

Maternity, Paternity & Caring Leave

Do you know where you stand?

Thursday 24 April 2014

Room: FB1.01.1

How much maternity leave am I entitled to?

If you are pregnant, you will be entitled to take up to 52 weeks maternity leave. Out of these 52 weeks, it is compulsory by law that you take a minimum of 2 weeks leave after the baby is born.

Do I receive a salary whilst I am on maternity leave?

Yes, in most circumstances employees will be eligible for some sort of maternity pay. The salary you are entitled to during your maternity leave is dependent on your length of service as an employee. To qualify for the QMUL scheme, you must be employed by QMUL and have at least 1 year's continuous service by the start of the week that the baby is due.

In the event that you do not qualify for the QMUL scheme (due to the fact that you have less than a year's service) you may still be entitled to receive statutory maternity pay. To qualify for this scheme you will need to have 26 weeks service by the start of the 14th week before the baby is due.

The table below provides a breakdown of what you are eligible for and the criteria that you need to meet in order to receive maternity pay.

	QMUL	Statutory
Qualifying service	1 year	26 weeks
Qualifying date	By the start of the week the baby is due	By the start of the 14th week <i>before</i> the week the baby is due.
Maternity leave entitlement	52 weeks	52 weeks
Maternity leave pay	18 weeks on full pay 8 weeks on half-pay 13 weeks at standard rate SMP	6 weeks on 90% of full pay 33 weeks at standard rate SMP
Return to work clause	Must return for at least 3 months after maternity leave	Not required to qualify for SMP

How much is statutory maternity pay?

Statutory maternity pay (SMP) is currently (with effect from 6 April 2014) paid at the rate of £138.18 per week. This rate changes annually, so you will need to check on the following link <https://www.gov.uk/maternity-pay-leave/pay> to ensure you have the most up to date rate.

Although SMP is paid by the government, if you are a QMUL employee you will receive this pay on a monthly basis on the 24th of each month (or the Friday before the 24th if the 24th falls on a non-working day).

What happens if I am not eligible for SMP?

In the event that you do not meet the criteria to obtain statutory maternity pay, you may still be eligible to receive Maternity Allowance. The amount you can receive depends on your annual salary, so you will need to speak to the HR team in order to work out the specific circumstances relevant to you. Unlike SMP, Maternity Allowance is paid directly by the government so you will not receive any payment from QMUL whilst you are receipt of this benefit. <https://www.gov.uk/maternity-allowance/eligibility>

How will I know what I am entitled to?

Once you have provided HR with your MATB1 form which confirms the date your baby is due (automatically issued by your Doctor or hospital around 20 to 24 weeks into your pregnancy) and the date you intend to commence your maternity leave, you will receive a letter from HR outlining your entitlements.

What happens to my pension whilst I am on maternity leave?

You continue to make pension contributions during your maternity leave. In the event that enter into the nil pay period of pay, your pension contributions are suspended until your date of return. Therefore, out of the 12 month period, you will be eligible to make automatic pension contributions for 9 months and QMUL will maintain their pension contributions in the same way. You can, should you wish to do so, make additional contributions during the period in which you do not receive pay but you will need to contact the pensions team in order to do this.

The following are links to the USS and SAUL pension factsheets which have sections covering maternity leave:

<http://www.uss.co.uk/SchemeGuide/FinalSalaryBenefitssection/publicationsandpresentations/factsheets/Pages/default.aspx>

http://www.saul.org.uk/pdfs/saul_rules_30th_deed_of_amendment.pdf

What if I am on a fixed term contract – Can I still receive maternity pay?

Anyone on a fixed term contract (or a Teaching Assistant contract) will still be eligible for maternity pay providing that they have sufficient length of service to be eligible for either the QMUL maternity pay provision or to receive SMP. If your contract is due to end while you are still on maternity leave, the case for extending or renewing your contract will be considered under the provisions of the Code of Practice on Reviewing Fixed term Contracts. The fact that you are on maternity leave is not material to the process to be followed nor to the decision to be made. If your employment is not extended you will be given the reason for the decision and a right of appeal.

If your fixed term contract is due to end, QMUL will continue to consider redeployment opportunities for you until the date your contract ends.

In the event it is decided that your fixed term contract is to end you will (if eligible) be paid the QMUL maternity pay up till the date your contract ends and SMP thereafter until the statutory maternity pay period is exhausted. You will also receive any redundancy pay entitlements in accordance with the policy for reviewing fixed term contracts.

When can I commence my maternity leave?

An employee can choose when they want to commence their leave but this cannot be before 11 weeks before the expected week of birth. Please do note that in the four weeks prior to your due date if you are off work with a pregnancy related illness (for any period of time) your maternity leave if it had not already started would begin automatically from this point.

Can I take time off for antenatal care?

All pregnant employees have the right to paid time off for antenatal care; this may include relaxation and parent craft classes (on the advice of a healthcare professional) as well as medical examinations related to the pregnancy regardless of the employee's length of service.

If the appointments (and travelling time both ways) fall within your normal working hours, you will be paid for this time as if you were at work. You will not be required to make up working time lost. You must let your manager know as soon as your appointments are made so that they can plan any cover for your absence if applicable.

When I find out I am pregnant what do I need to do?

1. Once you feel comfortable with disclosing the news about your pregnancy (for most people this is after the first 12 weeks (the first trimester)), you should inform your manager that you are pregnant. This will ensure that they can protect you from any unfair treatment and any risks of the health and safety of you and the baby. This will be done via a risk assessment.
2. You must also give HR written notification of your pregnancy by the start of the 14th week before the baby is due. You must provide details of your baby's expected due date and when you intend to commence your maternity leave. There is a form on page.29 of the maternity guide which you should complete and send to HR together with a MATB1 certificate from your Doctor or hospital. This form is usually provided around 20 to 24 weeks into your pregnancy and confirms the date your baby is due.
3. You will also accrue annual leave throughout your period of maternity leave. It is often practical to take this accrued leave before you return from maternity leave, although this is something to be discussed and agreed with your department. Many individuals choose to take their accrued annual leave once they enter the NIL pay period of their maternity leave. HR would need to be advised that you had returned to work to enable you to be reinstated on the payroll, but you would then immediately commence your period of leave.

Can I change my maternity start date?

It is possible to change the start date of your maternity leave, you are expected to give your manager at least 4 weeks' notice of this change.

Other reasons for earlier starts to your maternity leave?

Remember that the start of your maternity leave can be triggered earlier than the date you planned. This happens automatically, if: the child is born before the date you planned to start maternity leave; or you take sick leave within the 4 weeks before the week the baby is due; and the sickness is (even partly) related to the pregnancy.

During your maternity leave

Reasonable contact

Your manager is entitled to make reasonable contact with staff. Your manager may do so, for example, to consult you over any change to working practices or reorganisation, or simply to keep you up-to-date on work issues or personnel changes. It is useful to have a meeting with your manager to discuss the best way for this to happen between you – what sort of information they expect to share with you and on what frequency. Reasonable contact would not mean your manager calling you every day or even every few days during your maternity leave.

Keeping in touch days

Whilst you are on maternity leave you may in agreement with your manager take up to 10 days paid work days. These are known as Keeping In Touch Days (KIT days). The type of work undertaken during this period will be discussed and agreed with your manager. It does not necessarily mean that you undertake a full day's work so it could include: actions such as attending a conference, attending a team meeting or a training activity.

What is the payment for KIT days and what do I need to do? If you agree with your manager that a KIT day is required you will be paid your normal rate of pay (as if you were not on maternity leave). Please note if you are taking KIT days in your paid period of maternity leave you will not receive the Occupational or Statutory Maternity Pay in addition to your normal rate of pay. This amount is only pensionable if it falls in the paid period of your maternity leave; however it is not pensionable if it falls in the nil pay period.

Do I have to take my full maternity leave provision?

It is not mandatory that you take your full 52 weeks of maternity leave entitlement. If you are not going to take the full 52 weeks you must give HR and your line manager at least 8 weeks' written notice of the date you would like to return so your manager can prepare for this accordingly. This will also enable HR to ensure you are paid correctly on your return from leave.

What happens to my payslip whilst I am on maternity leave?

The payroll team will send your payslip to the home address recorded on the system, during the period you are on maternity leave. Please do ensure that before going on maternity leave that you check the address QMUL has for you on My HR. If necessary, please update your address via My HR.

Will I receive the cost of living rise whilst on maternity leave?

Yes – these increases will be paid to you during the maternity period itself unless you are in

receipt of SMP or Maternity Allowance, in these instances you will receive the increase upon your return.

What happens to my annual appraisal / performance review whilst I am on maternity leave?

Consideration will be given to any appraisal/performance review whilst you are on maternity leave. Where possible, it is recommended that the review (usually your manager) undertakes this task before the period of leave commences. This will ensure that achievements and progress indicators are captured based on the actual contribution made by the individual. On your return it is good practice to meet with your manager to discuss if targets to ensure they are still relevant.

What is paternity leave and how does it affect me?

Paternity leave is the entitlement given to fathers of the baby to have time off work.

There are two different types of paternity leave that fathers of the baby are entitled to take. The first is classified as Ordinary Paternity Leave whereby the father of the baby is eligible to receive two weeks' full pay provided that they have 26 weeks' service by the start of the 14th week before the week the baby is due. This leave must be requested in writing (using our paternity application form) and it cannot start before the due date specified on the MATB1.

The second type of paternity leave, Additional Paternity Leave, entitles the father of the baby to take between 2 and 26 weeks' leave on the proviso that the father has up to 26 weeks' service by the start of the 14th week before the week the baby is due. The leave must be taken in a single continuous block. It is possible for there to be a gap between the mother's maternity leave ending and the Additional Paternity Leave starting, however all the leave must be taken within the first year of the child's life.

To be eligible for the Additional Paternity Leave the mother has to have taken 20 weeks of maternity leave and decided to return to work (both parents cannot be on maternity leave at the same time).

Is additional paternity leave paid?

Additional paternity leave is paid at the same rate as SMP. Both the mother and the father are entitled to share the SMP/SPP for a total of 39 weeks. For illustration purposes the mother may take 26 weeks and be paid for the SMP for this period, when she returns to work after 26 weeks, the father can take 26 weeks paternity leave and 13 weeks of this may be paid and the remaining 13 weeks unpaid. i.e. 26 weeks SMP for the mother plus 13 weeks SPP for the father equals a total of 39 weeks paid leave.

Can Additional Paternity Leave be paid in addition to ordinary paternity leave?

Yes – additional paternity leave is in addition to the current entitlement of 2 weeks ordinary maternity leave.

Returning to work:

There are a number of points you can consider to support your return to work.

1. If you intend to breastfeed / express milk for your baby following your return to work, this can be accommodated. Managers will be expected to undertake a risk assessment and remove any identified risks and will make arrangements for you to have suitable rest periods. There are currently breastfeeding provisions in the

nursery on Mile End Campus, Blizard Building (Whitechapel) and in Wolfson (Charterhouse Square), in the latter two there are designated rooms. .

2. You have the right to make a request to work flexibly should you wish to do so. You should discuss this matter with your manager as soon as possible. Any application you make will be considered under the College's Code of Practice on Flexible Working.
3. Parents of children under the age of 5 (or under the age of 18 in for children with a disability) are entitled to up to 18 weeks unpaid parental leave. To qualify for this leave you must have a year's continuous service and the leave must be taken in one week blocks before the child's 5th birthday. You can apply for a maximum of 4 weeks leave per year and give 21 days' notice to your manager. Managers do have the legal right to postpone unpaid parental leave for up to six months if the department cannot cope with the employee's absence (unless the leave follows immediately after the time the child is born).

Support for childcare at QMUL

QMUL onsite nursery

The QMUL nursery is available at the Mile End campus and is run from a purpose-built nursery in Bancroft Road. It has 65 places for the children of staff and students. Catering for children aged from 3 months to 5 years; and is open between the hours of 8.30am and 5.30pm, 49 weeks of the year. Payment for the nursery fees are available via a salary sacrifice scheme which provides you with a taxable benefit on the fees.

Childcare vouchers

Working parents may be eligible to take advantage of reduced income tax and national insurance contributions using the Edenred child care voucher scheme. Working parents with children under the age of 16 can use these vouchers to pay for part of or all of their childcare.

Where can I obtain further help about University policies?

QMUL has a number of relevant policies which you may wish to refer to. These are:

- [Ante-natal leave](#)
- [Adoption leave and pay](#)
- [Compassionate leave for family and other reasons](#)
- [Maternity leave and pay](#)
- [Paternity leave](#)
- [Unpaid parental leave](#)
- [Unpaid time off for dependants](#)

All of these policies can be located via the following link, for your information

<http://www.hr.qmul.ac.uk/procedures/leave/maternity/index.html>.

If you have a specific query that is not covered by this presentation, please feel free to contact us in the Science & Engineering HR team. Your key contacts are as follows:

Sam Holborn – HR Partner (s.holborn@qmul.ac.uk) ext 3735

Christina Duru – Assistant HR Partner (christina.duru@qmul.ac.uk) ext 5120

Jackie Stern – HR Administrator (S&E) for SPA, EECS(j.stern@qmul) ext 5119

Natasha Laurent – HR Administrator (S&E) for SBCS, SEMS, Maths & Astronomy (n.laurent@qmul.ac.uk) ext 7537