

Maternity, Adoption and Paternity Leave Policy

SEPTEMBER 2015

Revised: August 2017; October 2018; September 2021

Contents

Definitions	3
1 Introduction.....	7
2 Maternity.....	7
2.1 Key dates and responsibilities	7
2.2 Entitlement to maternity leave.....	8
2.3 Notification requirements	8
2.4 Time off for antenatal care or to accompany a pregnant person to antenatal appointments 9	
2.5 Sickness	10
2.6 Health and Safety	10
2.7 Starting maternity leave	11
2.8 Miscarriage and stillbirth	11
2.9 Maternity pay	12
Statutory Maternity Pay.....	12
Enhanced Maternity Pay.....	12
Maternity Allowance.....	13
3 Adoption	13
3.2 Entitlement to adoption leave.....	13
3.3 Notification requirements	14
3.4 Overseas adoption.....	14
3.5 Time off for adoption appointments for adoptive parents	15
3.6 Starting adoption leave	15
3.7 Disrupted adoption.....	16
3.8 Adoption Pay	16
Statutory Adoption Pay	16
Enhanced Adoption Pay	17
4 Terms and conditions during maternity/adoption leave	17
Annual Leave.....	17
Pension.....	18
5 Keeping in touch during maternity/adoption leave.....	18
6 Returning to work following maternity/adoption leave	18
7 Flexible working requests.....	19
8 Deciding not to return following maternity/adoption leave	19
9 Paternity	20
9.1 Entitlement to paternity leave.....	20
9.2 Timing and length of paternity leave	21
9.3 Notification of an intention to take paternity leave.....	21
9.4 Changing leave dates or cancelling leave.....	21
9.5 Time off to accompany a woman to antenatal appointments / time off for adoption appointments.....	21
9.6 Paternity Pay	22
9.7 Terms and conditions during paternity leave	22
9.8 Returning to work.....	22

Definitions

Additional Adoption Leave (AAL)	A period of 26 weeks' statutory leave which follows an employee's ordinary adoption leave (OAL).
Additional Maternity Leave (AML)	A period of 26 weeks' statutory leave which follows an employee's ordinary maternity leave .
Adoptive Parent	Adoptive parents may be lone parents of any sex, including transgender people, or a couple, including same sex partners.
Expected Placement Date (EPD)	The date on which an adoption agency expects that it will place a child into a prospective adopter's care.
Expected week of childbirth (EWC)	The week, beginning on a Sunday, in which the doctor or midwife expects the child to be born.
Expected Return Date	The date notified to the employee of the date of their expected return to work following maternity or adoption leave if they were to take their full 52-week maternity/adoption leave entitlement (even if they are not physically returning to work on that date because they are taking accrued annual leave immediately following their leave).
Father / non-birth parent	The biological father of a child, or non-binary/trans non-birth parent
Intended Start Date	The date on which the employee would like to start their maternity/adoption leave.
Maternity Allowance (MA)	A social security payment for women who are not entitled to SMP. This is paid at a rate set by the government each year. It is administered by JobCentrePlus.
MATB1	A certificate issued to a pregnant employee by their doctor or midwife confirming the pregnancy and the expected date of childbirth. The earliest this can be given is 20 weeks before the EWC .
Mat.Form	This is the form (Appendix 1) which pregnant employees have to return to HR together with their MATB1 in order to fulfil their obligations.

Mother / birth parent	The biological (birth) mother of a child, or non-binary/trans biological birth parent
Normal salary	<p>The salary the employee normally receives based on their normal contractual pay and hours of work.</p> <p>For employees with no normal working hours or variable pay eg claims-based employees (including hourly-paid part time lecturers), a “normal” salary will be calculated by going back over the last 12 months (from the Qualifying Week) and dividing by 52, or over the period of employment if less than 12 months and dividing by the number of weeks employed.</p>
Ordinary Adoption Leave (OAL)	A period of 26 weeks' statutory leave available to an employee who is newly matched with a child (or children) for adoption by an adoption agency. Only one member of a couple adopting jointly can take statutory adoption leave.
Ordinary Maternity Leave (OML)	26 weeks' statutory leave available to an employee who gives birth, regardless of the length of time they have been working for their employer.
Parent	<p>A person who will have or share the main responsibility for the child's care at the time of the birth/adoption and who may be either the mother, the father, the mother's partner if not the biological father or the father's partner if not the biological mother, or a person who has been matched with a child for adoption, or has legal custody of a child.</p> <p>A parent may also be someone who is eligible for a parental order in a surrogacy arrangement.</p>
Partner	Spouse, civil partner or someone living with another person in an enduring family relationship (including a same sex partner), but not a sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.
Paternity leave	Up to two weeks' leave that can be taken by the spouse, partner or civil partner of a child's mother / primary adopter following the birth or adoption of a child.

Primary adopter	<p>An individual who has had a child (or children) placed with them for adoption in respect of whom they intend to take adoption leave and/or Statutory Adoption Pay.</p> <p>The term may also be used to describe an intended parent in a surrogacy arrangement where they are applying for a parental order and where they are eligible to take adoption leave and/or pay in respect of the child.</p>
Qualifying Week	<p>The fifteenth week before the expected week of childbirth (including surrogacy arrangements)</p> <p>OR</p> <p>The week in which the adoption agency notifies an adopter that they have been matched with a child for adoption.</p>
Relevant Period	<p>Average weekly earnings are calculated over the Relevant Period, which is a period of at least eight weeks ending with the employee's last normal payday falling on or before the end of the Qualifying Week. The precise period over which the earnings are averaged out depends on when the employee's normal payday falls.</p>
Statutory Adoption Pay (SAP)	<p>This benefit mirrors statutory maternity pay.</p>
Statutory Maternity Pay (SMP)	<p>A statutory benefit payable to an employee who takes maternity leave or stops working due to childbirth, provided they earn at least the lower earnings limit in the relevant period (usually the 8 weeks leading to the qualifying week) and has at least 26 weeks' continuous service at the end of the qualifying week, and is still employed during that week.</p> <p>SMP is payable at two rates: the "earnings-related rate" (90% of her average earnings) for the first six weeks, followed by the "prescribed rate" set by the government for the relevant tax year or the earnings-related rate if lower. Total SMP entitlement lasts 39 weeks.</p>
Statutory Paternity Pay (SPP)	<p>A statutory benefit payable to an employee on statutory paternity leave, provided they earn at least the lower earnings limit in the relevant period (usually the 8 weeks leading to the qualifying week) and have at least 26 weeks'</p>

	<p>continuous service at the end of the qualifying week, and are still employed during that week.</p> <p>SPP is payable for up to two weeks at the "prescribed rate" or "earnings-related rate" if lower of statutory maternity pay.</p>
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1 Introduction

- 1.1 This policy outlines the rights and responsibilities of employees who are pregnant or have recently given birth or have been matched with a child for adoption, and sets out the arrangements for antenatal care, pregnancy-related sickness, health and safety, and maternity/adoption leave including adoption appointments, fostering for adoption and surrogacy arrangements under which the employee will be applying for a parental order. This policy also outlines the rights and responsibilities of employees taking paternity leave and claiming paternity pay. Employees will not be discriminated against or subjected to a detriment for taking leave in accordance with this policy. The policy applies to all employees regardless of their gender, or the gender of their partner.
- 1.2 In some cases employees may be eligible to opt into the shared parental leave (ShPL) scheme. ShPL is a form of leave available to parents following the birth or adoption of a child. It enables eligible parents to choose how to share the care of their child during the first year following birth or adoption. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. Details are set out in the separate **Shared Parental Leave Policy**.
- 1.3 This policy does not form part of any employee's contract of employment and the university may amend it at any time. It does not apply to agency workers or the self-employed. However, it should be noted that agency workers have certain rights in relation to time off to attend ante-natal appointments and adoption appointments. See the **Agency Workers Managers' Guidelines** for more details.

2 Maternity

2.1 Key dates and responsibilities

2.1.1 A summary of key dates and responsibilities are shown in the checklist below:

When	What to do	By who
As soon as an employee knows she is pregnant	Contact the HR Services Team who will arrange an appointment to advise the employee of their entitlements.	Employee
	The employee should also advise their line manager that they are pregnant so that a risk assessment can be carried out.	Employee
	The manager will forward the risk assessment to Occupational Health who will contact the employee for a consultation.	Line Manager
No later than the Qualifying Week	The employee should inform HR and their line manager in writing of their Intended Start Date and provide the certificate MATB1 to the university. See MatForm available on the intranet.	Employee

As soon as possible after the maternity leave start date has been notified in writing	<p>Payroll will confirm in writing any maternity pay the employee is entitled to receive.</p> <p>HR will write to the employee when they have received the MatForm, notifying the employee of the date on which their maternity leave will end (the 'Expected Return Date').</p>	<p>Payroll</p> <p>HR</p>
On the birth of the baby	As soon as possible following the birth of the child, the employee should inform HR in writing of the actual date of their baby's birth.	Employee
On Expected Return Date	<p>The employee should return to work on their Expected Return Date. See Returning to work following maternity/adoption leave.</p> <p>The line manager will be informed of these dates by HR.</p> <p>See 2.6.3, 2.6.4 and 6.7 for health and safety considerations if returning to work within six months of giving birth or while still breastfeeding.</p>	<p>Employee/ HR</p> <p>Employee/ Manager/ Occupational Health</p>
Returning to work before the end of the 52-week leave period.	<p>If the employee wishes to return to work before the end of the full 52-week leave period, they must notify HR and their line manager of their return to work date providing at least eight weeks' notice in writing. See Returning to work following maternity/adoption leave.</p> <p>See 2.6.3, 2.6.4 and 6.7 for health and safety considerations if returning to work within six months of giving birth or while still breastfeeding.</p> <p>(If the employee intends to opt in to the Shared Parental Leave scheme, they should refer to the Shared Parental Leave Policy: "Procedure for taking Shared Parental Leave".)</p>	<p>Employee</p> <p>Employee/ Manager/ Occupational Health</p>

2.2 Entitlement to maternity leave

All employees are entitled to up to 52 weeks' maternity leave provided they comply with the notification requirements set out in 2.3 below.

2.3 Notification requirements

- 2.3.1 You should inform the university i.e. your manager and/or HR as soon as possible that you are pregnant using the MatForm available on the intranet. This is important as there may be health and safety considerations (see [Health and Safety](#)).

- 2.3.2 At the time you notify the university that you are pregnant, you can request an appointment with HR to find out more about your maternity entitlements. (See the checklist under [Key dates and responsibilities](#)).
- 2.3.3 Before the [Qualifying Week](#), or as soon as reasonably practical afterwards, you must tell your manager and HR:
- that you are pregnant;
 - the week, starting on a Sunday, in which your doctor or midwife expects you to give birth (Expected Week of Childbirth or 'EWC'); and
 - the date on which you would like to start your maternity leave ([Intended Start Date](#)) (see [Starting maternity leave](#)).
- 2.3.4 You must provide a certificate from a doctor or midwife (usually on a [MATB1](#) form) confirming your [EWC](#).
- 2.3.5 Within 28 days of receipt of written notification from you, you will receive written confirmation from HR acknowledging your Intended Start Date and advising you of the date on which your maternity leave will end (the [Expected Return Date](#)). You should also receive a letter from payroll advising you of your maternity pay entitlements.
- 2.3.6 If you need to change your Intended Start Date you must, if possible, notify HR at least 28 days before your proposed new start date or 28 days before your original start date, whichever is sooner. If this is not possible (e.g. because maternity leave started early due to illness or premature childbirth), you must notify HR of the new start date as soon as possible. HR will then write to you within 28 days of the start of your maternity leave with a revised Expected Return Date. You should also inform your line manager of your Intended Start Date or any subsequent changes to that date.

2.4 Time off for antenatal care or to accompany a pregnant person to antenatal appointments

- 2.4.1 In addition to maternity leave you are entitled to reasonable paid time off to attend antenatal care appointments on the advice of a registered medical practitioner, midwife or health visitor.
- 2.4.2 Antenatal care covers medical appointments but can also include relaxation classes and parent craft classes.
- 2.4.3 An employee in a "[qualifying relationship](#)" (see 2.4.7) with a pregnant person or their expected child will be entitled to reasonable paid time off to accompany them to antenatal appointments.
- 2.4.4 The employee may be asked to provide a signed declaration in advance as follows:
- The date and time of the appointment
 - That they are in a "qualifying relationship" with a pregnant person or their expected child
 - That the time off is for the purpose of accompanying the expectant person to an antenatal appointment that has been made on the advice of a medical practitioner, midwife or health visitor.

(NB The line manager is not entitled to ask for evidence of the antenatal appointment such as an appointment card as this is the property of the expectant person attending the appointment.)

2.4.5 Employees should try wherever possible to arrange appointments at the start or the end of the working day or when an appointment is in the middle of the working day the employee should come in to work prior to the appointment and return after if this is practicable.

2.4.6 An [application/declaration form](#) is available on the Staff Pages.

"Qualifying relationship"

2.4.7 An employee has a qualifying relationship with a person or her expected child if they are:

- a) the baby's Father / non-birth parent;
- b) the expectant person's Partner; or
- c) the intended Parents of a child in a surrogacy arrangement (see also 3.2.2b)).

2.5 Sickness

2.5.1 Periods of pregnancy-related sickness absence shall be paid in accordance with the university's sick pay policy in the same manner as any other sickness absence.

2.5.2 Periods of pregnancy-related sickness absence from the start of your pregnancy until the end of your maternity leave will be recorded separately from other sickness records and will be disregarded in any future employment-related decisions, including for the purposes of formal action under the university's **Attendance Management Policy**.

2.5.3 If you are absent for a pregnancy-related reason during the four weeks before your [Expected Week of Childbirth](#), your maternity leave will usually start automatically (see 2.7.3b)).

2.6 Health and Safety

2.6.1 Once you have notified the university of your pregnancy, a trained risk assessor will carry out a risk assessment in consultation with you (this could be your line manager or another risk assessor), and identify and put in place any preventive and protective measures that are considered necessary to control any work-related risks identified affecting your health and safety, both during your pregnancy and as a new or expectant mother, or that of your baby. This may involve:

- a) changing your working conditions or hours of work;
- b) offering you suitable alternative work on terms and conditions that are the same or not substantially less favourable; or
- c) suspending you from duties, which will be on full pay unless you have unreasonably refused suitable alternative work.

2.6.2 The risk assessment will also be sent to Occupational Health who will, if necessary, contact you to discuss the risk assessment further.

- 2.6.3 Managers should review the risk assessment at regular intervals throughout the employee's pregnancy (at least once every trimester) up to the start of their maternity leave and again on the employee's return to work where the employee returns to work within six months of giving birth or if they are breastfeeding following their return to work.
- 2.6.4 When returning to work, should the employee still be breastfeeding and require private and safe facilities to express and store breast milk they should contact their manager and/or Occupational Health. Managers should allow some flexibility in break times and working hours to allow employees to express milk during working hours.

Refer to the university's [Health and Safety Policy Manual](#): **SP3-2 Risk Assessment - Section 8.8 "Pregnant women and nursing mothers"**.

2.7 Starting maternity leave

- 2.7.1 The earliest date you can start maternity leave is 11 weeks before the [Expected Week of Childbirth](#) (unless your child is born prematurely before that date). Maternity leave can commence on any day of the week.
- 2.7.2 You can bring forward or postpone your [Intended Start Date](#) by giving notice where possible in accordance with 2.3.6.
- 2.7.3 Your maternity leave will start on the earliest of:
- a) your Intended Start Date (if notified in accordance with this policy – see [Notification of pregnancy and start date of maternity leave](#)).
 - b) the day after any day on which you are absent for a pregnancy-related reason during the four weeks before the Expected Week of Childbirth. If this happens you must let your manager and HR know as soon as possible in writing. Maternity leave will be triggered unless the university agrees to delay it. (See [Sickness](#)).
 - c) the day after you give birth. If you give birth before your maternity leave was due to start, you must let your manager and HR know the date of the birth in writing as soon as possible.
- 2.7.4 Shortly before your maternity leave starts your manager will discuss with you the arrangements for covering your work and the opportunities for you to remain in contact, should you wish to do so, during your leave. See also [Keeping in touch](#).
- 2.7.5 The law prohibits you from working during the two weeks following childbirth.

2.8 Miscarriage and stillbirth

- 2.8.1 In the event of a stillbirth after 24 weeks, the employee's maternity leave will start the day after the birth (if it has not already started). The employee can return to work at any time before the end of the 52-week maternity leave period on giving eight weeks' notice (see 6.2). They may give less notice if the university agrees, but they are prohibited from returning to work for at least two weeks after the birth (see 2.7.5).
- 2.8.2 If miscarriage or stillbirth occurs in the first 24 weeks of pregnancy any absence on medical grounds as a result will be treated in the same way as pregnancy-related sickness (see [Sickness](#)).

2.9 Maternity pay

2.9.1 Maternity pay may consist of Statutory Maternity Pay ([SMP](#)), Enhanced Maternity Pay ([EMP](#)), or Maternity Allowance ([MA](#)) depending on your level of earnings and length of service.

Statutory Maternity Pay

2.9.2 Statutory maternity pay ([SMP](#)) is a weekly payment payable for up to 39 weeks. SMP will stop being payable from the start of the SMP week if you return to work for any of the days within the SMP week (except where you are simply “keeping in touch” in accordance with section 5).

2.9.3 If you are entitled to SMP, you will be notified in writing by payroll and they will inform you of the relevant weekly amounts you are entitled to receive. You are entitled to SMP if:

- a) you have been continuously employed by the university for at least 26 weeks at the end of the [Qualifying Week](#) and are still employed by the university during that week;
- b) your average weekly earnings during the eight weeks ending with the Qualifying Week (the Relevant Period) are not less than the lower earnings limit set by the government;
- c) you provide the university with a doctor's or midwife's certificate ([MATB1](#) form) stating your [Expected Week of Childbirth](#) (see 2.3.4);
- d) you give notice in accordance with this policy of your intention to take maternity leave (see [Notification of pregnancy and start date of maternity leave](#)); and
- e) you are still pregnant 11 weeks before the start of the Expected Week of Childbirth or have already given birth.

2.9.4 SMP accrues with each complete week of absence and payments are made on the next normal payroll date. Income tax, National Insurance and pension contributions are deducted as appropriate.

2.9.5 You are still eligible for SMP if you leave employment for any reason after the start of the Qualifying Week (for example, if you resign or are made redundant). In such cases, if your maternity leave has not already begun, SMP will start to accrue in whichever is the later of:

- a) the week following the week in which employment ends; or
- b) the eleventh week before the Expected Week of Childbirth.

2.9.6 If you become eligible for a back-dated pay rise which includes a sum in respect of the [Relevant Period](#), you will be treated for SMP purposes as if the pay rise had been paid in the Relevant Period. This means that your SMP will be recalculated and increased retrospectively, or that you may qualify for SMP if you did not previously qualify. The university will pay you a lump sum to make up the difference between any SMP already paid and the amount payable by virtue of the pay rise. Any future SMP payments at the Earnings-Related Rate (if any) will also be increased as necessary.

Enhanced Maternity Pay

2.9.7 You will qualify for Enhanced Maternity Pay (EMP) if:

- You are entitled to [maternity leave](#), and
- You are claiming [SMP](#) from the university or you have 26 weeks' continuous service at the end of the [qualifying week](#), and
- You are employed by the university.

2.9.8 Subject to 2.9.11, EMP is paid as follows:

- a) Six weeks at [normal salary](#) inclusive of any SMP that may be due for that period, or [earnings-related SMP](#) (90% of average weekly earnings) whichever is the higher amount.
- b) 12 weeks at half normal salary plus SMP (where applicable). The total amount payable is capped at full normal salary.
- c) Up to 21 weeks' SMP (where applicable).

2.9.9 Payment of the 12 weeks' half pay specified at 2.9.8b) above is conditional upon you confirming in writing before starting maternity leave that you intend to return to work for at least 13 weeks after the end of your maternity leave. If you later decide not to return to work for this minimum period, you must repay the 12 weeks' half pay element of EMP. You will not be required to repay any SMP.

NB If you are intending to return to work before the end of the full 52-week maternity leave period, or you plan to 'curtail' your maternity leave and 'opt in' to Shared Parental Leave, please refer to the separate **Shared Parental Leave Policy** for further details.

Maternity Allowance

2.9.10 If you are not eligible for [SMP](#), you may be entitled to Maternity Allowance ([MA](#)). You will need to contact JobCentrePlus, as the university does not administer MA. See also <https://www.gov.uk/maternity-allowance/overview> for more information on how to claim.

2.9.11 If you qualify for both MA and EMP, your EMP will be offset by the amount of MA that you are eligible to claim.

3 Adoption

3.1.1 Adoption leave is available to employees who are matched for adoption with a child by an adoption agency. See 3.2.1.

3.1.2 Adoption leave may also be available to employees who are fostering to adopt or are intended parents in a surrogacy arrangement under which they will be applying for a parental order. See 3.2.2.

3.2 Entitlement to adoption leave

3.2.1 You are entitled to adoption leave if you meet all the following conditions:

- a) You are adopting a child (or children) through a UK or [overseas adoption agency](#).
- b) The adoption agency has given you written notice that it has matched you with a child for adoption and tells you the date the child is expected to be placed into your care with a view to adoption ([Expected Placement Date](#)).

- c) You have notified the agency that you agree to the child being placed with you on the Expected Placement Date (EPD).
- d) Your [Partner](#) will not be taking adoption leave with their employer (although they may be entitled to take [Paternity leave](#)).

3.2.2 You may also be entitled to adoption leave if:

- a) You are a local authority prospective adopter under a “fostering for adoption” or “concurrent planning” arrangement, **or**
- b) You are a ‘parental order parent’ (i.e. a person who, at the date of the child's birth, has applied or intends to apply within six months, for a parental order under section 54 of the Human Fertilisation and Embryology Act 2008, and expects to be granted the order, or a person who has already been granted such an order), **and**
- c) Your [Partner](#) will not be taking adoption leave with their employer (although they may be entitled to take [Paternity leave](#)).

3.2.3 The maximum adoption leave entitlement is 52 weeks.

3.3 Notification requirements

3.3.1 Not more than seven days after the agency notifies you in writing that it has matched you with a child (or children) (or where that is not reasonably practicable, as soon as reasonably practicable), you must provide notice in writing of the [Expected Placement Date](#), and your intended start date for adoption leave ([Intended Start Date](#)). At the same time, you can request an appointment with HR to find out more about your entitlements. See AdoptForm available on the intranet.

3.3.2 HR will then write to you within 28 days to inform you of your [Expected Return Date](#) assuming you take your full 52-week entitlement to adoption leave.

3.3.3 Once you receive the matching certificate issued by the adoption agency, you must provide a copy to HR.

3.3.4 The notification and evidential requirements in surrogacy cases are different. There is no requirement to be "matched for adoption" in surrogacy cases. Employees should seek advice from HR.

3.4 Overseas adoption

3.4.1 If you are adopting a child from overseas, the following additional conditions will apply:

3.4.2 You must have received notification that the adoption has been approved by the relevant UK authority (“Official Notification”).

3.4.3 You must provide notice in writing of:

- a) your intention to take adoption leave;
- b) the date you received Official Notification; and
- c) the date the child is expected to arrive in Great Britain.

3.4.4 This notice should be given as early as possible but in any case within 28 days of receiving Official Notification (or, if you have less than 26 weeks’ employment with the university at the date of Official Notification, within 30 weeks of starting employment).

- 3.4.5 You must also provide at least 28 days' notice in writing of your [Intended Start Date](#). This can be the date the child arrives in Great Britain or a predetermined date no more than 28 days after the child's arrival in Great Britain.
- 3.4.6 You must also provide notification of the date the child arrives in Great Britain within 28 days of that date.
- 3.4.7 You may be required to provide a copy of the Official Notification and evidence of the date the child arrived in Great Britain.

3.5 Time off for adoption appointments for adoptive parents

- 3.5.1 In addition to adoption leave (or [Paternity Leave](#) as applicable) you are entitled to reasonable paid time off to attend adoption appointments that have been arranged by or at the request of the adoption agency. Adoption appointments are appointments made by an adoption agency relating to a child (or children) being placed for adoption or for a fostering for adoption placement.
- 3.5.2 An adoption appointment will take place after an adoption agency notifies a prospective adopter that a child is, or is expected, to be placed with them for adoption. The reason for the appointment must be:
 - a) So that the adopter can have contact with the child/children.
 - b) For any other purpose connected with the adoption.
- 3.5.3 You may be asked to provide a signed declaration in advance as follows:
 - a) The date and time of the appointment.
 - b) That the appointment has been arranged by or at the request of the adoption agency.
 - c) That the time off requested is not on or after the date of the child's placement for adoption.
- 3.5.4 Employees should try wherever possible to arrange appointments at the start or the end of the working day or when an appointment is in the middle of the working day the employee should come in to work prior to the appointment and return after if this is practicable.
- 3.5.5 An [application/declaration form](#) is available on the Staff Pages.
- 3.5.6 In all cases, please seek advice from HR.

3.6 Starting adoption leave

- 3.6.1 Adoption leave may start on a predetermined date no more than 14 days before the [Expected Placement Date](#), or on the date of placement itself, but no later.
- 3.6.2 If you need to change your [Intended Start Date](#) you must, if possible, notify HR in writing at least 28 days before your proposed new start date or 28 days before your original start date, whichever is sooner. If this is not possible, you must notify HR of the new start date as soon as possible. HR will then write to you within 28 days of the start

of your adoption leave with a revised [Expected Return Date](#). You should also inform your line manager of your Intended Start Date or any subsequent changes to that date.

- 3.6.3 Shortly before your adoption leave starts your manager will discuss with you the arrangements for covering your work and the opportunities for you to remain in contact, should you wish to do so, during your leave. See also [Keeping in touch](#).

3.7 Disrupted adoption

- 3.7.1 Adoption leave is disrupted if it has started but:

- a) you are notified that the placement will not take place;
- b) the child is returned to the adoption agency after placement; or
- c) the child dies after placement.

- 3.7.2 In case of disruption your entitlement to adoption leave and pay (if applicable) will continue for a further eight weeks from the end of the week in which disruption occurred, unless your entitlement to leave or pay would have ended earlier in the normal course of events.

3.8 Adoption Pay

- 3.8.1 Adoption pay mirrors the university's maternity pay provisions and may therefore consist of Statutory Adoption Pay ([SAP](#)) or Enhanced Adoption Pay (EAdP) depending on your level of earnings and length of service.

Statutory Adoption Pay

- 3.8.2 Statutory Adoption Pay ([SAP](#)) is a weekly payment payable for up to 39 weeks. SAP will stop being payable from the start of the SAP week if you return to work for any of the days within the SAP week (except where you are simply "keeping in touch" in accordance with section 5) or the placement is [disrupted](#).
- 3.8.3 If you are entitled to SAP, you will be notified in writing by payroll and they will inform you of the relevant weekly amounts you are entitled to receive. You are entitled to SAP if:
- a) you have been continuously employed by the university for at least 26 weeks ending with the [Qualifying Week](#) and are still employed by the university during that week;
 - b) your average weekly earnings during the eight weeks ending with the Qualifying Week (the [Relevant Period](#)) are not less than the lower earnings limit set by the government;
 - c) you comply with the university's notification requirements – see [Notification requirements](#).
- 3.8.4 SAP accrues with each complete week of absence and payments are made on the next normal payroll date. Income tax, National Insurance and pension contributions are deducted as appropriate.
- 3.8.5 If you leave employment for any reason (for example, if you resign or are made redundant) you are still eligible for SAP if you have already been notified by an agency

that you have been matched with a child. In such cases, SAP starts on whichever is the later of:

- a) 14 days before the [Expected Placement Date](#); or
- b) the day after your employment ends.

3.8.6 If you become eligible for a back-dated pay rise which includes a sum in respect of the [Relevant Period](#), you will be treated for SAP purposes as if the pay rise had been paid in the Relevant Period. This means that your SAP will be recalculated and increased retrospectively, or that you may qualify for SAP if you did not previously qualify. The university will pay you a lump sum to make up the difference between any SAP already paid and the amount payable by virtue of the pay rise. Any future SAP payments at the Earnings-Related Rate (if any) will also be increased as necessary.

Enhanced Adoption Pay

3.8.7 You will qualify for Enhanced Adoption Pay (EAdP) if:

- You are entitled to [adoption leave](#), and
- You are claiming [SAP](#) from the university or you have 26 weeks' continuous service at the end of the [qualifying week](#), and
- You are employed by the university.

3.8.8 EAdP is paid as follows:

- a) Six weeks at [normal salary](#) inclusive of any SAP that may be due for that period, or [earnings-related SAP](#) (90% of average weekly earnings) whichever is the higher amount;
- b) 12 weeks at half normal salary plus SAP (where applicable). The total amount payable is capped at full normal salary; and
- c) Up to 21 weeks' SAP (where applicable).

3.8.9 Payment of the 12 weeks' half pay specified at 3.8.8b) above is conditional upon you confirming in writing, before starting adoption leave, that you intend to return to work for at least 13 weeks after the end of your adoption leave. If you later decide not to return to work for this minimum period, you must repay the 12 weeks' half pay element of EAdP. You will not be required to repay any SAP.

NB If you are intending to return to work before the end of the full 52-week adoption leave period, or you plan to 'curtail' your adoption leave and 'opt in' to Shared Parental Leave, please refer to the separate **Shared Parental Leave Policy** for further details.

4 Terms and conditions during maternity/adoption leave

4.1 All the terms and conditions of your employment remain in force during maternity/adoption leave except for the terms relating to pay.

Annual Leave

4.2 During maternity/adoption leave, your annual leave entitlement will accrue at the rate provided under your contract of employment including any entitlement to bank and concessionary days as they occur.

- 4.3 The leave year runs from 1 September to 31 August. In many cases a period of maternity/adoption leave will last beyond the end of the leave year. Any leave entitlement for the year that is not taken or cannot reasonably be taken before starting your maternity/adoption leave should, where possible, be taken immediately before returning to work or within three months of returning to work unless your manager agrees otherwise.
- 4.4 You should discuss your leave plans with your manager in good time before starting your maternity/adoption leave. All leave dates are subject to approval by your manager.

Pension

- 4.5 If you are a member of a workplace pension scheme e.g. the Local Government Pension Scheme (LGPS) or the Teachers' Pension Scheme (TPS)), the university will make employer pension contributions during any period of paid maternity/adoption leave (statutory or enhanced) in accordance with the applicable pension scheme rules. Any employee contributions you make will be based on the amount of any maternity/adoption pay and/or any other pensionable pay you are receiving. If you take a period of unpaid maternity/adoption leave you should contact the payroll and pensions team for advice on the implications for your pension and any options available under the relevant scheme rules to elect to cover a period of lost pensionable service. You should seek this advice at the earliest opportunity because you may need to make an election within a defined timescale under the pension scheme rules.

For more information on the LGPS visit www.lgps2014.org

For more information on the TPS visit www.teacherspensions.co.uk

5 Keeping in touch during maternity/adoption leave

- 5.1 The university may make reasonable contact with you from time to time during your maternity/adoption leave as appropriate. This may include contacting you to discuss arrangements for your return to work (see 6.1), to keep you informed of developments at the workplace and any relevant training or promotion opportunities or job vacancies that arise during maternity/adoption leave. You are advised to discuss arrangements for keeping in touch with your line manager before you start your maternity/adoption leave. Unless you request otherwise, you will remain on circulation lists for internal updates, job vacancies, training and work-related social events.
- 5.2 You may request or be requested to work including attending training on up to 10 "keeping-in-touch" days (KIT days) during your maternity/adoption leave. KIT days are not compulsory and must be discussed and agreed with your manager. In any case, you must not work in the two weeks following birth (see 2.7.5).
- 5.3 You will be paid at your normal rate of pay for time spent working on a KIT day and this will be inclusive of any maternity/adoption pay entitlement (statutory or enhanced).

6 Returning to work following maternity/adoption leave

- 6.1 Shortly before you are due to return to work, you may be invited to have a discussion (whether in person or by telephone) about the arrangements for your return. This may cover:
- a) updating you on any changes that have occurred during your absence;

- b) any training needs you might have; and
 - c) any changes to working arrangements (for example if you have made a request to work part-time; see [Flexible working requests](#)).
- 6.2 If you wish to return to work earlier than the [Expected Return Date](#), you must give eight weeks' notice. You should give this notice in writing. If you do not give enough notice, the university may postpone your return date until eight weeks after you gave notice, or to the Expected Return Date if sooner.
- 6.3 If you wish to return later than the Expected Return Date, you should either:
- a) request unpaid parental leave in accordance with the university's **Parental Leave Policy**;
or
 - b) request paid annual leave in accordance with your contract. All leave dates are subject to approval by your manager, or
 - c) request special leave (if applicable) under the university's **Special Leave Policy**.
- 6.4 If you are unable to return to work due to sickness or injury, this will be treated as sickness absence and the university's normal absence and sick pay policies will apply.
- 6.5 In any other case, late return will be treated as unauthorised absence.
- 6.6 You are normally entitled to return to work in the same position as you held before commencing leave. Your terms of employment shall be the same as they would have been had you not been absent. However, if you have taken any period of [AML](#) or [AAL](#) or more than four weeks' parental leave, and it is not reasonably practicable for the university to allow you to return into the same position, the university may offer you another suitable and appropriate job on terms and conditions that are not less favourable.
- 6.7 On returning to work following maternity leave it is important that you inform your manager and/or Occupational Health if you are breastfeeding or if you are returning within six months of giving birth. This is so the risk assessment and any workplace adjustments can be reviewed. See also [Health and Safety](#).

7 Flexible working requests

- 7.1 If you want to change your hours or other working arrangements on return from maternity/adoption leave you should make a request under the university's **Flexible Working Policy**. It is helpful if such requests are made as early as possible. If you are hoping to work a flexible working pattern immediately on returning to work following maternity/adoption leave, you should make your request at least three months before your [Expected Return Date](#).
- 7.2 The university will deal with any requests by employees to change their working arrangements after maternity/adoption leave on a case-by-case basis in accordance with the **Flexible Working Policy**. There is no absolute right to insist on flexible working, but you do have a statutory right to request flexible working and the university will try to accommodate your wishes unless there is a business reason for refusal.

8 Deciding not to return following maternity/adoption leave

- 8.1 If you do not intend to return to work, or are unsure, it is helpful if you discuss this with your manager or HR as early as possible. If you decide not to return you should give notice of resignation in accordance with your contract. The amount of maternity/adoption leave left to run when you give notice must be at least equal to your contractual notice period, otherwise you may be required to return to work for the remainder of the notice period.
- 8.2 Once you have given notice that you will not be returning to work, you cannot change your mind without the university's agreement.
- 8.3 This does not affect your right to receive SMP/SAP.

9 Paternity

Paternity Leave is a period of time off work on the birth or adoption of a child, taken by the child's [Father](#), the Mother's [Partner](#), or other adoptive [Parent](#).

9.1 Entitlement to paternity leave

- 9.1.1 Paternity leave is available when a child is born or placed with you for adoption. However, in adoption cases paternity leave is not available to an employee who decides to take adoption leave (i.e. where the employee is the [Primary adopter](#)).
- 9.1.2 You are entitled to paternity leave if you are an employee and meet all the following conditions:
 - a) You have been continuously employed by the university for at least 26 weeks ending with the [Qualifying Week](#). (Employees whose employment is terminated before the child is born/placed lose their entitlement to [SPP](#) and paternity leave.)
 - b) You:
 - i. are the Father of the child; or
 - ii. are the [Partner](#) of the child's [Mother/Primary adopter](#)
 - c) You:
 - i. expect to have main responsibility (with the child's Mother/Primary adopter) for the child's upbringing; or
 - ii. are the child's Father and you expect to have some responsibility for the child's upbringing.
 - d) The leave is for the purpose of caring for the child, or supporting the child's Mother/Primary adopter in caring for the child.
 - e) You will be treated as having satisfied this condition if you would have satisfied it but for the fact that the child was stillborn after 24 weeks of pregnancy or has died.
- 9.1.3 You cannot take paternity leave in relation to a child if you have already taken Shared Parental Leave in relation to that child. See the **Shared Parental Leave Policy** for more details.

9.2 Timing and length of paternity leave

- 9.2.1 Paternity leave must be taken as a period of either one week or two consecutive weeks. It cannot be taken in instalments.
- 9.2.2 Paternity leave can be taken from the date of the child's birth or adoption placement, but must end within 56 days of the child's placement or birth or the first day of the Expected Week of Childbirth ([EWC](#)) (if born earlier than this).

9.3 Notification of an intention to take paternity leave

- 9.3.1 To take paternity leave you must provide written notice by the end of the [Qualifying Week](#) or no more than seven days after you and/or your [partner](#) were notified of having been matched with the child, or as soon as you reasonably can, stating:
- The [Expected Week of Childbirth](#) (EWC) or the [Expected Placement Date](#) (EPD);
 - The date you would like your leave to start (which may be a specified date after the start of the EWC or the EPD, the actual date of birth or a specified number of days after birth); and
 - Whether you intend to take one week or two weeks' leave.
- 9.3.2 Please use PatForm (available on the intranet) to notify the university of your intention to take paternity leave. The university may require a signed declaration from you that you are taking paternity leave to care for the child or to support the child's mother/primary adopter in caring for the child.

9.4 Changing leave dates or cancelling leave

- 9.4.1 You may vary the start date of your paternity leave if you give notice as follows:
- If you wish to start your leave on the day of the child's birth or on the day that the child is placed with you for adoption, at least 28 days before the first day of the [EWC](#) or the [EPD](#).
 - If you wish to start your leave on a specified number of days after the child's birth or placement, at least 28 days (minus the specified number of days) before the first day of the EWC or the EPD.
 - If you wish to start your leave on a specific date which is different to the original start date you notified, at least 28 days before that date.
- 9.4.2 If you are unable to provide 28 days' written notice as set out above, you should do so as soon as you can.

9.5 Time off to accompany a woman to antenatal appointments / time off for adoption appointments

See [Time off for antenatal care or to accompany a woman to antenatal appointments](#) (2.4.3 – 2.4.7).

Or

See [Time off for adoption appointments for adoptive parents](#).

9.6 Paternity Pay

9.6.1 If you take paternity leave in accordance with this policy, you will be entitled to statutory paternity pay ([SPP](#)) if, during the [Relevant Period](#), your average weekly earnings are not less than the lower earnings limit set by the government. (Where you receive a backdated pay increase that takes effect during the Relevant Period, that pay increase will be taken into account even if the pay increase was not actually received until after this period.)

9.6.2 You will qualify for Enhanced Paternity Pay (EPP) if:

- You are entitled to [paternity leave](#), and
- You are claiming SPP from the university or you have 26 weeks' continuous service at the end of the [qualifying week](#), and
- You are employed by the university.

9.6.3 EPP is paid at your [normal salary](#) inclusive of any SPP that may be payable. The total amount payable is capped at full normal salary.

9.7 Terms and conditions during paternity leave

9.7.1 All the terms and conditions of your employment remain in force during paternity leave except for the terms relating to pay.

9.8 Returning to work

9.8.1 You are expected to return to work on the next working day following your last day of paternity leave, unless you notify the university otherwise in accordance with this section or you take a period of approved leave (e.g. annual leave or other parental or special leave) immediately following paternity leave. If you are unable to attend work due to sickness or injury, the university's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

9.8.2 You are normally entitled to return to work following paternity leave to the same position you held before commencing leave. Your terms of employment will be the same as they would have been had you not been absent. However, if you have combined your paternity leave with:

- a) a period of ordinary parental leave of more than four weeks, or
- b) a period (or more than one period) of other statutory maternity, adoption or shared parental leave in respect of the same child which when added to your paternity leave amounts to more than 26 weeks in total,

and it is not reasonably practicable for you to return to the same job, the university will offer you a suitable and appropriate alternative position.

9.8.3 If you want to change your hours or other working arrangements on return from paternity leave you should make a request under the university's **Flexible Working Policy**.

9.8.4 If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.