



UNIVERSITY OF  
LINCOLN

***Supporting New and Expectant Families Policy and Procedure  
(Maternity, Paternity, Adoption (inc. Surrogacy) & Shared Parental Leave)***

**Contents**

<b>Section</b>	<b>Title</b>	<b>Page/s</b>
1	Purpose	3
2	Scope	3
<b>Section 1</b>	<b>Maternity</b>	4-12
3	Time Off for Antenatal Care	4
4	Statutory: Maternity Leave (Time Off)	4-5
5	Statutory Maternity Pay (SMP)	5-6
6	Occupational Maternity Pay (OMP)	6-8
7	Process Of Notification	9
8	Return To Work	9-11
9	Protection from exposure to risk in the workplace...	11
10	'Keeping in Touch' (KIT) Days	11-12
<b>Section 2</b>	<b>Paternity (Support for Maternity)</b>	13-15
11	Time Off To Attend Antenatal Care With The Expectant Mother	13
12	Paternity Criteria	13-14
13	Procedure for Leave	15
<b>Section 3</b>	<b>Adoption Leave Main Adopter (Inclusive of Surrogacy)</b>	16-19
14	Time off to attend Adoption Appointments	16
15	Statutory Adoption Leave (time off)	16

16	Adoption Leave Provisions and Pay	17-18
17	Procedure for Leave	18-19
<b>Section 4</b>	<b>Shared Parental Leave</b>	20-27
18	Shared Parental Leave	20-21
19	Eligibility for Shared Parental Leave	21
20	Amount of Shared Parental Leave (SPL)	22
21	Ending Maternity Leave or Adoption Leave and Opting into Shared Parental	22-23
22	Evidence of Entitlement	24
23	Process of Notification of your SPL and Shared Parental Pay Dates	24
24	Procedure for Requesting Split Periods of SPL	24-25
25	Changing the Dates or Cancelling your SPL	25-26
26	Shared Parental Pay	26
27	Returning To Work	26-27
28	Shared Parental Leave In Touch (Split) Days	27
<b>Section 5</b>	<b>Overall Benefits and Entitlement During Periods of Maternity/Paternity/Adoption and Shared Parental Leave</b>	28-32
29	Annual Leave	28
30	Bank Holidays and Concessionary Days	28
31	Pay Increases	28
32	Pension	28-31
33	Family Friendly Provisions	32

## 1. Purpose

1.1 The University wishes to support its employees in balancing work and family life.

1.2 The aim of this policy is to encourage employees who are pregnant or are an expectant parent through birth or adoption, to take enough time off work to adjust to having a baby/child; to spend time getting to know their baby/child. It also includes the provision to look after the health of both baby and mother in the weeks following the birth.

## 2. Scope

This policy provides information relating to Maternity, Paternity, Adoption (Inc. Surrogacy) and Shared Parental leave and pay and is divided into five sections:

**Section 1: Maternity Leave** - which applies to University staff, regardless of the number of days or hours worked each week..

**Section 2: Paternity Leave** - which applies to University staff, whereby he or she is the child's father, or is married to, or is the partner of, or is the civil partner of, or has caring responsibilities for the child of the child's mother.

**Section 3: Adoption Leave** (incl. surrogacy) - which applies to all employees, regardless of the number of days or hours worked each week who are adopting a child.

**Section 4: Shared Parental Leave** – which could apply to University staff, however it is subject to legibility criteria and dependent upon the mother or primary adopter's decision to curtail their maternity or adoption leave and opt to transfer the remaining statutory maternity or adoption element to statutory shared parental leave.

**Section 5: Overall Benefits Entitlement** - whilst on Maternity, Paternity, Adoption or Shared Parental Leave

## **Section 1: Maternity**

### **3. Time Off for Antenatal Care**

- 3.1 You can take paid time off work to attend your antenatal appointments, including relaxation classes and parent craft classes. This includes any time needed to travel to the hospital, GP or clinic.
- 3.2 You should make a request for time off to your line manager. Following your first appointment your line manager may ask to see your appointment card and a certificate from your doctor or midwife stating that you are pregnant.

### **4. Statutory: Maternity Leave (time off)**

- 4.1 You are entitled to 52 weeks statutory maternity leave regardless of how long you have worked for the University.

The 52 weeks of statutory maternity leave is broken into two named time periods known as:

1. 'Ordinary Maternity Leave' – for the first 26 weeks and;
2. 'Additional Maternity Leave' – for the last 26 weeks

- 4.2 You don't have to take all 52 weeks but you must take 2 weeks' leave after your baby is born, this is a legal requirement and employees must take this minimum compulsory 2 weeks maternity leave after the date of birth. Any remaining maternity leave must be taken as a continuous block.
- 4.3 The statutory maternity leave can start at its earliest 11 weeks prior to the expected week of childbirth (EWC), and at its latest from the date the child is born.
- 4.4 You may choose when to start your maternity leave; however as noted above the earliest date you can start your maternity leave and retain your rights is at the 11th week before your Expected Week of Childbirth. You should inform the HR department of your intention to take maternity leave by the 15th week before your Expected Week of Childbirth. If you wish to change the start date you must give 28

days' notice, where practicable.

- 4.5 If you are still working and your baby is born prematurely your maternity leave will start from the day immediately after the date of the birth of your baby. You must have two weeks off work after the birth of your baby, as it is a period of compulsory maternity leave.
- 4.6 You must inform the HR department as soon as is reasonably practicable of any absence from work due wholly or partly because of your pregnancy. The start of your maternity leave may be triggered by a pregnancy related absence in the last 4 weeks before your Expected Week of Childbirth.
- 4.7 After the compulsory 2 week maternity leave period that follows the birth of the child the remaining leave may, subject to eligible criteria, be transferred or shared under the provision of Shared Parental Leave – see section four below for further details.
- 4.8 The right to a 52 week maternity leave period applies if an employee suffers stillbirth any time in or after the 25th week of pregnancy.

## **5. Statutory Maternity Pay (SMP)**

- 5.1 If you fall pregnant after your first week of employment with the University but before your 27<sup>th</sup> week of employment you may qualify for Statutory Maternity Pay (SMP). If you satisfy the following criteria you will be eligible to 39 weeks statutory paid maternity leave and 13 weeks unpaid maternity leave.
- 5.2 To qualify for Statutory Maternity Pay (SMP) you must have been:

- Employed by the University continuously for at least 26 weeks into the 15th week before the Expected Week of Childbirth (EWC).
- Have average earnings above the LEL (Lower Earnings Limit) for the 8 week “relevant” period of weeks 16- 23 of your expected due date. The LEL is the amount you have to earn before you are treated as paying National Insurance contributions. This calculation will be especially

relevant to those who work on a casual/hourly paid basis or who have been on unpaid leave.

5.3 If you qualify you will receive 90% of your average weekly earnings (before tax) for the first 6 weeks, the following 33 weeks will be paid at the SMP (as set by the government) or 90% of your average weekly earnings (whichever is lower). SMP payments will be offset against OMP for the first 6 weeks, unless the 90% of average earnings exceeds contractual pay.

5.4 If your contract ends at any time after the start of the 15<sup>th</sup> week before the week your baby is due, you will continue to be paid SMP.

5.5 If you do not qualify for SMP, you may be eligible for Maternity Allowance and the member of the Payroll Team will contact you in this instance and issue form SMP1.

5.6 To secure these rights you must notify the HR department of the following as soon as possible and in any event by the end of the 15<sup>th</sup> week before your Expected Week of Childbirth.

- Your pregnancy and the week in which your baby is due.
- The date you intend to start your maternity leave by completing the *Notification of Maternity Leave* form.
- Proof of your expected date of childbirth, in the form of a MAT B1 certificate – available from your midwife/health practitioner.

## **6. Occupational Maternity Pay (OMP)**

The University offers enhanced pay in respect of maternity leave for all employees as follows:

- For the first 16 weeks of leave you will receive full contractual pay (which includes your SMP if eligible).

- For each of the next 23 weeks of maternity leave, SMP will be paid
  - The remaining 13 weeks will be unpaid.
- 6.1 To secure these rights you must notify the HR department of the following as soon as possible and in any event by the end of the 15<sup>th</sup> week before your EWC.
- Your pregnancy and the week in which your baby is due.
  - The date you intend to start your maternity leave by completing the *Notification of Maternity Leave* form.
  - Proof of your expected date of childbirth, in the form of a MAT B1 certificate—available from your midwife/health practitioner.
- 6.2 You may choose when to start your maternity leave. However, the earliest date you can leave and retain your rights is at the 11<sup>th</sup> week before your Expected Week of Childbirth. You should inform the HR department of your intention to take maternity leave by the 15<sup>th</sup> week before your Expected Week of Childbirth. If you wish to change the start date you must give 28 days' notice, where practicable.
- 6.3 If you choose not to return to work you should give written notice prior to the end of your maternity leave period. The minimum length of notice you should give is specified in your contract of employment.

## **7. Process of Notification**

- 7.1 Formal notification of your planned maternity leave should be given at least 15 weeks before your baby is due. You should complete the *Notification of Maternity Leave form* (available on the HR portal) and submit this to the Human Resources Department.
- 7.2 Once formally notified, the HR department will write to you within 28 days setting out the date on which you would be expected to return to work if you take your full statutory maternity leave entitlement.

## **8. Return to Work**

Employees have the right to return to work following maternity leave (unless a valid termination of the contract has taken place). The return to work will normally be to the same post.

- 8.1 If you decide you would like to return to work but you want to change your working pattern you should start discussions with your line manager and your HR representative at the earliest opportunity. This may be before your maternity leave commences.
- 8.2 The latest you could return to work would be 52 weeks after the week you left to go on maternity leave, unless:
- You are not well enough to return to work at the end of your maternity leave. If that is the case you are required to send in a medical certificate as soon as possible. This should be sent to your HR Business Partner.
  - Your return is delayed due to a statutory requirement prohibiting you from working in order to protect your health and that of your baby. An example of this could be if there was a risk to you in the workplace that could affect you breast-feeding your baby.



- You decide to take time off under the Parental Leave policy, if you are eligible to do so.

8.3 You are free to return to work at any time after the two-week compulsory leave period. However, you must give the HR department no less than 8 weeks written notice of your intention to return, if it is earlier than 52 weeks, by completing the *Notification of Return to Work from Maternity Leave* form.

8.4 You cannot claim Statutory Maternity Pay (SMP) or Occupational Maternity Pay (OMP) and receive a salary at the same time therefore if you do decide to return to work early you will forfeit some SMP/OMP, when salary re-commences.

8.5 If you choose not to return to work you should give written notice prior to the end of your maternity leave period. The minimum length of notice you should give is specified in your contract of employment.

## **9. Protection from Exposure to Risks in the Workplace while the Employee is Pregnant, Breast Feeding, or having Recently Suffered a Miscarriage**

9.1 As soon as possible after you notify your line manager of your pregnancy, they should contact the Health and Safety Department and arrange for a workplace assessment to be carried out. This assessment will be discussed with you and details given of any preventative or protective measures required. If there is a known risk to women of childbearing age in your work area (you will have been informed of this by your line manager as a result of a general risk assessment carried out in the area) it is particularly important that you notify your line manager as early as possible of your pregnancy. If, as a result of the workplace assessment, your working environment is considered potentially harmful to you and your unborn baby and nothing can be done to reduce the risk then the University will seek to offer you alternative employment. In the unlikely situation that a suitable alternative cannot be found, arrangements will be made for you to work from home. This will not affect your job when you return to work.

## 10. 'Keeping in Touch' (KIT) Days

10.1 Employees on maternity leave can with the agreement of their line manager work up to 10 days during their statutory maternity leave without bringing their maternity leave to an end. 'Keeping in touch' or KIT days are designed to allow contact with the workplace and can include work, training or any other activity to assist the employee in keeping in touch. 'KIT' days can be taken at any time during maternity leave, excluding the 2 weeks immediately following the birth.

10.2 'KIT' days are not obligatory and there is no obligation on either the University or the member or employee to make use of these days. Any day's work carried out will not extend the total statutory maternity leave period and does not affect your entitlement to maternity leave or pay. There is no obligation for you to attend work at any time during your maternity or additional paternity leave period.

10.3 Arrangements for KIT days should be made directly with your line manager and you will be paid at your normal daily rate for each day worked. If you do attend for work during your maternity leave you will need to complete the '*Keeping in Touch Claim Form*' and have it authorised by your line manager to receive payment.

10.4 Payment for Keeping in touch days will be paid for the number of hours worked during that day.

## **Section 2: Paternity (Support for Maternity)**

### **11. Time Off to Attend Antenatal Care with the Expectant Mother**

11.1 As an expectant father or partner\*, you can take two instances of paid time off work to attend with the expectant mother her antenatal appointments, inclusive of the time needed to travel to the hospital, GP or clinic. It is the reasonable expectation that an instance is taken to mean a period of a few hours.

Should the time required to attend an antenatal appointment exceed this reasonable expectation, this should be raised with the line manager who will reasonably consider the circumstances of the request.

11.2 Further requests for time off to attend antenatal care appointments with the expectant mother should be raised with your line manager who will reasonably consider them and where possible support them as unpaid leave.

11.3 Following the first appointment your line manager has the right to ask to see an appointment card or letter.

*\*Partner is inclusive in terms of the conveying the relationship between two people legally binding or not who have responsibility for the child's upbringing; e.g. husband, wife, civil partner, spouse, etc.*

### **12. Paternity Leave and Pay**

12.1 A new father or partner or a new adoptive parent who is not taking adoptive leave will be entitled to a maximum of four weeks paternity leave subject to the following:

- The leave must be taken for the specific purpose of caring for a new born child or supporting the mother, and/or
- for the purpose of caring for a child newly placed for adoption and supporting the adoptive parent.

- 12.2 Employees may take paternity leave for a maximum of four weeks, regardless of number of days or hours worked each week.
- 12.3 You may take paternity leave in a continuous block. If you break the period of paternity leave, you will not be able to continue this leave and normal duties will resume. However, leave must be taken by the 56 day after the birth / adoption or 56 days after the date the baby is due, whichever is later.
- 12.4 Paternity leave taken as a continuous block will be paid at full pay regardless of length of service.
- 12.5 The Paternity Leave must be taken as one continuous block of leave, it cannot be taken as single days, nor can it be taken as separate discontinuous weeks.
- 12.6 Paternity leave pay is calculated as follows:
- Statutory Paternity Pay (SPP) or 90% of average weekly earnings if this is lower is then 'topped up' by the University to the amount that would be your contractual weekly pay.
  - The amount of Statutory Paternity Pay (SPP) is set annually by the Government.
  - In order to receive SPP you must have 26 weeks continuous service by the 15<sup>th</sup> week before the expected week of childbirth, or by the week in which an approved match with the child is made. A match occurs when an approved adoption agency matches an adopter with a child.
  - Your average earnings must also be above the lower earnings limit and the Payroll department will write and provide you with a SPP1 form if you do not qualify SPP.

### **13. Procedure for Leave**

- 13.1 In the case of leave for the birth of a child. You must notify your Head of School/Service of the following: the date the baby is due, the date you intend to start your leave and how long you intend to take. This should be done 15 weeks before the baby is due, wherever practicable.
- 13.2 In the case of adoption you must notify your Head of School/Service of the name and address of the adoption agency, the date the child is to be placed for adoption, the date you intend to start your leave and the length of the leave. This must be done as soon as you receive official notification of a match.
- 13.3 In both cases of birth and adoption, if you change the intended start date of the leave you must give your Head of School/Service 28 days notice, wherever practicable.
- 13.4 You should complete the Application for Paternity Leave form and the appropriate Statutory Paternity Pay/Paternity Leave form (form SC3 should be used in cases where the leave is to support the birth mother and form SC4 when it is to support a partner who is adopting a child). Your Head of School/Service will then need to approve your application and forward both forms to the HR Department.
- 13.5 You will then receive a confirmation letter from the HR Department detailing your paternity pay entitlement.

### **Section 3: Adoption Leave Main Adopter (Inclusive of Surrogacy)**

#### **14. Time Off to Attend Adoption Appointments**

14.1 Prior to the placement of a child/children you will be entitled to take up to 5 days paid leave to attend meetings, assessments, home visits etc. Following your first appointment your manager may ask to see relevant letters and/or appointment cards

#### **15. Statutory Adoption Leave (time off)**

15.1 If you become an adoptive parent and are the main adopter you are entitled to 52 weeks statutory adoption leave regardless of how long you have worked for the University.

The 52 weeks of statutory adoption leave is broken into two named time periods known as:

1. 'Ordinary Adoption Leave' – for the first 26 weeks and;
2. 'Additional Adoption Leave' – for the last 26 weeks

15.2 You don't have to take all 52 weeks but you must take 2 weeks' leave after your baby/child has been placed. Any remaining adoption leave must be taken as a continuous block.

15.3 An application for adoption leave must be made with 28 days notice wherever possible and you must provide a written undertaking that if you do not return to work after adoption leave that you will repay any enhanced adoption pay that you receive, in line with the practice for maternity leave.

15.4 In the event of both you and your partner being employees of the University only one of you will be eligible for the adoption leave and will be referred to as the main adopter– you may choose who is going to take the leave. The other parent will be entitled to the equivalent of paternity leave as detailed in section 2 above.

15.5 The provision of Shared Parental leave in relation to adoption is detailed in section 4 of this policy below.

15.6 The adoption leave provisions will be available to you if you are adopting a child /children up to 18 years of age as long as the child is newly placed with your family for adoption.

15.7 Adoption leave applies if you are adopting children from overseas as well as in the UK.

15.8 The adoption leave provisions will not apply where the child is already living as a family member, including where the spouse/partner of a natural parent adopts their partner's child / children.

## **16. Adoption Leave Provisions and Payment**

16.1 If you satisfy the following criteria you will be eligible to 39 weeks statutory paid adoption leave and 13 weeks unpaid adoption leave.

To qualify for Statutory Adoption Pay (SAP) you must have been:

- employed by the University continuously for at least 26 weeks by the week they were matched with a child;
- Have average earnings above the LEL (Lower Earnings Limit) for the 8 week "relevant" period of weeks 16- 23 of your expected match date. The LEL is the amount you have to earn before you are treated as paying National Insurance contributions. This calculation will be especially relevant to those who work on a casual/hourly paid basis or who have been on unpaid leave.

Average weekly gross earnings are based on those earned during the 8 week "relevant" period.

16.2 If you satisfy the above criteria you will be eligible to 39 weeks statutory pay (as set by the government) adoption leave and 13 weeks unpaid adoption leave. The leave and pay entitlement will therefore be as follows:

- 6 weeks at 90% of your average weekly earnings
- 33 weeks at the flat rate of statutory adoption pay
- 13 weeks unpaid leave

16.3 The University also offers Occupational Adoption Pay to all employees at the time of being officially matched with a child/children. Your leave and pay entitlement will therefore be as follows:

- 16 weeks at full pay
- 23 weeks at the flat rate of statutory adoption pay
- 13 weeks unpaid leave

## **17. Procedure for Leave**

17.1 To receive adoption leave and adoption pay you must follow the procedure below.

17.2 Notify your line manager in writing of your intention to apply for adoption leave giving as much advance notice as possible. This will allow the university to make provisional arrangements to cover your job in your absence. Ideally the notice should be given when you are notified by the adoption agency / Social Services that a child is likely to be placed with you.

17.3 Once you have been informed that a child is to be placed with you for adoption, you must complete '*Application for Adoption Leave*' form within 7 days, wherever possible. This details the anticipated date when the child will be placed and must include supporting documentation from the adoption agency or social services.

17.4 Your line manager should then forward the documentation to the HR Department, who will then establish whether you are eligible for adoption leave and also which rate of payment will be made. The HR Department will then confirm these details to you in writing.

**17.5** The HR Department will confirm the start date for adoption leave to you and your line manager with the date on which the adoption leave will end.



## 17.6 Section 4: Shared Parental Leave

*(For babies due to be born on or after 5 April 2015 and children placed for adoption on or after 5 April 2015)*

18.1 Families who are eligible may choose to share statutory leave and pay on the birth or adoption of a child.

18.2 In order to access Shared Parental Leave parents must be able to meet a set of eligibility criteria and importantly the mother must bring to an end (through a curtailment notice) her maternity leave in order to convert what is left into Shared Parental Leave.

18.3 The mother can choose to bring her maternity leave to an end at any point after the initial two week compulsory maternity leave period following the birth of the child.

18.4 The parents can then choose how to use the remaining weeks that are available. By way of example the maximum shared parental leave possible would be 50 weeks i.e. 52 weeks less the 2 weeks compulsory maternity leave post the birth of the child leaves 50 weeks.

Here is another possible example

How to calculate SPL entitlement	For example
52 weeks in total for maternity leave	52
Less the number of weeks taken before the birth	4
Less the number of compulsory weeks post child birth	2
Less the number of weeks taken since the birth, if the correct timing of notification is given	0
<b>Total available to transfer and use as Shared Parental Leave</b>	<b>46</b>

18.5 Shared Parental Leave can be taken by each parent separately or at the same time.

18.6 The main or primary adopter can choose to bring her/his adoption leave to an end at any point after the first two weeks of adoption leave, and transfer the adoption leave in to Shared Parental Leave in exactly the same way as a mother transfers her maternity leave in to Shared Parental Leave.

## **19 Eligibility for Shared Parental Leave**

19.1 To qualify for Shared Parental Leave you must:

- Be a primary or secondary carer/adopter for the child; and
- You must have at least 26 weeks continuous employment with the University by the end of the Qualifying Week or on the date of the adoption placement, and still be employed by us in the week before the leave is to be taken; and
- Your partner must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the EWC or the date of the adoption and had average weekly earnings of at least £30 during 13 of those weeks; and
- You and your partner (the other parent) must give the necessary statutory notices and declarations as summarised below, including notice to end any maternity or adoption leave, statutory maternity pay (SMP) or statutory adoption pay (SAP) or maternity allowance (MA) periods.

## **20 Amount of Shared Parental Leave (SPL)**

- 20.1 The minimum amount of SPL is one week; the maximum amount of SPL as previously illustrated is 50 weeks.
- 20.2 The first two weeks of maternity leave or adoption leave cannot be shared.
- 20.3 SPL must be taken in whole complete weeks.
- 20.4 If you are the child's secondary carer, you should consider using your two weeks' paternity leave before taking SPL.
- 20.5 Once you start SPL you will lose any untaken paternity leave entitlement. SPL entitlement is additional to your paternity leave entitlement.

## **21 Ending Maternity Leave or Adoption Leave and Opting into Shared Parental Leave**

- 21.1 If you are the child's mother and are still on maternity leave, you must give the University at least eight weeks' written notice (a "curtailment notice") to end your maternity leave before your partner can take SPL. You should do this by completing *Application for Shared Parental Leave Form*.
- 21.2 The other parent, your partner may commence SPL from their employer before your maternity leave ends, provided you have given the curtailment notice in *Application for Shared Parental Leave Form*.
- 21.3 The curtailment notice is binding and cannot be revoked.
- 21.4 You can only revoke a curtailment notice if maternity leave has not yet ended and one of the following applies:
- you realise that neither you nor the other parent are in fact eligible for Shared Parental Leave or Shared Parental Pay, you can revoke the curtailment notice

in writing up to eight weeks after it was given;

- you gave the curtailment notice before giving birth, you can revoke it in writing up to eight weeks after it was given, or up to six weeks after birth, whichever is later; or if sadly the other the parent has died.

21.5 If you are the child's father or the mother's partner, you will only be able to take Shared Parental Leave once the mother has either:

- *technically* returned to work;
- given her employer a curtailment notice to end her maternity leave;
- given her employer a curtailment notice to end her SMP (if she is entitled to SMP but not maternity leave); or
- given a curtailment notice to the benefits office to end her MA (if she is not entitled to maternity leave or SMP).

## **22 Evidence of Entitlement**

22.1 You must provide:

- A copy of the birth certificate or documentary evidence ; and
- A completed *Application for Shared Parental Leave Form*.

## **23 Process of Notification of Your SPL and Shared Parental Pay Dates**

23.1 You must submit *Application for Shared Parental Leave Form* at least eight weeks before the start of your leave.

23.2 If your period of leave notice gives dates for a single continuous block of SPL you will be entitled to take the leave set out in the notice.

23.3 You can give up to three period of leave notices. This may enable you to take up to three separate blocks of shared parental leave.

## **24 Procedure for Requesting Split Periods of SPL**

24.1 In general, a period of leave notice should set out a single continuous block of leave. The University may, in some cases, be willing to consider a period of leave notice where the SPL is split into shorter periods (of at least a week) with periods of work in between. It is best to discuss this with your manager and HR in advance of submitting any formal period of leave notices. This will give your line manager and the University more time to consider the request and hopefully agree a pattern of leave with you from the start.

24.2 You must submit a period of leave notice setting out the requested pattern of leave at least eight weeks before the requested start date.

24.3 If we are unable to agree to your request straight away, there will be a two-week discussion period.

24.4 At the end of that period, we will confirm any agreed arrangements in writing.

24.5 If we have not reached an agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each, you will be entitled to one 12-week period of leave).

24.6 Alternatively, you may:

- choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us within five days of the end of the two-week discussion period;
- or withdraw your period of leave notice within two days of the end of the two-week discussion period (in which case it will not be counted and you may submit a new one if you choose).

## **25 Changing the Dates or Cancelling your SPL**

25.1 You can cancel a period of leave by notifying us in writing at least eight weeks before the start date in the period of leave notice.

25.2 You can change the dates for a period of leave by giving us at least eight weeks' notice before the original start date and the new start date.

25.3 You do not need to give eight weeks' notice if you are changing the dates of your SPL because your child has been born earlier than the Expected Week of Childbirth, where you wanted to start your SPL a certain length of time (but not more than eight weeks) after birth. In such cases please notify the University in writing of the change as soon as you can.

25.4 A notice to cancel or change a period of shared parental leave will count as one of your three period of leave notices, unless:

- the variation is a result of your child being born earlier or later than the Expected Week of Childbirth;
- the variation is at our request; or
- we agree otherwise.

## **26 Shared Parental Pay (ShPP)**

26.1 ShPP of up to 37 weeks (39 weeks less any weeks of statutory maternity pay or adoption pay claimed by you or the other parent) may be available provided you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid at a rate set by the government each year.

## **27 Returning to Work**

27.1 If you want to end a period of SPL early, you must give us eight weeks' prior notice of the return date.

27.2 If you want to extend your SPL you must submit a new period of leave notice at least eight weeks before the date you were due to return to work, assuming you still have SPL entitlement remaining and have not already submitted three period of leave notices.

27.3 If you are unable to request more SPL you may be able to request annual leave or [unpaid parental leave](#).

- 27.4 You are normally entitled to return to work in the position you held before starting SPL, and on the same terms of employment. However, if it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, this may be applicable in the following circumstances: if your SPL and any maternity/adoption/ paternity and/or any parental leave you have taken adds up to more than 26 weeks in total (whether or not taken consecutively).
- 27.5 If you want to change your hours or other working arrangements on return from SPL you should make a request under our Flexible Working Policy.
- 27.6 It is helpful if such requests are made as early as possible.
- 27.7 If you decide you do not want to return to work you should give notice of resignation in accordance with your contract.

## **28 'Shared Parental Leave in Touch' (SPLIT) Days**

- 28.1 Employees on shared parental leave can with the agreement of their line manager work up to 20 days during their shared parental leave without bringing their shared parental leave to an end. SPLIT days are designed to allow contact with the workplace and can include work, training or any other activity to assist the employee in keeping in touch. SPLIT days can be taken at any time during shared parental leave are in addition to the 10 KIT days provided for under Maternity and Adoption Leave.
- 28.2 SPLIT days are not obligatory and there is no obligation on either the University or the member or employee to make use of these days. Any day's work carried out will not extend the total shared parental leave period. Time off in lieu will be granted for any SPLIT days taken, based on the number of hours worked.



## Section 5: Overall Benefits and Entitlement During Periods of Maternity/Paternity/Adoption and Shared Parental Leave

### 29 Annual Leave

29.1 You will accrue your full annual leave provision during the periods of maternity/paternity/adoption and shared parental leave.

### 30 Bank Holidays and Concessionary Days

30.1 You are entitled to accrue missed bank holidays and concessionary days while on maternity leave (pro-rated for part-timers).

### 31 Pay Increases

31.1 Where an employee receives a pay rise after the “relevant period”, the occupational maternity pay will be amended from the effective date to reflect this. Examples of a pay rise include: an incremental increase, a cost of living award; an increase in the hourly rate.

### 32 Pension

#### Local Government (LGPS – Professional Support staff)

#### Ordinary Maternity or Adoption leave (1-26 weeks)

#### Additional Maternity or Adoption leave (27-39 weeks)

	<b>Weeks 1-26</b>	<b>Weeks 27-39</b>	<b>Unpaid Weeks 40-52</b>
<b>Employee</b>	Basic contributions are deducted at the employee normal contribution rate based upon gross pay per pay period	Basic contributions are deducted at the employee normal contribution rate.	Employee has the option prior to commencing leave to repay the outstanding missing contributions. Payroll will write to the employee upon returning from leave

<b>Employer</b>	Contributions are deducted at normal rate and employee contributions topped up to “the assumed pensionable pay” which is determined from the 12 weeks of pensionable pay prior to leave commencing	Contributions are deducted at normal rate and employee contributions topped up to “the assumed pensionable pay” which is determined from the 12 weeks of pensionable pay prior to leave commencing	If the employee opts to pay missing contributions, within 30 days of payroll notifying them of the unpaid contributions, the employer will pay 2/3rds of the pension contributions required to pay back the missing service
-----------------	--	--	---

For any period of unpaid parental leave you can make a decision to buy back any “lost” pension by purchasing an age related Additional Pension Contribution (APC) contract at any time whilst you remain a contributing member of the scheme.

If you are aware that you are not returning to work, you can request an assumed “lost” pensionable pay application (APP) from the payroll department which will be calculated based on what you would have earned during that period. You can then use this figure to obtain a quote to purchase an APC from [www.lgps2014.org/apc/index.php](http://www.lgps2014.org/apc/index.php).

Any elections/payments **must** be made while you are still active in the scheme (i.e. before your termination date). Any payments must be made as a direct lump sum through the University payroll (with the employer still meeting 2/3 of the cost where applicable) Further information is available from the East Riding of Yorkshire Pension Section directly on 01482 394150.

### **Teachers Pensions (TPS – Academic staff)**

	<b>Weeks 1-26</b>	<b>Weeks 27-39</b>	<b>Unpaid Weeks 40-52</b>
<b>Employee</b>	Basic contributions are deducted at the employee normal contribution rate based upon gross pay per pay period	Basic contributions are deducted at the employee normal contribution rate based upon gross pay per pay period	Unpaid days are recorded as missing service. Under TPS rules, there is no option to pay back this period
<b>Employer</b>	Basic contributions are deducted at the	Basic contributions are deducted at the	Unpaid days are recorded as missing

	employee normal contribution rate based upon gross pay per pay period	employee normal contribution rate based upon gross pay per pay period	service. Under TPS rules, there is no option to pay back this period
--	---	---	--

**University Superannuation Scheme (USS)**

	<b>Weeks 1-26</b>	<b>Weeks 27-39</b>	<b>Unpaid Weeks 40- 52</b>
<b>Employee</b>	Contributions are deducted at normal rate and employee contributions topped up to “normal pay” by the employer	Contributions are deducted at normal rate and employee contributions topped up to “normal pay” by the employer	Employee has the option prior to commencing leave to repay the outstanding missing contributions
<b>Employer</b>	Contributions are deducted at normal rate and employer contributions topped up to “normal pay”	Contributions are deducted at normal rate and employer contributions topped up to “normal pay”	If employee opts to pay missing contributions, employer will also remit contributions for this period

**University and Colleges Retirement Savings Scheme (UCRSS)**

	<b>Weeks 1-26</b>	<b>Weeks 27-39</b>	<b>Unpaid Weeks 40- 52</b>
<b>Employee</b>	Contributions are deducted at normal rate based on actual pay	Contributions are deducted at normal rate based on actual pay	No deductions are made
<b>Employer</b>	Contributions are deducted at normal rate based on	Contributions are deducted at normal	No contributions are made

	actual pay	rate based on actual pay	
--	------------	-----------------------------	--

32.1 You will accrue pension benefit during Ordinary Maternity/Adoption Leave and both employee and employer contributions will be made to your scheme at the appropriate contribution rate based on your full time equivalent pensionable pay. This rate will be applied to pensionable pay received during the period of maternity leave and consequently may be revised depending on the contribution bandings, as applicable.

32.2 For periods of Additional Maternity/Adoption Leave, which is unpaid, members of the Teachers' Pension Scheme are not permitted by the scheme rules to remain in membership. Local Government Pension Scheme members may choose to pay contributions so that the unpaid absence will count in full for pension purposes. The University will then make the employer contributions for this period. These contributions will be based on the rate of pay that you received or were entitled to receive before the unpaid period began. A request to pay pension contributions for the period of AML/AAL should be made through the HR department prior to commencing maternity leave. Members of the Universities Superannuation Scheme should contact the HR department for details of their pension entitlement during maternity leave.

Please contact the individual scheme for further guidance regarding scheme membership and accrual of pension during the various periods of leave.

### **33 Family Friendly Provisions**

The University will consider all requests for flexible working (please refer to our [Flexible Working Policy Statement](#).)

For information in relation to the availability of [Childcare Vouchers](#) please visit the Staff benefits portal.

Other family friendly associated policies:

- Flexible Working Policy Statement
- Parental Leave Policy
- Leave of Absence Policy

All other University of Lincoln benefits will continue whilst on maternity/ paternity/ adoption or shared parental leave.