retention of previous terms and conditions under a TUPE transfer into the University.

Option 1	Weeks 1 - 18:	Full Pay (inclusive of SMP, where applicable)
	Weeks 19 - 39:	SMP only (where applicable)
	Weeks 40 – 52:	Unpaid
Option 2	Weeks 1 - 9:	Full Pay (inclusive of SMP, where applicable)
	Weeks 10 - 27:	Half Pay, plus SMP where applicable (capped at normal full pay)
	Weeks 28 - 39:	SMP only (where applicable)
	Weeks 40 -52:	Unpaid
Option 3	Weeks 1 – 6	SMP - 90% of your average weekly earnings (where applicable)
	Weeks 7 - 39	SMP – the lower of either the standard rate of SMP set by the Government, or 90% of your average weekly earnings (where applicable).
	Weeks 40 – 52	Unpaid
<p>NB. This option is generally used where an employee is undecided about returning to work after Maternity Leave.</p>		

No combination of payments (UEMP and SMP) can exceed your normal contractual full pay, regardless of which option you choose.

Note: Exceptionally, SMP may exceed your normal contractual full pay during the first six weeks of leave as the calculation of pay for this period is based on actual earnings during the qualifying period.

If you choose option 1 or 2 above and don't return to work for at least three months after your maternity leave, you will need to repay the difference between UEMP and your SMP entitlement.

If you choose option 3 and return to work for at least three months, you'll qualify for UEMP. We will pay you the difference between SMP and 18 weeks' full pay (i.e. the salary payment you would have received if you hadn't been on maternity leave) when you physically return to work.

4.2.2 Guaranteed Minimum Hours (GH) Contracts

If you are employed on a guaranteed minimum hours (GH) contract, we will work out your UEMP using the statutory calculation and the University's calculation as set out below. You will be paid whichever calculation is more beneficial to you.

Calculation:	UEMP based on:
Statutory Calculation	Your average weekly earnings over the qualifying period NB. If you give birth before the qualifying week, the calculation will be based on the eight week period up to the date of birth
University Calculation	Your average weekly earnings over the 52 weeks of employment before the qualifying week or your contract period if it is shorter than 52 weeks.

4.2.3 Statutory Maternity Pay

Your UEMP will include statutory maternity pay (SMP) if you are eligible. To be entitled to SMP you must:

- have at least 26 weeks' service at the point at which you are 25 weeks' pregnant, and
- have average earnings above the [Lower Earnings Limit](#) for National Insurance Contributions in the eight weeks prior to the qualifying week.

SMP is payable for 39 weeks, as detailed below:

Weeks of Maternity Leave:	You are entitled to:
1 -6	90% of your average weekly earnings (calculated as an average over the qualifying period)
7 -39	The lower of either the standard rate of SMP set by the Government, or 90% of your average weekly earnings.

4.2.4 Maternity Allowance

If you don't qualify for SMP, you may be able to claim Maternity Allowance (MA). Payroll will send you the relevant paperwork to complete.

If you are entitled to MA, this will be paid directly to you by the Department of Work and Pensions. We'll deduct the equivalent value from any UEMP payments. If you aren't able to claim MA, you must let Payroll know. In this case, any deductions taken from your UEMP payments will be refunded.

4.3 Multiple Posts

If you are employed by us in more than one post, your UEMP will be based on your combined earnings. You must notify your manager in each post of your intention to take maternity leave. Your leave must start and end on the same date in every post.

You can only claim SMP once from the University of Edinburgh, however, calculations for SMP will be based on all of your earnings during the qualifying period.

4.4 Miscarriage and Stillbirth

If your pregnancy ends in miscarriage before 24 weeks of pregnancy you should speak with your manager or with HR in confidence. It may be appropriate to consider bereavement or compassionate leave through the [Special Leave Policy](#), or sick leave in these circumstances. You should discuss this with your manager who will confirm what support is available to you.

If your baby is stillborn after 24 weeks of pregnancy, or doesn't survive after birth, you are still entitled to take up to 52 weeks' maternity leave and to be paid UEMP.

You may wish to use the University's [counselling service](#) which is free and confidential and available to all members of staff.

4.5 Annual Leave

You must ideally take any outstanding annual leave (i.e. holidays) that you have accrued before you start your maternity leave.

5. During Maternity Leave

5.1 Continuity of Employment

Continuity of employment is maintained during your leave which means there is no break in service during your absence from work. You can return to work, normally to the same job, after your maternity leave. However, in exceptional circumstances where this may not be feasible, you will be offered a suitable alternative post (see section 5.9).

5.2 Terms and Conditions of Employment

All of your terms and conditions of employment remain in place during your maternity leave, except those which relate to pay.

5.3 Annual Leave and Public Holidays

You continue to accrue contractual annual leave (i.e. holidays) while you are on maternity leave. You should ideally take the holidays you have accrued during your maternity leave at the end of your period of maternity leave and before you physically return to work. In exceptional circumstances, once you have returned to work and it has not been possible to take all of the current leave year's holiday, your manager may agree to carry over any holidays which exceed the standard five days (pro rata if you are part time) carry over allowance.

If your maternity leave falls over the [public holidays](#) recognised by the University, these days will be added to your annual leave entitlement and should be taken at the end of your period of maternity leave and before you physically return to work. If you are part-time, you will receive a pro-rata entitlement, just as you would have done had you been at work.

5.4 Pension Contributions

You will continue to make pension contributions during paid maternity leave. Depending on how much maternity leave you take, some of your leave may be unpaid. Therefore you may not earn enough in a pay period to make your regular pension contribution. The [Pensions team](#) will contact you directly if there are any pension implications that you should be aware of, and will advise you of your options regarding your pension contributions.

5.5 Keeping-in-Touch Days

Your manager is responsible for keeping you informed of any developments or news at work while you are on leave. Therefore they will make reasonable contact with you to keep you up-to-date.

You can agree to work or attend training or meetings for up to 10 days during your leave, without your maternity leave or pay coming to an end. This time at work is known as “Keeping-in-Touch” days (KIT days).

KIT days are not allowed during the period of compulsory maternity leave. You aren’t obliged to agree to any KIT days, in the same way that the University isn’t obliged to agree to any requests you make for KIT days. KIT days are used at mutually agreeable times. You and your manager should agree the date and hours of any KIT days. Whether you attend work for a full or part day, this will count as one KIT day.

You can choose to be paid for the time, or take this as time off in lieu (TOIL). Where a full day is not completed, payment/TOIL will only be for the hours actually spent at work or attending training or meetings.

If you choose to be paid, you will be entitled to the following:

Stage of Maternity Leave	Payment
During receipt of UEMP at full pay	No additional payment as you are already in receipt of full pay
During receipt of UEMP at half pay	Your pay will be topped up to your normal contractual pay for the hours attended
During receipt of SMP only	SMP will be topped up to your normal contractual pay for the hours attended
During unpaid period	Normal contractual pay for the hours attended

If you choose to take TOIL, you must agree when to take the TOIL with your manager. Ideally, this should be taken at the end of the maternity leave period and before you physically return to work.

5.6 Changing your working pattern

If you wish to request a different pattern of work for your return to work following maternity leave, you have the right to make a flexible working request. Please refer to the [Flexible Working](#) policy for more information.

5.7 Shared Parental Leave

You may wish to end your maternity leave because you wish to share the remaining leave with your partner. Please refer to the [Shared Parental Leave](#) policy for more information.

5.8 Returning Parents Coaching Programme

We offer a 'Returning Parents' Coaching Programme, which provides you with expert support to help your transition back into the workplace.

This service is provided at no cost to you. For more information, and to apply for this service you can visit the [HR web pages](#).

5.9 Redundancy during Maternity Leave

You will have the same redundancy rights as your colleagues while you are on maternity leave. In addition, if placed at risk of redundancy, you have the right to be offered any suitable alternative job before it is offered to any other employee (even if they are more suitable for the role), as long as you meet the essential requirements for the job.

If your employment ends as a result of a redundancy, and the termination takes effect between the 11th week before your due date (i.e. your 29th week of pregnancy) and what would have been the end of your maternity leave, you will be entitled to UEMP in full. Payment of any outstanding UEMP and/ or SMP will be made by lump sum at the end of your employment.

6. Other Relevant Policies and Guidance

You may find it useful to refer to other relevant University policies and guidance which you can find on the HR [web pages](#):

- The University's [counselling service](#)
- [Flexible Working Policy](#)
- [Redundancy Avoidance Policy](#)

- [Returning Parents Coaching Programme](#)
- [Shared Parental Leave](#)
- [Special Leave Policy](#)

7. Policy & Procedure History and Review

Approval Date: April 2019

Approved By: CJCNC

Year of Next Review: 2022

Maternity Procedure

1. Before Commencing Maternity Leave

1.1 Early Notification of Pregnancy and Risk Assessments

You are encouraged to share your news with your manager as early as possible - this will be treated confidentially. Once your manager knows you are pregnant they should arrange for a 'New & Expectant Mothers Risk Assessment' to be carried out, and for any reasonable adjustments to be made.

Please note, if you are employed by the University in more than one post you must notify all your managers of your pregnancy and subsequent intention to take maternity leave.

Information on risk assessments and the relevant form is available from the University's [Health and Safety](#) webpages.

See Appendix I for a timeline of notable dates for you to be aware of during your pregnancy.

1.2 Formal Notification of Pregnancy

To take maternity leave and pay, you must inform the University in writing of:

- your pregnancy
- your baby's estimated due date
- the date you would like your maternity leave to start (see section 1.4 of the procedure), and
- your choice of pay option (see section 4.2 of the policy above).

This should be discussed with your manager and sent to HR no later than 15 weeks before your due date (the 25th week of pregnancy). HR will respond within four weeks to acknowledge your intentions. If you are on a GH contract, you'll receive confirmation of what your pay will be from HR.

At around 20 weeks' pregnant, your midwife or medical practitioner will issue a Maternity Certificate, known as a MAT B1, the original hard copy or an electronic version must be passed to HR as soon as possible. MAT B1 certificates must show the same name, e.g. your surname, that

you are known by in the University. If it does not, you must provide a supporting document to evidence the link to the name by which we know you.

1.3 Antenatal Appointments

Once you know when your antenatal appointments are, you must provide your manager with your appointment letter or card. If it's your first appointment, sometimes known as the booking-in appointment, it isn't necessary to provide your appointment letter or card. Where possible you should try to arrange appointments at the start or end of your working day to minimise disruption to your work.

1.4 Maternity Leave Start Date & Childbirth Before the Intended Start Date

You can choose to start your leave and pay on any day from 11 weeks before your due date (i.e. from the 29th week of your pregnancy). The latest you can start your leave is the baby's due date.

If your baby is born before you intended to start your maternity leave, you must let your manager and HR know. Your leave will automatically start the day after you give birth.

1.5 Pregnancy-Related Illness

If you are unable to come to work because of a pregnancy-related illness during the first 36 weeks of your pregnancy, this will be treated as sickness absence. If you are off sick due to a pregnancy-related illness during the last four weeks before your due date, your maternity leave will automatically start the day after your first day of absence.

1.6 Notification of Change to Maternity Leave Start Date

You may change the start date of your leave by letting your manager and HR know in writing. You must do this as soon as possible and normally at least four weeks' in advance of the new maternity leave start date. We understand this may not always be possible, for example, if your baby is born early, i.e. before your due date.

1.8 Cover Arrangements during Maternity Leave

Your manager will arrange how best to cover your absence.

2. During Maternity Leave

2.1 Keeping-In-Touch Days

If you agree to attend any KIT days, you will need to decide in advance whether you wish to be paid for the time, or accrue TOIL (see section 5.5 of the policy above).

If you choose to be paid, your manager or authorised signatory must complete the [KIT Day Payment form](#) and send it to Payroll to be processed in the next available pay period.

If you choose to take TOIL, you must arrange with your manager when this will be taken. Ideally, this will be at the end of your maternity leave and before you physically return to work.

Managers must keep a record of all KIT days used.

2.2 Notification of Returning Early from Maternity Leave

We'll assume you will take the full 52 weeks' leave entitlement unless you inform your manager and HR otherwise. If you wish to bring your return date forward, you must let your manager and HR know in writing as soon as you can, giving at least eight weeks' notice of the earlier date.

Should you ask to return to work without giving this notice, then your request will be considered taking account of business needs, and in some cases, your return date may be postponed, e.g. in circumstances where a formal contract to provide cover for your absence has been put in place and the University would be at a financial detriment by allowing you to return to work without the appropriate notice being given.

If you wish to end your maternity leave because you wish to take shared parental leave (SPL), you must give at least eight weeks' notice in writing to your manager and HR.

If you choose to reduce your maternity leave in anticipation of taking SPL later on but don't end up taking any SPL, the three month return period will start when you begin working again after maternity leave.

See Appendix II for a timeline of notable dates for you to be aware of during your maternity leave.

2.3 Notification of Late Return to Work

If you wish to delay your expected return date, you may request:

- more maternity leave if you still have some of your 52 week entitlement to take
- [parental leave](#), or
- paid annual leave

Your manager will consider your request and confirm with you as soon as they can.

If you are unable to return to work as expected because you are ill, you must contact your manager as soon as you can. Your absence will be treated as sickness absence. If you are unable to return because your baby is ill, you must contact your manager to discuss the [other types of leave](#) available.

2.5 Resignation during Maternity Leave

If you decide you won't return to work, you must notify your manager as soon as you can. You must give notice of your resignation, in line with your [Conditions of Employment](#).

If you opted to receive UEMP you will be told how much you need to repay, so that you can agree how this will be repaid before your employment ends.

If your remaining maternity leave is the same period of time or longer than your contractual notice period, you won't be required to return to work. If it's shorter, you will need to return to work to complete your notice period.

3. After Maternity Leave

3.1 Breastfeeding and Expression of Milk

If you wish to continue breastfeeding after returning to work, you must give your manager as much notice as possible before your return. Your manager will:

- ensure that a 'New & Expectant Mothers Risk Assessment' is carried out with you when you return to work
- where possible, make arrangements so you can express milk during working hours. This will be arranged in conjunction with the local Facilities Manager or College contact, and
- be flexible regarding additional regular paid breaks taken to express milk.

Timeline of notable dates for you to be aware of during your pregnancy

Weeks before your due date	Weeks' Pregnant	Things to consider
-20	20	You will normally receive your maternity certificate (MAT B1) from your GP or Midwife around this time. Pass this to HR once received
-15	25	If you haven't done so already, it's time to formally confirm your pregnancy in writing, by sending a letter or email to your manager and HR. Remember to include a statement confirming you are pregnant, your estimated due date, the date you wish to start your maternity leave and your choice of pay option. You may change the start date of your leave at a later date, but remember to give at least four weeks' notice where possible
-11	29	This is the earliest week in which you will be able to start your maternity leave
-4	36	If you're absent from work due to a pregnancy- related illness after the beginning of this week, your maternity leave will start automatically on the day after your first day of absence
Baby's due date	40	This is the week in which your midwife estimates the baby is due

Timeline of notable dates for you to be aware of during your maternity leave

Things to consider	Week of Maternity Leave	Pay Option 1	Pay Option 2	Pay Option 3	
<p>You cannot return to work until 2 weeks after the birth. This is a period of Compulsory Maternity Leave</p> <p>Note: Remember, if you wish to take less than 52 weeks' leave, you must inform your manager and HR of the date you wish to return, giving at least eight weeks' notice</p> <p>Note: If you plan to submit a flexible working request, to change your previous working arrangements on your return from maternity leave, you must allow up to 3 months for your request to be considered and finalised</p> <p>This is the latest date at which you are expected to return to work, unless you have pre-arranged annual or other leave booked</p>	+1	Full pay (inclusive of SMP, where applicable)	Full pay (inclusive of SMP, where applicable)	90% of your average weekly earnings	
	+2				
	+3				
	+4				
	+5				
	+6				
	+7				
	+8				
	+9				
	+10				
	+11				
	+12				
	+13				
	+14				
	+15				
	+16				
	+17				
	+18				
		+19	SMP only (where applicable)	Half pay, plus SMP (where applicable). Capped at normal full pay	The lower of the standard rate of SMP set by the Government, or 90% of your average weekly earnings
	+20				
	+21				
	+22				
	+23				
	+24				
	+25				
	+26				
	+27				
	+28				
	+29				
	+30				
	+31				
	+32				
	+33				
		+34	SMP only (where applicable)	SMP only (where applicable)	
	+35				
	+36				
	+37				
	+38				
	+39				
	+40				
	+41				
		+42	Unpaid	Unpaid	Unpaid
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