

# Maternity Leave and Pay

We know that having a new child is an important and exciting time. We want to support your journey, starting with this policy which gives important information and explains what is needed to help us arrange your maternity leave and pay.

If you are having a new child by adopting or through a surrogacy arrangement, guidance on leave can be found in our [Adoption Leave and Pay and Surrogacy](#) and [Paternity and Partner's Leave](#) policies.

The provisions in this policy are available to all staff regardless of sexual orientation, gender identity or other protected characteristic.

This policy does not form part of your contract of employment. The university reserves the right to amend the terms of this policy when required.

This policy applies to employees living and working in the UK, if you have an approved arrangement to work abroad, maternity leave provisions will usually be detailed in your contract of employment.

Managers are encouraged to familiarise themselves with this policy.

## Essential Information

---

Maternity Leave and Maternity Pay are separate entitlements.

### Maternity Leave

You can take up to 52 weeks maternity leave. It does not matter how long you have been employed by us or the number of hours that you do. This policy applies to surrogates as well.

Maternity leave must be taken as one continuous block and you must legally take at least two weeks leave after the birth of a child, after that it is up to you how much maternity leave you take.

The amount of leave available does not increase if you have a multiple birth, such as twins. Payment of maternity pay commences simultaneously with the beginning of maternity leave.

## King's Maternity Pay

King's offer 20 weeks paid maternity leave, to all eligible employees.

To be eligible you need to:

- be an employee at King's before the expected week of childbirth,
- be responsible for the child's upbringing, and
- intend to return to work for the University following maternity leave for a minimum of 3 months.

King's maternity pay is made up of different elements and is enhanced to full pay for 20 weeks.

To receive King's maternity pay you need to commit to come back to work after your leave and work with us for at least three months from your return. If you should leave in the first three months of your return to work, you are expected to pay back the enhanced element of the maternity pay received.

## Statutory Maternity Pay

If you are eligible for Statutory Maternity Pay (SMP) this will be paid automatically through King's payroll. During the first 20 weeks of leave, King's maternity pay will be a combination of enhanced and statutory payment. The following 19 weeks' will be Statutory Maternity Pay only, the rate of this pay is set by the UK Government each financial year. The remaining 13 weeks will be unpaid maternity leave.

To qualify for Statutory Maternity Pay you must have been employed at King's, for more than 26 weeks' continuously at the 15th week before the expected week of childbirth and earn at least the [lower earnings limit](#) set by the UK Government each year.

## Maternity Allowance

If you are not eligible to receive Statutory Maternity Pay you may be able to claim Maternity Allowance (MA) through [Jobcentre Plus](#). King's will provide you with an SMP1 form explaining that we are unable to pay Statutory Maternity Pay and detailing King's Maternity Pay provision. Maternity Allowance is payable for up to 39 weeks and the rate of pay is dependent on individual circumstances.

You will still be eligible for King's Maternity Pay, less any Maternity Allowance payments, which can be followed by up to 32 weeks unpaid maternity leave. If you are claiming Maternity Allowance, we will require confirmation of the payments before processing King's Maternity Pay.

## Taking Maternity Leave

You should tell your manager about your pregnancy as soon as you feel comfortable, especially if you have any health and safety concerns.

### Complete a Risk Assessment

You are encouraged to have an early conversation with your manager so provisions can be put in place to ensure the health and safety of yourself and your baby. You should complete a risk assessment with your manager to understand how your pregnancy may affect you at work and if any adjustments can be made to

the workplace to minimise the risk to yourself and your baby. Further information can be found on our [Health and Safety](#) pages.

### **Requesting Maternity Leave**

You must apply for maternity leave by the end of the 15<sup>th</sup> week before your baby is due. You should talk to your manager to agree when your maternity leave will start and end. It can start any time between the 11<sup>th</sup> week before the expected week of birth and the actual date of birth.

You will need to provide your MATB1 certificate normally given to you by your doctor or midwife after the 21<sup>st</sup> week of your pregnancy.

If your baby is born early then your maternity leave will start the day after the birth.

Once you have decided on your dates, you will need to complete the [Maternity Request Form](#) and submit this to [hr@kcl.ac.uk](mailto:hr@kcl.ac.uk). We will confirm your dates in writing and provide an SMP1 form if required.

### **Shared Parental Leave**

If you are sharing the responsibility for the care of your new baby, you may be able to end your maternity leave early and, with your partner, take shared parental leave instead. This allows you to share the remaining leave with the other parent in the baby's first year.

Further details can be found in the [Shared Parental Leave Policy](#).

### **Changes to Maternity Leave**

If you want to change the start date of your maternity leave, we will normally require 8 weeks' notice to be given and you must not have already commenced maternity leave.

### **Pregnancy Related Illness**

If you are not in work due to pregnancy related illness in the four weeks before the expected week of childbirth, your leave will start from the first day of absence. The provision of maternity leave and pay will be calculated from the agreed date of cessation of work.

If you experience sickness absence connected with the pregnancy prior to the four weeks before the expected week of childbirth, this shall be dealt with under the normal arrangements for absence due to ill-health. You may be asked to provide a fit note if you wish to work beyond the 7<sup>th</sup> week before your expected week of childbirth.

### **Pregnancy Loss**

If your baby is born prematurely and does not survive or is stillborn (after 24 weeks) before the expected week of childbirth you are still able to take maternity leave. Information to support you during this difficult time can be found in our [Pregnancy loss guidance](#).

### **Redundancy Protection**

From the moment you let us know you are pregnant you will have additional redundancy protection. This protection continues throughout your leave until 18 months after the date of birth.

Whilst the additional protection applies, if there is a redundancy situation, you will be offered suitable alternative employment, where it exists, in preference to other employees. For further information refer to the [Redeployment Policy](#).

## Keeping in Touch

Before starting your maternity leave, talk to your manager to agree contact during your time away from the workplace. [Keeping in Touch Days](#) can be used to remain in contact and attend work without ending your maternity leave.

## Returning to Work

### Welcome Back

You may have been out of the workplace for some time, and it can take a little while to settle down. You may have used Keeping in Touch Days during your leave, however things may have changed while you have been away. When you return, your manager should provide a general update and give you time to complete any mandatory training.

If you decide to return to work before the agreed end date for your maternity leave, you should give your manager at least eight weeks' written notice of the date you wish to come back to work.

Where you are looking to return on the agreed date there is no requirement to confirm this. We would however encourage you to contact your manager before you return, so arrangements can be made to welcome you back and support your return to work.

Just to remind you, all staff who give birth must legally take two weeks maternity leave following the birth of their baby.

When you return to work after 26 weeks (Ordinary Maternity Leave) you are entitled to return to the same job on the same terms and conditions as if you have not been away from work.

Returning after 27 weeks or more (Additional Maternity Leave) your rights will be the same unless there is a redundancy situation or for some other reason it is not practical for a return to the same job. If unable to return to the same job, you may be offered a suitable alternative with terms and conditions no less favourable than the job you had before. For further information refer to the [Redeployment Policy](#).

### Changing Work Patterns

We appreciate that it is challenging to balance having a new child and work. Flexible working may help. Look at our [Flexible Working Policy](#) for further information.

### Returning to Work Outside the UK

If you are intending to work remotely outside the UK on your return to work following a period of maternity leave, you should talk to your manager before making any arrangements. You should also read our [Global Staff Mobility Policy](#), as this may have tax and social security implications.

If you require any further guidance, contact [hr@kcl.ac.uk](mailto:hr@kcl.ac.uk).

### Unable to Return to Work

We hope that all staff can return to work after their maternity leave. However, we understand there may be reasons stopping this. We ask that you talk to your manager about this so they can help you find ways to allow a return to King's.

If you are unable to return to work because of ill health, contact your manager prior to your return date. This will be considered as sick absence and managed using our [Sickness Absence Management Policy](#).

### Expiry of Fixed Term Contract

If you are employed on a fixed term contract and this is coming to an end, you will continue to be eligible for King's Maternity Pay where:

- you would still be eligible for Statutory Maternity Pay through King's payroll,
- the reason you are leaving is not due to conduct or capability, and
- you have not declined the offer of suitable alternative employment.

At the end of your contract any remaining King's Maternity Pay and or Statutory Maternity Pay, will be paid as a one-off payment.

If your fixed term contract expires during your leave or within three months of return, you will not be expected to repay the enhanced part of your maternity pay.

## Things to Think About

---

### Antenatal Appointments

You are allowed reasonable paid time off to attend antenatal care appointments and we may ask for a letter or appointment card.

We do ask that you try and arrange appointments outside of working hours or times that minimise disruption to university activities. If this is not possible you will be able to attend appointments during working hours. It is helpful if you give your manager as much notice as you can of any appointments.

### Pension

Your pension rights and contributions will be maintained while on paid leave. When you have unpaid leave pension rights and contributions will be in accordance with the provisions of your pension scheme. Contact the [King's pension team](#) with any questions.

### Pay Increments

You will continue to receive the normal increment on your pay scale in accordance with your contract of employment.

### Holidays

You are encouraged to take any accrued statutory leave (20 days excluding Bank Holidays) before you start your maternity leave.

During your leave you will accrue full contractual annual leave, including bank and public holidays. Holiday built up during this time and not taken within the leave year may be carried across and taken before the end of the following leave year.

Concessionary days that happen while you are on maternity leave will not accrue.

## Further Support

---

If you have any questions about maternity leave and pay, please speak to your manager in the first instance. Managers should contact [hr@kcl.ac.uk](mailto:hr@kcl.ac.uk), for further support if required.

Having a child can mean there are big changes in your personal life, and you may need extra advice and support in adapting to this. The [Parents and Carers hub](#) includes information that you may find useful, including details of the Parents and Carers network (NEST) who can offer peer support for new parents.

Remember you have access to our [Employee Assistance Programme](#) who can provide support. It is independent, confidential, and free to use for the King's community.

VERSION CONTROL	
Policy name	Maternity Leave and Pay Policy
Implementation date	23/05/2024
Last reviewed	01/01/2024
Policy owner	Remuneration and Policy Team