

MATERNITY LEAVE GUIDE

This Guide includes useful information that all pregnant employees will need to know and explains the various entitlements and requirements in a clear step by step approach.

1 INTRODUCTION

- 1.1** Preparing for a new child although exciting can be a very hectic time. The purpose of this guide is to provide guidance regarding maternity rights, leave and pay and give some clarity as to the process you will need to follow.
- 1.2** This guide will explain your legal rights, benefits and obligations as well as the Royal Veterinary College's policy and procedures, however, these may be subject to change.
- 1.3** This guide is for information only. It is not a complete or authoritative statement of the law, nor does it form part of your contract of employment.
- 1.4** Human Resources can provide advice and information about any of the issues detailed in this guide including assistance in working out entitlements and dates. Appendix A, ['Maternity Checklist'](#) is a document which you may find helpful when thinking about what needs to be done.

2 HEALTH AND SAFETY

2.1 Informing your Manager and Human Resources

It is essential that you let your manager know as soon as your pregnancy is confirmed, as the College cannot take any protective steps to ensure the health and safety of you and your baby unless we know you are pregnant.

- 2.2** You will also need to arrange a meeting with a member of Human Resources as soon as possible to discuss your entitlements and the notification procedure. It is important at this meeting that you make sure your next of kin details are accurate and correct in case they are needed in an emergency. It is also advisable to let your line manager have this information.

3 RISK ASSESSMENT

- 3.1** The Health and Safety of you and your unborn child are important to the College. The following information is in place to protect you:
- 3.2** Once you have informed your line manager of your pregnancy they will then need to carry out a risk assessment of your position in relation to hazards associated with your work. During your pregnancy you will be required to carry out your duties in your normal area of work unless it has been demonstrated through a risk assessment that it is unsafe for you to do so. For further advice on conducting a risk assessment please contact the [Corporate Health and Safety](#) office. If any potential risks are identified the Corporate Health and Safety office in conjunction with Occupational Health will advise on any safeguards which need to be put in place.

- 3.3** Where risks are identified, the College will ensure that you are not involved in any activity which could possibly jeopardise your health and safety or that of your baby. This may include making temporary adjustments to your job or offering you suitable alternative employment for a period of time on terms and conditions no less favourable than your current ones. However, should no suitable employment be available, then you may be suspended on full pay. It is important that you as an individual also take responsibility for assessing your own work environment in relation to potential risks and that you communicate any concerns you may have to your line manager.
- 3.4** You should also read, '[Pregnancy and New Mothers](#)' which can be found on the Health and Safety website. Further useful information for new and expectant mothers can be found on the [HSE website](#).
- 3.5** By law, you are not permitted to work for 2 weeks after the birth of your child. This is for health and safety reasons, and forms part of the Ordinary Maternity Leave period to which you are entitled.

4 NOTIFICATION PROCEDURE FOR TAKING MATERNITY LEAVE

- 4.1** You should discuss your proposed leave dates with your manager at the earliest possible stage, so that they have as much time as possible to take appropriate action to cover your work during your absence.
- 4.2** The earliest date you can start your maternity leave is the beginning of the 11th week before your baby is expected (unless your child is born before that date in which case it will commence earlier). However, in order to qualify for maternity leave, you must tell your line manager by the 15th week before your Expected Week of Childbirth (EWC) that:
- You are pregnant;
 - Your expected week of childbirth;
 - The date on which you intend to start your maternity leave; and
 - Whether you intend to return to work after your leave entitlement.
- 4.3** In order to assist you in fulfilling your notification obligations, the College has an '[Application form for Maternity Leave and Pay](#)' (Appendix B) which you will need to complete and return to Human Resources before the 15th week before your EWC. On receipt of this form (or letter of notification) Human Resources will write to you (within 28 days) to confirm the date on which the College expects you to commence maternity leave and the date you are expected to return to work.
- 4.4** You are able to change the date when you want your maternity leave to start, however, you must give Human Resources and your manager at least 28 days' notice of the new date (unless this is not reasonably practicable).
- 4.5** At around 20 weeks before your EWC your midwife or GP will issue you with a maternity certificate which is referred to as a MATB1 certificate. In order to receive Statutory Maternity Pay (SMP) it is essential that you forward this to Human Resources as soon as you receive it. SMP cannot be paid without receipt of this certificate; a copy cannot be accepted.
- 4.6** Failure to comply with the above requirements may affect your right to receive maternity pay and to start maternity leave on your intended start date.

5 TIME OFF FOR ANTENATAL CARE

- 5.1** All pregnant employees, regardless of the length of service or hours worked, have a legal right to paid time off for antenatal appointments with their midwife, doctor etc.
- 5.2** Please notify your manager as soon as possible of ante-natal appointments and try to arrange them as near to the start or end of the working day as possible. Please note that your manager may ask you to re-arrange your appointment if they think it is reasonable to do so. You will need to produce your ante-natal appointment card if requested to do so by your manager.
- 5.3** An expectant father or the partner (including same sex) of a pregnant woman is entitled to take time off work to accompany the woman to up to two of her ante-natal appointments. Please see [‘Time off for ante-natal appointments – father/partner’](#) for further information.

6 ARRANGING YOUR MATERNITY LEAVE START DATE

- 6.1** The earliest you can normally start your leave is at the 11th week before the EWC.
- 6.2** Provided you are in good health, you may continue to work up to the actual date of birth without losing any rights to maternity pay or leave. If you decide that you would like to work up to the date of birth we suggest that you first take medical advice from your GP and provide a letter to the College confirming it is safe to do so.

7 COMPULSORY MATERNITY LEAVE

7.1 Immediately after the Birth

All pregnant women must take the first two weeks after the birth of their baby as maternity leave. This is compulsory for health and safety reasons.

7.2 Premature Birth of your Baby

Childbirth will automatically trigger the start of maternity leave, even if the birth occurs before the originally notified date of commencing maternity leave. In this case your maternity leave will start from the day after the date of birth.

- 7.3** You should notify your manager of the actual date of birth, and liaise with them and Human Resources regarding leave arrangements as soon as is reasonably practicable.

7.4 Pregnancy Related Sickness

If you go off sick for a pregnancy related reason on or after the beginning of the 4th week before the EWC, your maternity leave will automatically start from the day after the first day of absence. This is regardless of when you actually want the maternity leave to start.

- 7.5** If you go off sick for a pregnancy related reason prior to the 4th week before the EWC, normal sickness absence provision will apply up until the beginning of the 4th week. Maternity leave will start at the beginning of the 4th week, or on your notified start date if this is earlier.

7.6 Non Pregnancy Related Sickness

If you are absent before the notified start date of your maternity leave for a medical reason certified as being unrelated to pregnancy, you may take sick leave and receive the normal sickness absence provision until your maternity leave starts on your notified date. The normal reporting procedures will apply.

8 MATERNITY LEAVE

8.1 All pregnant employees, regardless of length of service, are entitled:

- To take 52 weeks' unpaid Maternity Leave, and
- To return to their original job (or, if this is not reasonably practicable, to a suitable alternative job).

8.2 During Ordinary and Additional Maternity Leave, you are entitled to benefit from all your normal terms and conditions of employment except for remuneration (i.e. monetary wages or salary).

8.3 Entitlement to Maternity Pay during Maternity Leave is dependent upon your length of continuous service with the College.

9 MATERNITY PAY

9.1 Entitlement to be paid Statutory Maternity Pay (SMP) and also Occupational Maternity Pay (OMP) is determined by your continuous length of service with the College as at the 15th week before your (EWC).

9.2 For women with one year's paid continuous employment with the College by the beginning of the 15th week before the EWC who intend to return to work

9.3 If you satisfy this service condition and intend to return to work following your maternity leave then you will be entitled to maternity pay as follows:

Weeks	Entitlement
1-8	Full pay (inclusive of SMP, see section 11)
9-26	50% of full pay. Plus standard rate of SMP (However, if these two amounts add up to more than your normal full pay, your pay will be reduced so that you do not receive more than your normal full pay)
27-39	Standard rate of SMP only.
40-52	Unpaid

9.4 Please note that if you subsequently decide not to return to work, or do so for less than three months, you will be required to repay your OMP.

9.5 For women with between 26 weeks' and 52 weeks' paid continuous employment with the College by the beginning of the 15th week before the expected week of childbirth, or women with more than one year's continuous employment with the College but who do not intend to return to work

- 9.6** If you fall into one of these categories then you will be entitled to receive SMP. SMP is payable for up to 39 weeks, regardless of whether or not you intend to return to work.

Weeks	Entitlement
1-6	Higher rate of SMP (this is equivalent to 90% of your average weekly earnings)
7-39	Standard rate of SMP.
40-52	Unpaid

See section 11 below for details of SMP including eligibility criteria.

- 9.7** For women with less than 26 weeks' continuous employment with the College by the beginning of the 15th week before the expected week of childbirth

Weeks	Entitlement
1-52	Unpaid

- 9.8** Although you are not eligible to SMP, you may be entitled to Maternity Allowance (MA) for up to 39 weeks. This allowance is paid direct by Jobcentre Plus. See section 12 below for more details.

10 PROBLEMS WITH YOUR PREGNANCY

- 10.1** Should you unfortunately experience any problems with your pregnancy, then both Occupational Health and Human Resources should be consulted for advice and support. Human Resources can also advise on the impact of any entitlements to leave/pay previously notified.
- 10.2** If you suffer a miscarriage earlier than the 29th week of your pregnancy, normal sickness provision will apply.
- 10.3** If your baby is stillborn after the 29th week of your pregnancy, you will be entitled to your full Statutory and Occupational Maternity Leave and benefits.
- 10.4** The College, in partnership with 'Care First', offers a counselling and advisory service which some staff may wish to use if they have experienced a miscarriage or still birth. To use the service ring 0800 174 319 (freephone), and quote "Royal Vet College". Alternatively, you can contact Human Resources for more information about this service.

11 STATUTORY BENEFITS

11.1 Statutory Maternity Pay

SMP is payable to all employees who are pregnant or who have just given birth.
To be eligible:

- You must have worked for the College for a continuous period of at least 26 weeks ending with the 15th week before the EWC (the qualifying week);
- Your average weekly earnings in the eight weeks up to and including the qualifying week have been at least equal to the lower earnings limit for National Insurance contributions;
- You are still pregnant 11 weeks before the start of the expected week of childbirth, or have already given birth;
- You provide a MAT B1 form stating your expected week of childbirth;

- You give the College proper notification of your pregnancy in accordance with the rules set out above.

11.2 Rates of SMP

[SMP is paid](#) at the following rates:

- First 6 weeks of Maternity Leave – 90% of average weekly earnings
- Next 33 weeks of Maternity Leave – Basic SMP (or 90% of average weekly earnings if less than basic SMP)

12 MATERNITY ALLOWANCE

12.1 Women who do not qualify for SMP, may qualify for MA, which is based on their recent employment and earnings record and is a state benefit which may be payable for 39 weeks.

12.2 MA is a benefit paid weekly by Jobcentre Plus.

To qualify for MA:

- you must be employed but not qualify for SMP, or be self-employed or recently employed;
- you must have paid at least 26 weeks national insurance full rate employed or self-employed contributions in the 66 week period running up to and including the week before the baby is due;
- you must have earned at least a specified amount per week on average in any 13 weeks in the 'test' period.

To claim MA, you must complete and return form [MA1 to Jobcentre Plus](#) on or after the 14th week before the week the baby is due. You should also write to Human Resources enclosing your MATB1 Certificate and you will then be issued a SMP1 form detailing the reasons why SMP cannot be paid. The completed SMP1 form should be taken to Jobcentre Plus together with the MATB1 certificate.

13 WHILST ON MATERNITY LEAVE

13.1 Your contract of employment continues (unless you have a contract that was due to expire during your maternity leave) and maternity payments will be credited to your account on the last working day of every month. However as maternity pay is calculated in weeks rather than months, you may notice a slight variation in your pay.

13.2 Your payslips will be e-mailed to you in the normal way whilst you are on maternity leave. If you wish to change the e-mail address to which your payslips are sent, you can do so by logging on to the [MyHR ESS system](#).

13.3 You will continue to be eligible to be considered for opportunities such as promotion that occur during your maternity leave; you may wish to ask a colleague to keep you in touch with events in your absence.

13.4 Your contract of employment continues whilst you are on maternity leave and in line with your contract of employment you are precluded from undertaking paid work outside the College except under conditions approved by your Head of Department.

14 ANNUAL LEAVE

14.1 You will accrue contractual annual leave during both your 26 weeks Ordinary and 26 weeks Additional Maternity Leave period. Leave entitlement is calculated according to the number of calendar months which fall between the beginning of the leave year and the end of your maternity leave.

14.2 You should where possible take all your leave entitlement prior to going on maternity leave. You may lose any leave not taken before the end of the leave year.

15 KEEPING IN TOUCH DAYS

15.1 You may carry out up to 10 days' work for the College during your maternity leave period without bringing your maternity leave to an end.

15.2 The purpose of this provision is to allow you to 'keep in touch' with the College. Work includes any work done under the contract of employment and may include training or any activity aimed at keeping in touch. Any work carried out on a day will count towards one days' work. This means that if you come into work for a one hour team meeting you will only get paid for the one hour but it will constitute as one of the 10 days available. However, reasonable contact from time to time during maternity leave, for example to discuss the employee's return to work, does not bring the maternity leave period to an end.

15.3 A 'keeping in touch' day must not take place during the two weeks following the birth of your child.

15.4 There is no obligation for you to take part in a 'keeping in touch' day, nor is there any obligation on the College to provide them.

15.5 Although a keeping in touch day is paid – any payment received will be inclusive of any Statutory or Occupational Pay entitlement. A keeping in touch day payment is not in addition to any Occupational or Statutory Payment.

16 PENSION

16.1 If you contribute into one of the College's Pension Schemes, the College will continue to pay its contributions during your paid maternity leave. While you are on paid maternity leave, contributions will be deducted from your salary as normal.

16.2 During any period of additional unpaid leave, your pension will be suspended. On your return to work you may elect, with the College's agreement, to pay additional contributions to make up your pensionable service. For further information please contact Human Resources.

17 RETURNING TO WORK

17.1 You will have been given written notification of your expected date of return to work by Human Resources prior to the commencement of your maternity leave. This is the date that you will be expected to return to work unless you seek to vary the date. You are requested to contact your line manager at least one month in advance of your return to discuss the arrangements for your return.

17.2 If you want to return **before** the end of your maternity leave period or change your original return to work date, you are required to give the College 8 weeks' notice of the date that you want to return. This should be sent to Human Resources and your line manager.

- 17.3** If you comply with the requirements above you are entitled to return to the same job on the same terms and conditions as if you had not been absent. Or, if not reasonably practical, to a very similar job.

18 SICKNESS DURING YOUR MATERNITY LEAVE

- 18.1** If you fall ill before the end of your maternity leave, and are unable to return to work on your notified date of return, you must inform your line manager immediately, in accordance with normal sickness absence reporting procedures and submit either a self-certificate or medical certificate. The certificate should cover your absence from the date you were due to start work. You will be entitled to sick leave and pay as normal from your notified date of return.

19 REDUNDANCY

- 19.1** During your maternity leave you retain all your statutory rights in respect of redundancy, including the right to your contractual notice period.
- 19.2** If there is a need for reorganisation during your maternity leave the College's [Redundancy Procedure](#) will be followed and you will be given the opportunity to be included in any consultation that is taking place over the proposed redundancies/changes and how they are to be implemented.
- 19.3** If, after the formal consultation process has been followed, you are selected for proposed redundancy, you will be given a written invitation to a meeting at which you may be accompanied (by a trade union representative or a workplace colleague) and, if appropriate, given an opportunity to appeal. If you were to be given notice of redundancy whilst on maternity leave, the College will endeavour to offer you any suitable alternative vacancy that exists.
- 19.4** 'Suitable' in this context generally means work that would be appropriate for you to do, and is on terms and conditions not substantially less favourable than those under your current contract. If no suitable alternative job exists at the time that your role is made redundant, you will be entitled to notice of termination of employment as specified in the Redundancy Procedure.
- 19.5** If you are selected for redundancy your entitlement to OMP will cease on the date your employment is terminated. You will still be entitled to your SMP. If you are made redundant you will not be required to repay OMP unless you unreasonably refuse an offer of suitable alternative employment.

20 CHANGING WORKING PATTERN (FLEXIBLE WORKING)

- 20.1** Flexible working is a provision that can enable you to adjust, by agreement with your line manager, the balance between your home and work responsibilities, subject to operational and business needs. For further details on eligibility and the procedure for applying for flexible working please refer to the ['Flexible Working Guide'](#). This can be found on the HR website.

21 FLEXIBLE WORKING – HOW IT AFFECTS YOUR OCCUPATIONAL PAY

- 21.1** If you return back to work following your maternity leave for a minimum of 3 months you will not be required to pay back any of your Maternity Pay. If you return back to work on reduced hours the length of time you will be expected to work in order to avoid having to pay back OMP will be increased in proportion to your new contractual hours.

21.2 For example if you were working full time before your maternity leave but then returned back to work on a 50% contract you would need to work for 6 months in order to avoid having to pay back any OMP.

22 SHARED PARENTAL LEAVE

22.1 [Shared Parental Leave](#) (SPL) provides both parents with the opportunity to take advantage of additional flexibility in the way they choose to care for a new arrival to the family. SPL will enable an eligible mother/adopter to end their maternity/adoption leave and pay early and allow them and their partner to share the remainder of the maternity/adoption leave and pay in order to care for their child, thus providing both parents with the opportunity to combine work and caring responsibilities in the year following birth or adoption.

23 CHILDCARE VOUCHERS

23.1 The RVC Childcare Voucher Scheme, administered by the RVC, is now closed and we are unable to accept any new entrants to the scheme.
You may still be entitled to tax free childcare which is now administered directly through the Government website – <https://www.childcarechoices.gov.uk/>. On this website, you will be able to check your eligibility, make an application and will find lots more information on help available for paying for childcare.

If you are currently in the Edenred scheme, you can stay in it so long as you remain employed by the RVC and do not take an unpaid career break of longer than a year.

24 IF YOU DECIDE NOT TO RETURN TO WORK OR LEAVE AFTER RETURNING

24.1 If you have notified the College that you will be returning to work, but subsequently decide not to, you will be required to pay back the OMP paid to you by the College. You will not be required to pay back any SMP which you have received. You will also be asked to repay your OMP, if you leave within 3 months of returning to work. (See additional conditions at section 21).

24.2 If you decide not to return to work, you are required to give the appropriate notice as specified in your contract of employment.

25 CONTINUATION OF SERVICE

25.1 Absence on maternity leave, whether paid or unpaid will count as service with the College, and will be taken into account when calculating any entitlements based on length of service.