

Maternity Leave Scheme Human Resources Department

## Document History

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# 1.0 Maternity Leave Entitlement

A member of staff, regardless of length of service, is entitled to take Maternity Leave following giving birth; including becoming a birth mother/birthing parent through a surrogate arrangement. The arrangements for Maternity Leave set out below incorporate the respective benefits and requirements of the University’s Maternity Leave Scheme and Statutory Maternity Pay. Students can find out information about their Maternity Leave entitlements in the ‘Student Maternity Support and Adoption Policy’, which can be accessed [here](https://www.liverpool.ac.uk/student-administration-and-support-division/a-z/).

# 2.0 Notification of Maternity Leave

A member of staff should consult at the earliest opportunity with their Head of Department regarding their pregnancy and their expected Maternity Leave, for the purposes of departmental planning.

Formal notification of intention to take Maternity Leave should be made to the Human Resources Department, by completing an Employee Request ‘*Notification of Maternity Leave’* via COREHR, with as much notice as reasonably practicable, but **not later than the end of the fifteenth week before the Expected Week of Childbirth (EWC)**, supported by the original medical certificate available from the midwife or GP (Form Mat B1) which gives the expected week of childbirth. A member of staff must scan and attach their Mat B1 when they have completed the Employee Request. The Head of Department will receive a notification of the member of staff’s intention to take maternity leave automatically. If a member of staff has more than one appointment they should notify their secondary Head of Department of their intentions by email.

# Commencing Maternity Leave

* 1. Maternity Leave may commence no earlier than the beginning of the eleventh week before the expected week of childbirth.

**3.2** It will be automatically triggered if the member of staff is absent due to a pregnancy- related illness during the four week period starting on the Sunday of the fourth week before the expected week of childbirth. In these circumstances, the member of staff must notify the Human Resources Department by completing an Employee Request ‘*Change of Maternity Start Date*’, including the reason for their absence as soon as it is reasonably practicable to do so. The Head of Department will be notified automatically. If a member of staff has more than one appointment they should notify their secondary Head of Department of their intentions in writing.

**3.3** When the Maternity Leave period commences because of the premature birth of the child, the member of staff must notify the Human Resources Department by completing an Employee Request, ‘*Change of Maternity Start Date’*, as soon as it is reasonably practicable to do so, scanning and attaching their Medical Certificate (Form Mat B1), if this has not already been forwarded. The Head of Department will be notified automatically. If a member of staff has more than one appointment they should notify their secondary Head of Department of their intentions in writing.

 **3.4** On receipt of formal notice of intended Maternity Leave, the Human Resources Department will inform the member of staff of their entitlement to the proposed absence, and draw their attention to the provisions below concerning ‘Return to Work’.

A member of staff who has provided the University with formal notice of the date on which their absence due to pregnancy and childbirth will begin, can begin their absence at another date (but not more than eleven weeks before their expected week of childbirth). The member of staff should inform the Human Resources Department and their Head of Department by completing an Employee Request, *‘Change to Maternity Start Date’* giving **twenty eight days’ notice**, or as soon as is reasonably practicable, of any such change in the date of commencement of their absence. If a member of staff has more than one appointment they should notify their secondary Head of Department of their intentions by email.

* 1. All periods of Maternity Leave will commence in accordance with the date the individual has stated, subject to stipulations in the above clauses.

# 4.0 Maternity Leave Period

* 1. The University’s Maternity Leave Scheme allows for a maximum Maternity Leave period of fifty two weeks regardless of length of service. During this period, the member of staff is entitled to the benefit of all those contractual terms that they would have enjoyed had they not been absent – with the exception of remuneration which shall be as outlined in this policy.
	2. In circumstances where a pregnancy ends in miscarriage during the first 24 weeks of pregnancy, Maternity Pay is not payable. In these circumstances any absence would be managed in line with the [Compassionate Leave Policy](https://www.liverpool.ac.uk/intranet/hr/my-hr/information/policies/leave/personal/) and [Sickness Absence Policies](https://www.liverpool.ac.uk/intranet/hr/my-hr/information/policies/leave/sickness/), as appropriate. Where the pregnancy ends in miscarriage after 24 weeks, the employee is entitled to full maternity leave and pay. The University’s employee assistance programme can provide support to staff during this difficult time.
	3. It is a statutory requirement that a member of staff shall have a compulsory period of two weeks leave commencing on the date of the birth of their child.

# Transfer of Maternity Leave

* 1. A member of staff may be entitled to share up to fifty weeks of their Maternity Leave entitlement with their partner through the [Shared Parental Leave Policy](https://www.liverpool.ac.uk/working/whyworkhere/familyfriendly/policies/sharedparental/). Where members of staff and their partner are eligible for Shared Parental Leave, this could be taken concurrently, transferred wholly to the partner, or some other arrangement. Statutory Maternity Pay may also be able to be shared between the parents. Full details and eligibility criteria are set out in the Shared Parental Leave Policy.

# Ante-Natal Care

* 1. A pregnant member of staff, regardless of length of service, has an entitlement to reasonable paid time off (including travel time) to attend ante-natal care and/or parenting classes arranged on the advice of a registered medical practitioner, registered midwife or registered health visitor. The relevant line manager will not unreasonably refuse consent but may request (except for the very first appointment) that the member of staff produce an official appointment card, where appropriate, showing that the appointment has been made. Ante-natal care can include medical examinations, relaxation classes and parent craft classes.

# Payments During Maternity Leave

* 1. A member of staff is entitled to the following payments:

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| **Weeks** | **University Maternity Pay Scheme** |
| **1 – 26 (inclusive)** | Full basic pay or 100% of average weekly pay, which is inclusive of the basic statutory entitlement *(the lower of 90% of average weekly earnings or SMP at the standard rate - assuming eligibility criteria are met – see below)* |
| **27- 39 (inclusive)** | Statutory Maternity Pay *(assuming eligibility criteria are met – see below)* |
| **40 - 52** | Unpaid |

### NB: For information:

**Statutory Maternity Pay** is paid for a maximum of thirty nine weeks provided the person has twenty six weeks’ continuous service at a date fifteen weeks before their expected week of childbirth. The person must have average earnings at or above the lower earnings limit. The current benefit levels are: 90% of your average weekly earnings (before tax) for the first six weeks and then the flat rate statutory allowance or 90% of your average weekly earnings (whichever is lower) for the next thirty three weeks, further details can be found at: <https://www.gov.uk/maternity-pay-leave/pay> If Statutory Maternity Pay is not applicable, State Maternity Allowance may be payable in some circumstances and this should be claimed through the local Social Security Office or Job Centre Plus.

# Pension Contributions

* 1. During the period of unpaid Maternity Leave, the University will continue to maintain both the employer’s and employee’s superannuation contributions in respect of the member of staff concerned at the salary/wage to which they would have been entitled had they not been absent.

* 1. **Leave Accrual**
	2. Annual leave, bank holidays and closure days continue to be accrued throughout the period of Maternity Leave.
	3. Annual leave and accrued closure days or bank holidays are to be taken in agreement with the employee’s Line Manager. The University’s expectation is that the leave accrued would be taken immediately following the end of the maternity leave period to assist with the management of operational requirements.
	4. For academic staff with no set annual leave period within contractual terms and conditions, individuals will accrue the same amount of annual leave as a member of staff on the same grade on a PMSA contract i.e. 30 days.

# Keep in Touch Days

* 1. A member of staff may, by mutual agreement with their Head of Department, carry out up to ten days work, known as “keep in touch days” during their Maternity Leave,

(with the exception of the first two weeks after the baby is born). The member of staff will receive time off in lieu or payment for the time worked without the Maternity Leave period or maternity pay being brought to an end. Formal notification of intention to request a “keeping in touch day” should be made to the Human Resources Department in order for arrangements to be administered. Individuals can do this by completing an Employee Request, ‘*Keeping in Touch Days*’ via COREHR. There are two options for selection, one for paid days and one for if the person wishes to take time off in lieu.

# Return to Work

* 1. A member of staff may at any time consult with their line manager regarding the end of their Maternity Leave, for the purposes of departmental planning.
	2. Before a member of staff’s Maternity leave commences, the line manager will discuss the arrangements to be made regarding liaison, should they wish this to take place during their Maternity Leave.
	3. The line manager in any event may make reasonable contact with a member of staff on Maternity Leave to discuss return to work arrangements such as dates and working hours for the purposes of departmental planning, or to update them on developments.
	4. The member of staff is requested to give at least eight weeks’ notice to the Human Resources Department of their intention to return to work on a given date, by completing the Employee Request, ‘*Return to Work from Maternity Leave*’ in their CORE HR. The relevant line manager will be notified automatically. If a member of Staff has more than one appointment they should notify their secondary line manager by email.
	5. Requests for a change in the notified date of return should be made by completing an Employee Request, ‘*Change of Return to Work Date’ on COREHR*, the Head of Department will be notified automatically, as soon as possible. If a member of staff has more than one appointment they should notify their secondary Head of Department by email as soon as possible.
	6. A member of staff can request flexible working arrangements such as a phased return to work or permanent change to contracted hours, in accordance with the conditions set out in the [Flexible Working Policy](https://www.liverpool.ac.uk/working/whyworkhere/familyfriendly/policies/flexible/).

# 12.0 Repayment of Maternity Pay

In the event that a member of staff fails to return to work after a period of Maternity Leave, or returns to work but fails to continue in employment for at least 3 months, the University will normally require the member of staff concerned to repay the non-statutory element of the maternity pay received.

# 13.0 Salary on Return to Work

On their return to work, the member of staff shall be placed on the salary scales at the point to which they would have normally progressed at that time, as if they had not been absent.

# 14.0 Parental Leave

A member of staff may be entitled to Parental Leave, which may be taken immediately after Maternity Leave. See University Policy on [Parental Leave](https://www.liverpool.ac.uk/working/whyworkhere/familyfriendly/policies/parental/).

# 15.0 Health and Safety

Legislation places on the University obligations to new and expectant mothers/birthing parents to ensure that they are not exposed to risks that could cause harm. When a member of staff informs the Head of Department of their pregnancy/childbirth, the Head of Department (or the appointed Deputy) and the member of staff will meet and discuss, in confidence, any potential risk arising from their work. Health and safety advice is available [here.](https://www.liverpool.ac.uk/intranet/safety/guidance/new-and-expectant-mothers/)  Potential risks must be removed or alternative arrangements made. Risks include those to the unborn child or child of a member of staff who is still breastfeeding – not just risks to the mother/birthing parent. The Occupational Health Physician is available to give confidential professional advice, to both or either party.