

This Policy will be applied in a non-discriminatory way, in line with the School's Equality and Diversity policies.

- 1.1 This procedure applies to all School employees regardless of source of funding. The procedure will operate concurrently with statutory provision for maternity pay and/or leave, its application is likely to vary according to individual circumstances. In view of the complexity of the arrangements, staff are recommended to contact Human Resources for advice, at an early stage.
- 1.2 Some requirements and benefits of the School's maternity leave and pay procedure vary from the statutory requirements and benefits of Statutory Maternity Pay (SMP). Care should be taken to distinguish between the respective requirements and benefits of the two schemes. Maternity leave with full pay mentioned in this agreement will include any relevant statutory maternity pay (SMP). SMP will be paid to those eligible for it in addition to half-pay. No combination of payments will exceed full pay.

- 3.1 Employees are eligible to take up to 52 weeks' maternity leave. The first 26 weeks is known as 'Ordinary Maternity Leave' (OML) and the last 26 weeks is known as 'Additional Maternity leave' (AML).
- 3.2 Employees must take at least 2 weeks maternity leave after the birth of the child. This is a statutory requirement and is primarily a health and safety measure to prevent women returning to work too soon after childbirth.

- 4.1 Statutory maternity pay (SMP) is payable during maternity leave for the first 39-weeks of which the first 6 weeks are paid at 90% of average weekly earnings followed by 33 weeks at the SMP rate (currently £148.68) or 90% of average weekly earnings (whichever is lower).
- 4.2 To qualify for statutory maternity pay, employees will need to meet the following conditions:
 - To be an employee according to statutory definition. An "employee" is an individual with earnings that attract liability for employee's primary Class 1 national insurance contributions (or that would if they were high enough)¹;
 - Have at least 26 weeks' continuous service with the School at the qualifying week;
 - Earn at least the lower earnings limit for Class 1 National Insurance

- 9 weeks' full pay followed by 18 weeks' half pay, -
18 weeks' full pay.

- 5.3 No other combinations of payment are permitted. The employee must notify Human Resources, in writing, the start of her maternity leave if she wishes to take her Occupational Maternity Pay as 18 weeks' full pay. In the absence of such notification, Occupational Maternity Pay will be paid as 9 weeks' full pay followed by 18 weeks' half pay.
- 5.4 SMP is included within any weeks of full pay where employees qualify for both SMP and OMP. If the employee chooses 18 weeks' full pay, the period of full pay will be followed by 21 weeks' pay at the SMP rate currently in operation. If the employee chooses 9 weeks' full pay and 18 weeks' half pay, a rate equivalent to SMP (currently £148.68) will be paid in addition to the half pay. This will be followed by a further 12 weeks' pay at the current statutory rate.
- 5.5 If the employee chooses not to return to work or not to continue for at least three months after the period of maternity leave, the School reserves the right to reclaim the whole or part of the non-statutory element of maternity pay.
- 6.1 Distance Learning Tutors are entitled to maternity pay and leave based upon eligibility and length of service, and all entitlements will be on a pro rata basis. Entitlements to maternity payments are based on the average earnings over the last 12 months from the due date (provided on the Mat B1 certificate).
- 7.1
- 7.1.1 An employee is required to notify Human Resources, by the end of the 15th week before the EWC (or, if that is not possible, as soon as is reasonably practicable) of their pregnancy and of their expected start date of maternity leave. Human Resources, will then arrange for a maternity meeting with the employee.
- 7.1.2 The employee must then return the completed Notification Form to Human Resources at HR@lshtm.ac.uk.
- 7.1.3 The MAT B1 certificate (which may be issued by a GP, midwife or consultant after 21 weeks) must be provided to Human Resources, as

soon as it is available. This document enables the School to claim

one parent can be granted adoption leave although consideration may be given for the entitlement to be shared.

10.1.2 A member of staff who has been approved by the Adoption Agency or Social Services Department as an adoptive parent qualifies for adoption leave, although this does not apply when an individual adopts their partner's natural child(ren).

10.1.3 Adoption Leave (AL) can start anytime from the date that the adopted child is placed, or up to fourteen days before the date of the placement.

10.1.4 Employees applying for adoption leave should:

inform Human Resources, in writing;

give as much notice as possible t

11.1

Staff are entitled to return to work to the same job as prior to their absence. Where an employee exercises her right of return to work, the whole of her absence shall be regarded as part of her period of continuous employment with the School for the accrual of annual leave, entitlement to salary increments and entitlement to statutory rights.

11.2

11.2.1 Whilst on maternity/adoption leave you will still make payments to USS/SAUL based on the pay you receive. However, the pension you build up will be based on what you would normally receive should you not be on maternity/adoption leave and the School will pay contributions based on this too. The School will also pay the shortfall in your contributions resulting from the reduction in your pay.

11.2.2 At the end of the 39 weeks paid leave, you will stop paying contributions to USS/SAUL and your membership will be suspended.

11.2.3 If you are not entitled to any pay, the School will pay your full contributions, together with the normal employer contributions.

11.2.4 If you participate in the Flex Pension, please see the Flex Pension employee guide for details of the considerations in respect of maternity pay following your participation in the arrangement.

11.2.5 If you participate in the NHS Pensions scheme, your contributions will be based on the actual pay you receive and the School will pay contributions based on what you would normally receive should you not be on maternity/adoption leave.

11.2.6 Pension provisions for staff on maternity leave may be subject to changes set out by the relevant pension scheme.

11.3

11.3.1 Where a member of staff has authorised salary deductions e.g. trade union membership, Give As You Earn or Childcare Vouchers, these payments will continue to be deducted during paid maternity leave, unless the Payroll Office is instructed otherwise.

11.3.2 In the event that you are in SMP only or no salary 0mmalary deduclp4o44(clp08871

work plans, or to update the employee about work developments. The purpose is to encourage communication and contact between the parties during the maternity leave period. Where possible, an employee should agree with her line manager what kind of contact will be made during the maternity leave before she begins her leave, for example on any changes happening at work, including job vacancies.

11.5

11.5.1 As well as staying in contact with the School during maternity leave, if both the employee and their line manager agree, the employee can do up to 10 days' work during maternity leave. These are known as Keeping in Touch Days, or KITs. This provision does not apply during the two-

leave accrued whilst on maternity leave should be taken within 12 months from returning to work following the end of their maternity leave, any further carry-over of leave must be by agreement with the Dean of Faculty or Head of Department/Service.

11.7

11.7.8 In the case that an extension to a fixed term contract is not granted, employment will end on the expiry date of the fixed term contract. However, LSHTM will continue to consider re-deployment opportunities for the employee until the end of statutory/occupational maternity payments. Consideration would be given to reinstate employment and maintaining continuity of service at the School provided that the individual had not taken up employment elsewhere. Where reinstatement is granted, individuals will be required to repay their redundancy payment to the School.

If you require any document in an alternative format, for example, in larger print, please contact the Human Resources Office.

Flexible Working Policy
Shared Parental Leave Policy
Paternity Leave Policy
Parental Leave Policy

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