MATERNITY LEAVE & PAY PROCEDURE

This Procedure should be read in conjunction with the Guidelines: Maternity Leave and Pay

1. INTRODUCTION

The University recognises the importance of ensuring that our employees enjoy a healthy balance between their work and family life. We will support this by offering a range of family friendly rights to our employees including the right to maternity leave and pay. This procedure applies to all pregnant employees, regardless of gender identity or gender expression, including trans gender individuals and those transitioning at work.

Individuals who are pregnant should refer to the **Guidelines for Employees: Maternity Leave and Pay** for information on entitlements to maternity leave and pay, rights during and after pregnancy and what individuals need to do during the various stages of their pregnancy.

Line managers can refer to the **Guidelines for Managers** for advice and guidance on how to support an individual throughout their pregnancy, during their maternity leave and their return to work.

This procedure has been developed in conjunction with and agreed by our recognised trade unions.

A flowchart of the procedure is available in Appendix 1.

2. OBJECTIVES

The objectives of this procedure are to:

- Ensure individuals are aware of the procedure in relation to notification of pregnancy
- Ensure that employees are treated fairly and consistently during their pregnancy, maternity leave and return to work.

3. ENTITLEMENTS AND ELIGIBILITY

3.1 Maternity Leave

Individuals are entitled to take up to 52 weeks' maternity leave regardless of their length of service with the University. This consists of 26 weeks' ordinary maternity leave and 26 weeks' additional maternity leave. Additional maternity leave must follow on immediately from ordinary maternity leave.

Whilst individuals can determine how much of the 52 weeks' maternity leave they wish to take, they are required by law to take a minimum of two weeks maternity leave from the date their baby is born. We will assume that individuals will take the full 52 week entitlement unless they notify us otherwise.

If the individual returns to work before the end of the 52 week entitlement, they can share the balance of leave with their partner, please refer to **Shared Parental Leave.**

3.2 Maternity Pay

3.2.1 Statutory Maternity Pay

Individuals are entitled to up to 39 week's statutory maternity pay (SMP) if they satisfy the following requirements:

- Have average weekly earnings at or above the lower earnings limit for the payment of National Insurance contributions (calculated by looking at earnings in the 8 week period immediately before the 15th week before the EWC); and:
- Have 26 week's continuous service at the 15th week before the EWC.

The Government sets the lower earnings limit and SMP rates on a yearly basis. These figures can be found on the Government's website.

3.2.2 Maternity Allowance

If individuals do not qualify for SMP, they may still be entitled to Maternity Allowance, which is paid by Jobcentre Plus, for up to 39 weeks.

To qualify, they must have been employed or self-employed for 26 weeks out of the 66 weeks before the expected week of childbirth. They can claim maternity allowance once they have reached 26 weeks of pregnancy, and payments can start 11 weeks before the baby is due.

To quality, they must meet the following qualifying conditions in the 66 weeks before the baby is due:
- been employed or self-employed for at least 26 weeks (these need not be consecutive weeks).
- earned at least £30 a week, on average, in over any 13 of those 26 weeks.

Further information on eligibility and rates can be found on the Government's website.

3.2.3 University Enhanced Maternity Pay Options

We offer an enhanced package of maternity pay to employees who qualify for SMP and:

- Continue to be employed by the University until immediately before the beginning of the 11th week before the EWC i.e. to the end of the 29th week of pregnancy; and
- Have more than 26 weeks continuous service; and
- Intend to return to work for a minimum of 3 months following maternity leave.

If they satisfy the criteria above, you have the option to choose which maternity pay package best suits their circumstances. These options are outlined below:

Continuous Service	**Option 1** (intend on returning to work)	**Option 2** (intend on returning to work)	**Option 3** (do not intend on returning to work)
More than 26 weeks continuous service (at the beginning of the 15th week before EWC)	Entitled to up to **52 weeks maternity leave** • First **16** weeks at full normal pay (to include SMP) • Following **23** weeks at SMP only or 90% of weekly earnings (whichever is less) • Up to **13** weeks of unpaid maternity leave	Entitled to up to **52 weeks maternity leave** • First **8** weeks at full normal pay (to include SMP) • Following **16** weeks of the maternity leave at half pay (to include SMP) • Following **15** weeks at SMP only or 90% of weekly earnings (whichever is less) • Up to **13** weeks unpaid maternity leave	Entitled to up to **52 weeks maternity leave** • First 6 weeks at 90% of average earnings (to include SMP) • Following 33 weeks at SMP only or 90% of weekly earnings (whichever is less) • Up to 13 weeks unpaid maternity leave *N.B If you do return to work, the University will pay the difference between Option 3 and Option 1 or 2*
	Individuals are required to pay back 10 weeks full normal pay if they do not return to work for at least three months following maternity leave.		

If the individual is unsure what option is best for them, you can refer them to People and Wellbeing for further support.

3.3 Time off to attend antenatal appointments

Individuals are entitled to reasonable time off with pay to attend antenatal appointments. Individuals are required to notify their line manager as soon as possible of antenatal appointments.

3.4 Keep in touch days

Individuals are entitled to up to 10 Keep in Touch Days whilst on maternity leave. These are optional and must be agreed with the line manager. Individuals will be paid at their normal contracted rate of pay and this will be offset against any statutory SMP due.

4. PROCEDURE

We recommend that individuals advise their line manager of their pregnancy at the earliest opportunity. A risk assessment will be carried out for all pregnant employees. Individuals should bring any concerns about their health and safety, or that of their baby, to their line manager, People and Wellbeing or Occupational Health immediately. The line manager and the individual should refer to the **New Birth Parents and Other Pregnant Employees Health, Safety and Wellbeing Procedure**.

To qualify for maternity leave, individuals must notify their line manager and hra@uws.ac.uk by completing **ML1 Form**, no later than the end of the 15th week before the EWC stating:

- That they are pregnant;
- The date they intend to start maternity leave (which must not be earlier than the beginning of the 11th week before the EWC);
- Preferred Maternity Pay Option

Individuals must also provide their line manager and hra@uws.ac.uk with the MATB1 certificate. This is available from their Doctor or Midwife from the 20th week of pregnancy.

A People and Wellbeing representative will respond within 28 days of receipt of a written notification, confirming the maternity leave start date and the date on which the individual is expected to return to work.

Failure to follow these statutory notification procedures may result in the individual not being able to start maternity leave on their chosen date.

If an individual wishes to change the start date of their maternity leave, they must provide their line manager and hra@uws.ac.uk with at least 28 days written notice of their new proposed start date.

All maternity leave will be recorded in the University's employee database 'iTrent', to ensure appropriate and accurate records are kept.

Any sickness absence which is unrelated to an individual's pregnancy shall be dealt with in accordance with our normal provisions for sickness absence, until the date on which maternity leave is due to start.

Maternity leave will start automatically if an individual is absent from work due to a pregnancy related illness within the four weeks immediately before the EWC.

During maternity leave, terms and conditions of employment will remain unchanged except for pay.

Individuals are entitled to up to 10 Keep in Touch Days whilst on maternity leave. These are optional and must be agreed with the line manager. Individuals will be paid at their normal contracted rate of pay and this will be offset against any statutory SMP due.

Individuals and their line manager are encouraged to agree how often and by what method that they will keep in touch during maternity leave. This is to ensure that the individual is kept up to date with any key developments/vacancies etc. If an individual wishes to use any Keep in Touch days whist on maternity leave, they must complete **ML2 Form**.

Individuals returning from maternity leave have the right to return to the same role, or if that is not practical, to an alternative role that is suitable and appropriate.

If the individual is unable to return to work on this date due to illness or injury, our normal arrangements for sickness absence will apply.

If the individual decides to come back to work before the expected return date, they must advise their line manager and hra@uws.ac.uk in writing, using **ML3 Form**, at least 8 weeks before they plan to return.

Official Use

Procedure Author – People Governance Manager

Procedure Owner – Director of People and Student Wellbeing

Parent Policy Statement – People and Student Wellbeing

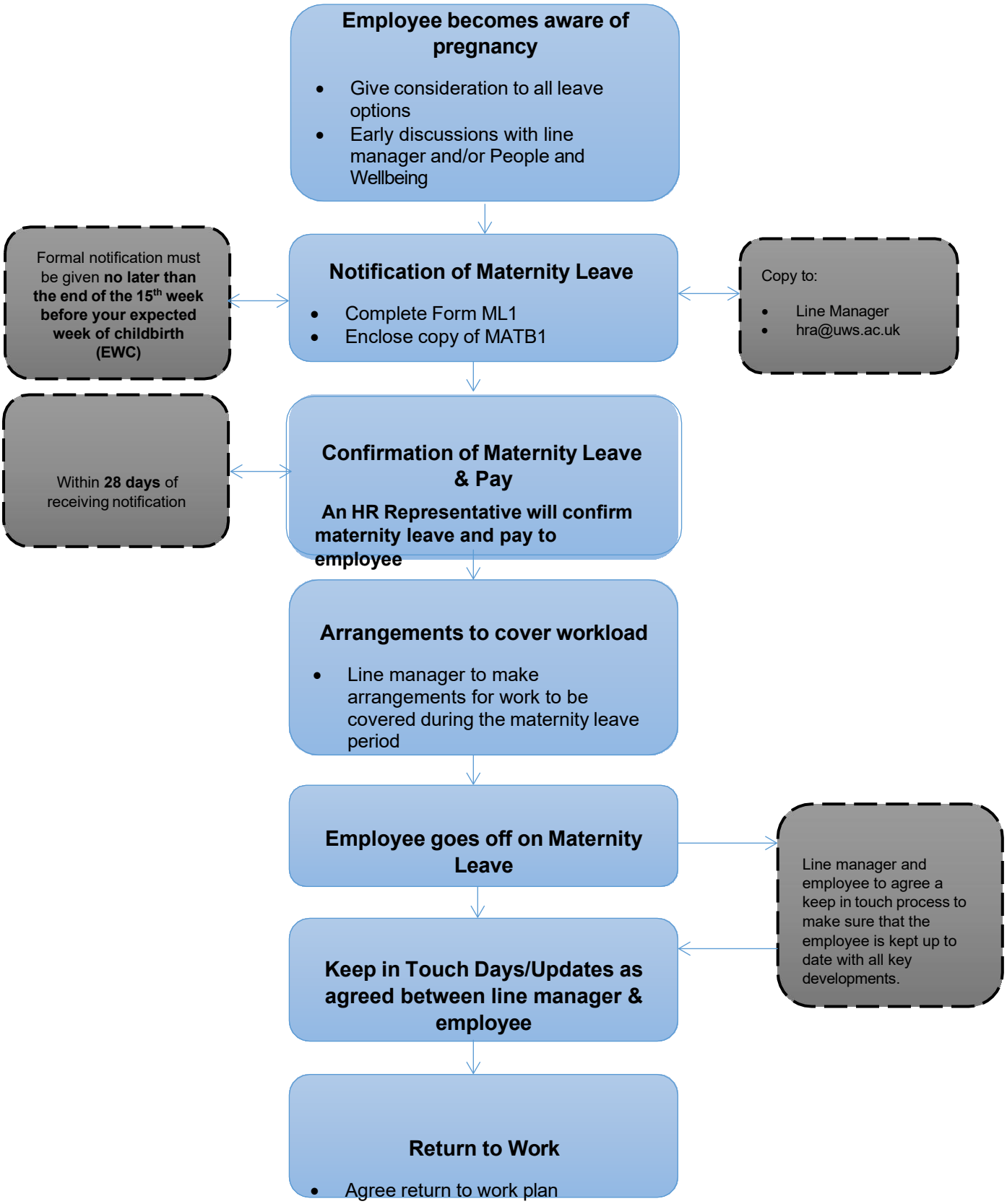
Public Access or Staff Only Access – Public

Version – Version 7 July 2026

Changes and Reason for Changes – Process for Keeping in Touch days has been streamlined, form ML2 and submission email address have been updated, minor amendment to align with organisational changes.

Appendix 1

The Procedure…..At a glance



Form ML1
APPLICATION FOR MATERNITY LEAVE

Maternity Leave: Application

Name:	
Job Title:	
Department:	

Section A: Confirmation of Dates

I am advising the University that I am pregnant and my expected week of childbirth is:	
A certificate (MatB1) to confirm my pregnancy is	Delete as appropriate In your possession/enclosed with this form/to be given to you shortly.
I wish to take my maternity leave commencing on: (Sunday when maternity pay period will commence)	
I wish my maternity leave to end on (if this is known):	

Section B: Payment Option

Continuous Service	Option 1 (intend on returning to work)	Option 2 (intend on returning to work)	Option 3 (do not intend on returning to work)
More than 26 weeks continuous service (at the beginning of the 15th week before EWC)	Entitled to up to **52 weeks maternity leave** • First **16** weeks at full normal pay (to include SMP) • Following **23** weeks at SMP only or 90% of weekly earnings (whichever is less) • Up to **13** weeks of unpaid maternity leave	Entitled to up to **52 weeks maternity leave** • First **8** weeks at full normal pay (to include SMP) • Following **16** weeks of the maternity leave at half pay (to include SMP) • Following **15** weeks at SMP only or 90% of weekly earnings (whichever is less) • Up to **13** weeks unpaid maternity leave	Entitled to up to **52 weeks maternity leave** • First 6 weeks at 90% of average earnings (to include SMP) • Following 33 weeks at SMP only or 90% of weekly earnings (whichever is less) • Up to 13 weeks unpaid maternity leave *N.B If you do return to work, the University will pay the difference between Option 3 and Option 1 or 2*
	Individuals be required to pay back 10 weeks full normal pay if they do not return to work for at least three months following maternity leave.		

I have more than 26 weeks continuous service and can confirm that I choose option (1, 2 or 3):	
I have less than 26 weeks continuous service and understand that I do not quality for statutory maternity pay.	

Section C: Declarations

- I understand that if I wish to change my maternity leave commencement date, I must give the University at written notice of at least 28 days.
- I understand that if I wish to return to work before the end of the maternity leave period, I must give the University a minimum 8 weeks written notice.
- I understand and confirm that I will return to work and remain for 3 months following my maternity leave.
- I understand that should I fail to return to work or remain for 3 months the University will reclaim 10 weeks full normal pay, which I received as part of the Maternity Pay Scheme. I authorise this reclaim.

Signed:	**Date:**

Please give a copy of this form to your Line Manger & email a copy to hra@uws.ac.uk.

FORM ML2
KEEP IN TOUCH DAY REQUEST

- Use this form to request your Keeping in Touch (KIT) Days
- Before submitting this form, agree the dates and the purpose of the days with your line manager
- Once your manager has approved your request they must send the form to Payroll.
- On receipt by Payroll your KIT days will be paid in the pay period in which they are worked. For example, KIT days worked in March will be paid in March.
- If any KIT days don't go ahead as planned, it's the line manager's responsibility to let Payroll know. Any overpayments for KIT days will be recovered from the next available pay.

Points to Note:

- The form must be submitted prior to the 12th of the month in which the KIT Day will be worked to ensure payment in that month.
- Payment will be based on the actual number of hours worked on the KIT Day.
- If only a part day is worked, it will still count as one full KIT Day from your statutory entitlement.

Section A: Employee Details

Name:	
Job Title:	
Department:	

I am aware of my statutory entitlement to request up to 10 Keeping in Touch days to be worked throughout my maternity leave.

I would like to request to work on the following date(s) for the purpose of Keeping in Touch

KIT Day	Date	Hours to be worked
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10		

Section B: Employee Declaration

I agree to work the keeping in touch days as outlined above and understand that if they don't go ahead any money paid in respect of the KIT Day will be recovered from my next available pay.

Signed:	**Date:**

Section C: Manager Approval

Name:	
Job Title:	
Signed:	**Date:**

Section D: Payroll Use Only

Date Received:	
Actioned by:	Date:
Checked by:	Date:

Please send a copy of this form to your Line Manager. Line Managers please send approved forms to Payroll@uws.ac.uk

FORM ML3
NOTICE OF EARLY RETURN TO WORK

- **We advise prior to submitting this form that you discuss your plans directly with your line manager.**
- **Use this form to advise us that you want to return to work before the date you are expected to return.**
- **Please ensure that you provide the statutory minimum notice of 8 weeks of the new date.**
- **Return the form to hra@uws.ac.uk.**

Section A: Notice of Early Return to Work	
Name:	
Job Title:	
Faculty/Department:	
You are expecting me to return from maternity leave on:	
I now plan to return on:	
Section B: Declarations	
I give permission for this information to be shared with the payroll team to ensure appropriate arrangements are made in relation to my pay.	
Signed:	**Date:**

Please give a copy of this form to your Line Manger & email a copy to hra@uws.ac.uk.