



Staff maternity, paternity and parental leave handbook

(2018–2019)



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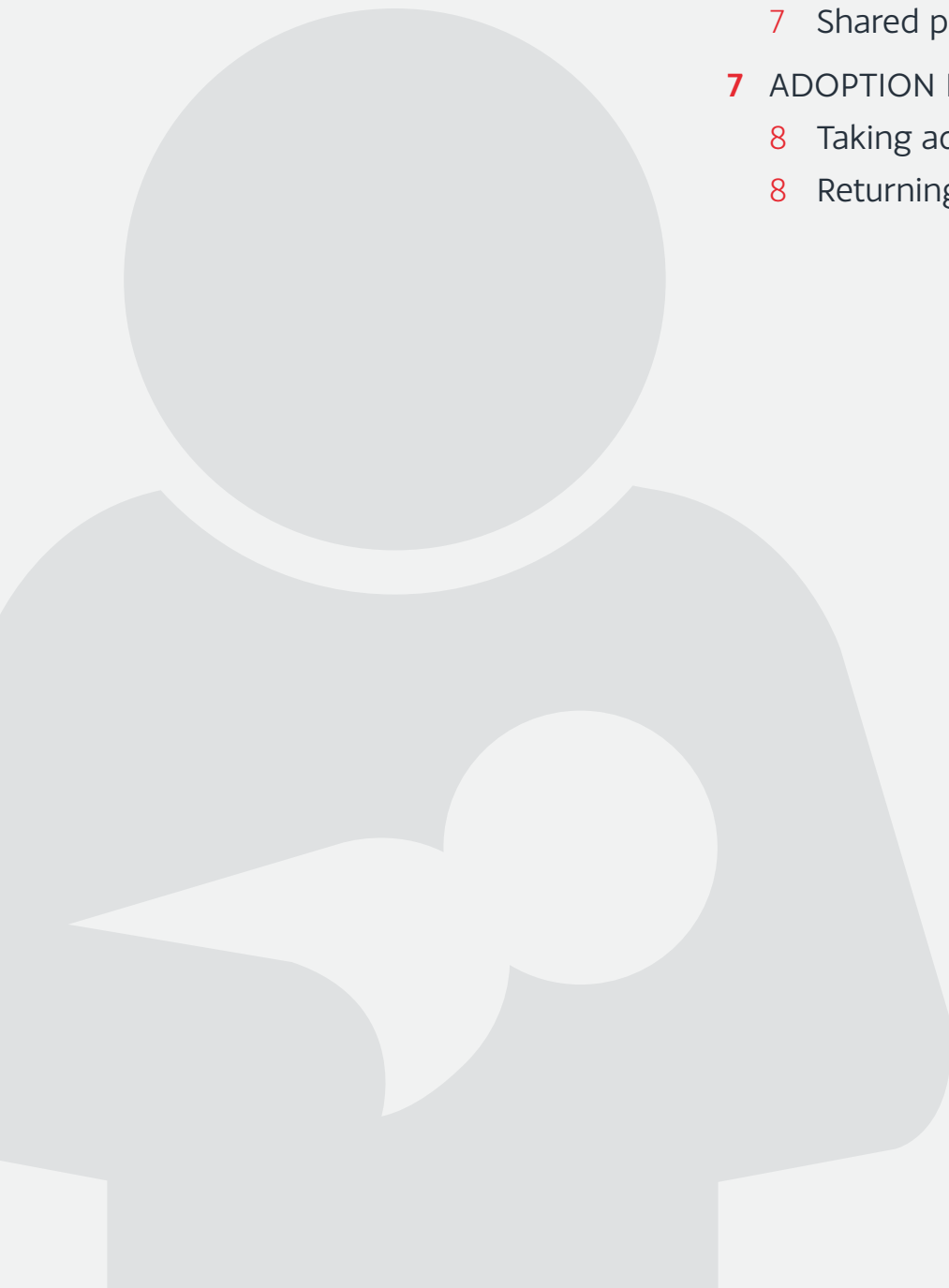
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Maternity Leave

As a staff member at the University of York, you are entitled to 52 weeks' maternity leave. However, the level of maternity pay will depend on how long you have been working at the University.

You are entitled to attend antenatal appointments during work hours, but the Department can support you in arranging these so they have the least impact on your work.

As a University rule, you must take at least two weeks off following after the birth of your child.

In the case that you prefer not to all of the maternity leave/pay that you are entitled to, your partner may be able to take the rest.

HOW TO TAKE MATERNITY LEAVE

As soon as you feel comfortable, you should inform your Head of Department (HoD) about your pregnancy. They will hold a meeting with you to discuss your needs in terms of maternity leave and support and carry out [a risk assessment](#). The HoD will ensure that cover is in place well before the period of leave, and will have a formal discussion with you on planning for leave, particularly about what support may be necessary and if any adaptation can be helpful on your return from maternity leave. Moreover, the HoD will hold some pre-maternity leave meetings with you to discuss how to plan for workloads if circumstances change.

You can start your maternity leave whenever you want from the 30th week of your pregnancy. In the case your baby is born before your leave is supposed to start, you will have to start your maternity leave on the day after the birth.

In the case you are off sick with a pregnancy-related illness during the last four weeks of pregnancy, your maternity leave will have to start at that point.

A complete [maternity application form](#) should be completed when you have your MATB1 certificate (normally given to you after your 20-week scan) and know when you want to start your leave. You should return the application by the 24th week of your pregnancy.

SERVICE AT DUE DATE

More than 52 weeks

LEAVE

Up to 52 weeks

PAY

18 weeks of full pay, then 21 weeks of Statutory Maternity Pay (SMP) or 90% pay (whichever is less), then up to 13 weeks unpaid

SERVICE AT DUE DATE

40 – 52 weeks

LEAVE

Up to 52 weeks

PAY

6 weeks at 90% pay, then 33 weeks of SMP, then up to 13 weeks unpaid

SERVICE AT DUE DATE

Less than 40 weeks

LEAVE

Up to 52 weeks

PAY

You may be able to claim Maternity Allowance

DURING YOUR LEAVE

The HoD will maintain informal contact with you on during the leave. Informal contact will be made by ensuring not to create undue pressure on you, but negotiating with you how much contact you will require. In particular, if you request them, you will be offered up to ten Keeping In Touch (KIT) days. KIT days are paid days of work where you come to the office to be in touch with your colleagues and know what it is new in the Department. They do not affect your maternity benefits.

Your maternity leave does not affect your service as an employee. You will receive any normal pay increments and accrue annual leave during this time. You cannot, however, take annual leave while you are on maternity leave.

If you are a member of the USS or University of York Pension schemes, you will have your pension contributions made for you while you receive Occupational or Statutory Maternity Pay. However, if you take unpaid maternity leave, your active membership of these schemes is 'suspended'. Although that period will not count as pensionable service, benefits will still be paid in the event of death or ill-health retirement.

RETURNING TO WORK

As a policy, you will return to the same job in which you were employed prior to maternity leave, on the same terms and conditions of employment. Closer to the return to work date, the Departmental Manager will meet you, in your home if easier, or at the workplace, to discuss your return to work, including any request for *flexible working arrangements*. The Department is committed to give sympathetic consideration to all requests from full time members of staff who wish to return to work on a part time basis after maternity leave. At the same time, the Department also aims to ensure that if you want to return to full time work, you will be adequately supported.

You will have to inform your HoD about your intention to finish your maternity leave, with at least eight weeks' notice, by completing and returning *this form* to them. Upon return to work, the HoD will carry out a further risk assessment when you return to work if you are breastfeeding.

As further options to support you after the end of your maternity leave, you will be offered three possibilities:

1. one term of automatic research leave;
2. two terms with reduced teaching load;
3. research assistance for one term (subject to funding)

The Department also offers you the opportunity to have a mentor who can give you support in planning for the next steps in your career and adjusting to the new circumstances on your return from maternity leave.

Paternity leave

You are entitled to two weeks of paternity leave.

To apply, you must fill in [a paternity leave form](#) and send it to hr-enquiries@york.ac.uk or by internal mail to HR Services, Heslington Hall. You should also give a copy to the Departmental Manager.

You are encouraged to discuss with the HoD your paternity leave so as to explore alternative opportunities to take time off.

WEEK	PAY
First week	Full pay
Second week	If you have at least 26 weeks' service, you get Ordinary Statutory Paternity Pay or 90% of your normal earnings (whichever is less)

Shared parental leave

To support families, the Department and the University have in place both Shared Parental Leave and Shared Parental Pay. These policies offer parents more flexibility in the ways they share the care of their child in the first year following birth or adoption. Parents are able to share a chunk of leave, and can decide to be on leave at the same time and/or take it in turns to look after the child.

In this way, the mother can end her Maternity Leave and Pay at a future date, and share the untaken balance of leave and pay as Shared Parental Leave and Pay with her partner, or she can return to work early from Maternity Leave and choose Shared Parental Leave and Pay at a later date.

The University gives an inclusive definition of "partners", which include " father of the child, or the person who, at the date of the child's birth, is married to, the civil partner of, or the partner of the mother. This includes someone, of either sex, who lives with the mother and the child in an enduring family relationship but who is not the mother's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

You can apply for a Shared Parental Leave if you are the mother or the partner. If you are the mother, your partner must submit any notification to take Shared Parental Leave to their employer should they decide to take it. If you are the partner, the mother must notify her employer should she wanted to opt for Shared Parental Leave. If both of you are members

of the Department, you both fall under the University's regulations.

The Department is committed to support staff members who decide to share their parental leave. You should get in touch with the HoD and the Departmental Manager to inform them about your decision and/or discuss with them your options. Below you can find some more general information about eligibility and notification. You should consult the [University Policy on Shared Parental Leave](#) for further information

ELIGIBILITY

If you are the mother, you are eligible for Shared Parental Leave (ShPL) if you:

- Have a minimum of 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remain in continuous employment with the organisation until the week before any period of ShPL that you take;
- Have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
- Are entitled to Statutory Maternity Leave (SML) in respect of the child; and
- Comply with the relevant Maternity Leave curtailment requirements (or has returned to work before the end of Statutory Maternity Leave), and ShPL notice and evidence requirements.

- Your partner must:
 - have been employed or been a self-employed earner in at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
 - Have average weekly earnings of at least the Maternity Allowance (MA) threshold [currently £30] for any 13 of those 66 weeks; and
 - Have, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child.

Your partner is eligible for ShPL if they:

- Have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with the organisation until the week before any period of ShPL that they take;
- Have, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child; and
- Comply with the relevant ShPL notice and evidence requirements.
- In addition, for the partner to be eligible for ShPL, the mother must:
 - Have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the EWC;
 - Have average weekly earnings of at least the Maternity Allowance (MA) threshold [currently £30] for any 13 of those 66 weeks;
 - Have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
 - He entitled to Statutory Maternity Leave (SML), Statutory Maternity Pay (SMP) or Maternity Allowance (MA) in respect of the child; and
 - Homply with the relevant Maternity Leave or Pay curtailment requirements (or have returned to work before the end of SML).

NOTIFICATION OF ENTITLEMENT TO SHARED PARENTAL LEAVE AND NOTICE OF LEAVE

Parents can choose to opt into ShPL at any time before the 51st week after the child is born, as long as there is some untaken Maternity or Adoption Leave to share.

If you opt for ShPL, you must notify the University of your entitlement to ShPL and must book the leave giving at least 8 weeks' notice. If you are eligible for ShPL, you may give up to 3 separate notices. Each notice may be for a block of leave, or the notice may be for a pattern of discontinuous leave involving different periods of leave. Discontinuous periods of leave involve taking a period of leave, returning to work for a period before taking a further period of leave. Although there is no entitlement to discontinuous periods of leave, the HoD is very positively disposed to considering any request and trying to support you, should you be interested in this option.

If you want to take ShPL, you will have to fill in a series of forms. You can find detailed information about what you need to submit in the [University's Shared Parental Leave Policy](#).

SHARED PARENTAL PAY

Statutory Shared Parental Pay (SShPP) is payable for a maximum of 39 weeks. Since the mother must take 2 weeks at the outset, a couple has 37 weeks that they can share between them, in which they may be eligible for ShPP. You can find further information [here](#).

Adoption leave

The Department is committed to supporting staff members who decide to adopt a child in taking up some leave and upon their return to work.

If you are adopting a child, you are entitled to up to 52 weeks' adoption leave. Your level of adoption pay will depend on how long you have been working for the University.

SERVICE AT THE START OF THE LEAVE	PAY
More than 52 weeks	18 weeks of full pay (Occupational Adoption Pay) then 21 weeks Statutory Adoption Pay or 90% of your average earnings (whichever is less) then 13 weeks unpaid
Between 26 and 52 weeks	6 weeks at 90% of your average earnings then 33 weeks Statutory Adoption Pay or 90% of your average earnings (whichever is less) then 13 weeks unpaid

If you do not qualify for Statutory Adoption Pay, you are still entitled to 52 weeks leave.

If you do not take all of the adoption leave or pay that you are entitled to, you may share the remaining leave and pay under the [University's Shared Parental Leave policy](#).

TAKING ADOPTION LEAVE

You should discuss your intention to take adoption leave with the HoD and the Departmental manager. Discussion will be confidential and conducted in the less intrusive way as possible.

The University's policy asks you to give notice of your intention to take adoption leave within seven days of being matched with a child by completing an Application form on the [Human Resources' website](#).

You can begin your adoption leave up to two weeks before the child is placed with you.

After the receipt of your application, Human Resources will write within 28 days to confirm details of your leave.

RETURNING TO WORK

You can return to work any time after two weeks after the child has been placed in your care. However, you should give the University at least eight weeks' notice.

You should inform the HoD and the Departmental Manager that you wish to return to work by completing [the return to work form](#) at least eight weeks before your return.

Inform your manager of your intent to return to work by completing the return to work form at least eight weeks before your return to work.

If you take at least three months of adoption leave, you will be offered three possibilities to facilitate your return to work:

1. one term of automatic research leave;
2. two terms with reduced teaching load;
3. research assistance for one term (subject to funding)

The Department also offers you the opportunity to have a mentor who can give you support in planning for the next steps in your career and adjusting to the new circumstances on your return from adoption leave.



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