



**London
South Bank**
University

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Maternity Leave Policy

A guide to your maternity leave entitlement

1 July 2017

Become what you want to be

Purpose and Principles and Values

Having a baby is an exciting and important time for you and your family. At LSBU we want to provide you with as much support as possible during your pregnancy, through your maternity leave and when you return to work.

This policy explains everything you need to know about your entitlement to maternity leave, pay, planning your time off and the support that's available.

Equality, Diversity and Inclusion

The University is committed to creating a workplace where there are no barriers to inclusion. We view the differences between people as a source of strength. We will ensure that pregnant employees receive no less favourable treatment on the grounds of their age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief (or no belief); sex; or sexual orientation.

Who does this policy apply to?

This policy applies to pregnant LSBU employees whose baby is due on or after **1 July 2017**.

The policy does not apply to agency workers, anyone working for a third party supplier, external consultants or employees of University subsidiary companies or similar organisations associated with LSBU.

Before your maternity leave

Letting us know

You should let HR know about your pregnancy, as soon as you feel comfortable, so that we can support and guide you through planning

your maternity leave. You can speak to a member of the HR team by contacting the HR Service Desk.

Planning for your leave

It is also important for you to discuss your plans with your manager early on so that you can discuss and agree:

- When you want to start your maternity leave
- How you will manage your leave
- Arrangements for managing your work while you are away
- Support or adjustments to help you stay well during pregnancy
- Any concerns you might have about your maternity leave

Formal notification

You must formally notify HR in writing by the 15th week before your expected week of childbirth (EWC)¹ unless it is not reasonably practical to do:

- That you are pregnant
- When your expected week of childbirth will be (EWC)
- When you plan to start maternity leave
- How you plan to use your holiday entitlement
- Provide a copy of form Mat B1 (available from your midwife or doctor at about 20 weeks')

You must give the University at least 28 days' notice (or much as is reasonably practical) of the date you want to start your maternity leave.

¹ Expected week of childbirth" means the week, starting on a Sunday, during which the employee's doctor or midwife expects her to give birth.

HR will write to confirm your entitlement to maternity leave and pay and the latest date on which you need to return to work.

Keeping you and your baby safe and well

Your health and safety during your pregnancy remains very important to us. As soon as you tell your line manager and/or HR that you are pregnant a risk assessment should be carried out to consider any health and safety issues in your work environment that may affect your or your unborn baby.

Your line manager will work with you to complete the risk assessment and can call on support from the HR Business Partner and Health, Safety and Resilience Team for information on making reasonable adjustments. A template risk assessment can be downloaded from the OurLSBU. Please return the completed risk assessment from the HR Service Desk who will refer any risks identified to the Health, Safety and Resilience Team for action.

Your manager should keep the risk assessment under regular review, as the risks may change during your pregnancy. It is important that you speak to your manager immediately if you have any concerns or believe that you or your unborn baby may be at risk.

Where the risk assessment identifies significant hazards to control, your manager will consider a range of options to keep you safe. These could include:

- Temporary adjustment to work conditions/hours/duties
- Suitable alternative work
- A period of leave on full pay for as long as necessary to protect you and your baby

Time off for Antenatal appointments

You are entitled to take reasonable paid time off for your antenatal appointments and classes during working hours.

Please try to arrange these appointments near the start or end of the day if you can. You should give your manager as much notice as possible and provide an appointment card after your first appointment if your manager requests this.

Maternity Leave

Irrespective of your length of service, you are entitled to take up to 52 weeks' maternity leave and to come back to work afterwards, as long as you follow the correct notification procedures. Your maternity leave entitlement is made up of:

- 26 weeks' of Ordinary Maternity Leave (OML)
- Plus 26 weeks' of Additional Maternity Leave (AML)

You are required by UK law to take at least two week's maternity leave immediately after the birth of your baby.

Maternity Pay

How much pay you receive during your maternity leave period will depend on whether you meet the criteria at the qualifying week²

² "Qualifying week" means the 15th week before the expected week of childbirth.

A. If you have less than 26 weeks’ continuous service you are entitled to:

- Unpaid leave for up to 52 weeks’
- You may be entitled to receive maternity allowance

B. If you have more than 26 weeks’ continuous service and your average earnings are not less than the lower earnings limit for National Insurance contributions, you are entitled to LSBU enhanced maternity pay as follows:

- 20 weeks’ full pay (this includes your entitlement to 6 weeks’ SMP at the 90% rate)
- 19 weeks’ standard rate Statutory Maternity Pay³ (or 90% of your average weekly earnings whichever is lower)
- 13 weeks’ unpaid leave

Maternity Allowance

If you are not entitled to statutory maternity pay you may be entitled to claim maternity allowance directly from the government. LSBU will provide you with an SMP1 form to allow you to make a claim for maternity allowance.

Timing your maternity leave

You can choose to start your maternity leave as early as the 11th week before your EWC or work right up to the EWC, provided you feel comfortable to do this.

³ Government every April reviews statutory maternity rates and any increase is made in line with the consumer price index. The current rates are published on OurLSBU.

If you change your mind about the date on which you want to start your maternity leave, you must give us at least 28 days written notice – or as much notice as is reasonably practical – of the new date.

If your baby is born before your maternity leave is due to start, your maternity leave will automatically start the day after the birth.

If you are absent due to illness during your pregnancy then LSBU sickness absence policy will apply. However, if you are absent from work for a pregnancy related illness in the four weeks’ before your EWC, your maternity leave will automatically start of the date after the illness.

We will write to you to confirm the new maternity leave start and end dates.

Benefits during maternity leave

During ordinary maternity leave and additional maternity leave, you will continue to receive all contractual entitlements except your normal pay. Your salary will be replaced by statutory maternity pay if you are eligible for it.

You will continue to accrue contractual holiday entitlement and LSBU will continue to make employer pension contributions during your paid maternity leave if you are a member of the scheme. Pension arrangements during any period of unpaid leave will be dependent upon the rules of your pension scheme. Further advice is available from the Pensions Administrator, in the Payroll Team.

Maintaining Contact

While you are away on maternity leave you need to remember to let us know if you plan to return to work before your statutory maternity leave period of 52 weeks’. Please give your manager at least eight weeks’ written notice of the date you intend to return.

It's important that you are able to stay up-to-date with developments and changes at LSBU during your maternity leave. You may find it helpful to agree with your line manager the type and level of contact you would like to maintain before you start your maternity leave.

Keeping-in-touch days

You may, with the agreement of your manager, choose to come into work for up to ten days during your maternity leave period, without this bringing your maternity leave to an end. These are known as "keeping-in touch days" or KIT days.

KIT days can be used for keeping in touch with your team, attending training or key meetings and can help you to adjust to being back at work before your official return date. KIT days must be used during your maternity leave period; they cannot be used to extend your maternity leave. KIT days are paid at your normal rate of pay, less any maternity pay you are receiving.

Can I return sooner?

If you decide to return to work before the end of your 52 week maternity leave period, you must give us at least eight weeks' notice in writing of the new return date. You must take at least weeks' maternity leave after the birth of your baby.

Can I return later than planned?

You cannot take more than 52 weeks' maternity leave from the date on which your leave started. You can, with your manager's agreement, take any accrued holiday after your maternity leave, or take a period of unpaid parental leave.

If you do not return to work on your agreed date, and fail to notify us of the reason, this will be treated as unauthorised absence, for which you

will not be paid and which may be considered under LSBU's disciplinary procedure.

Dealing with a loss

A miscarriage, stillbirth or death of a child following birth is a traumatic experience and should this happen our priority is to provide support and assistance to you and your family.

If you suffer a miscarriage, stillbirth or give birth and your baby dies before the start of the 24th week of pregnancy (i.e. you are in week 23 or earlier), you will not be legally entitled to maternity leave or maternity pay. However, you will be entitled to paid sick leave in line with LSBU's sick pay policy.

If you suffer a miscarriage, stillbirth or give birth and your baby dies after the start of the 24th week of pregnancy you will be entitled to take your maternity leave and receive maternity pay.

Illness and sickness during maternity leave

If you are ill or injured during your maternity leave you should notify your line manager. You may choose to end your maternity leave and move to sick leave. Please contact HR for further advice on your options.

If at the end of your maternity leave you are unwell and unable to return to work then LSBU's Sickness Absence Policy and Sick Pay Provisions will apply.

Return from maternity leave

We appreciate that some staff may feel apprehensive about returning to work having been away for a period of time. This section explains the support we can offer to help you adjust and the options available to you.

Unless you tell us otherwise, we will assume that you will return to work after 52 weeks' maternity leave. If this is the case you don't need to notify us of your return date.

You have the right to return to the same job, unless:

- You have taken a period of Additional Maternity Leave and it is not practical for you to return to the same role, in which case you will be able to return to a similar job with the same or better status and terms and condition
- A redundancy situation arises during your maternity leave. If this happens we will contact you to consult with you about the potential redundancy situation and any suitable alternative roles

Flexible working

LSBU supports flexible working arrangements wherever they can be accommodated. If you wish to return on a flexible basis, you should make a request as far in advance as possible and preferably three months before you expect to return. This will give your line manager time to consider whether your request can be accommodated. Details of how to apply for flexible working are available on OurLSBU or from the HR Service Desk.

Once you have submitted your request your line manager will meet with you to discuss it. HR may also be involved to provide guidance on the process. Whilst LSBU is not obliged to agree your request wherever possible our aim is to accommodate your request. If we are unable to achieve this we may suggest alternative arrangements or we will support you to search for an alternative role.

Breastfeeding

If you are breastfeeding when you return to work you will be allowed reasonable flexibility in your working hours and rest breaks to use the breastfeeding facilities.

Please contact the Estates Service Desk for information about the room available for staff who are breastfeeding.

Resigning at the end of maternity leave

If you decide not to return to work after your maternity leave you should submit your resignation in writing to your line manager, giving the notice required by your contract.

Other Sources of Support

If you need help, guidance or information during your maternity leave here are some sources of support available to staff at any time:

- HR Service Desk
- Your trade union representative
- Employee Assistance Programme – which offers free confidential counselling, information and advice 24 hours a day

Phone: 0800 882 4102

Website: www.pamassist.co.uk

Username: LSBUEAP

Password: LSBU1

- LSBU Dignity at Work Advisers
- Equality and Diversity Team

Notes

1. Entitlement to 20 weeks' full pay includes any entitlement to statutory maternity pay.
2. If your conditions of service have been preserved following a TUPE transfer, you should contact the HR Service Desk for details of your maternity pay entitlement.



HR Service Desk:
hrsd@lsbu.ac.uk