# EMPLOYEES’ MATERNITY LEAVE PLAN

Before completing the Maternity Leave Plan you must read **all** the Maternity Leave guidance on the HR Support website, found at: <https://hr.web.ox.ac.uk/summary-of-maternity-leave-and-pay>

This plan should be completed together with your Departmental Administrator (or equivalent).

## Telling your department you are pregnant

You should tell your Departmental Administrator (or equivalent) you are pregnant as soon as possible. This can be before you have decided when to start maternity leave, and before this plan is given. However, you must inform your department at the latest by the end of the qualifying week. This will mean that your department knows that you are entitled to time off for antenatal appointments and that particular health and safety rules apply. It will also help you and the department to plan ahead and make arrangements for covering the period while you are on leave.

You will need to notify your department if you want to take paid time off for antenatal appointments.

Your Departmental Administrator (or equivalent) needs to arrange health and safety checks/risk assessments (for example DSE, manual lifting, etc.) when they know you are pregnant in order to protect you and your baby, so the earlier you feel able to tell your department, the sooner these checks can be made.

## Telling your department when you want to take maternity leave

You must tell your department by the end of the Qualifying week the date on which you want to start your maternity leave and begin to receive maternity pay. You should therefore give this completed plan to your department at the latest during the Qualifying week.

If you then wish to change the date on which you want to start your maternity leave you must give your department 28 days’ notice of the new date.

## How to use the plan

The plan is in three parts. Notes to help you complete it are given in the right hand column of the form**.**

**Part A** will help you to work out whether you qualify for the University’s maternity leave scheme. You will find it helpful to have a calendar or diary handy when you are filling out the form or to use the maternity calculator tool found on the HR Support website.

**Part B** should be used to set out when you would like to begin your maternity leave and to indicate when your expected date of return to work will be.

**Part C** should be used if you decide to return to work before the end of your planned maternity leave.

## PART A – WORKING OUT YOUR ELIGIBILITY FOR LEAVE AND PAY

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| TO THE DEPARTMENTAL ADMINISTRATOR/HAF OR EQUIVALENT) I am giving you this form to let you know that I am pregnant and to notify you of when I want to start my maternity leave and to give you details required to confirm my maternity pay arrangements. | |
| 1. Personal Details Employee’s Name  Department  Departmental Administrator’s name | |
| Action | Guidance Notes |
| **When the baby is expected** (date of EWC)  **2**. My baby is due in the week beginning:  Sunday | The EWC is the week beginning Sunday, in which it is expected you will have your baby. This is stated on your MATB1 form. |
| **3**. A certificate (MATB1) confirming this:  *Tick relevant box* ☑  a) Has been given to you already  b) Is enclosed with this form  c) Will be given to you as soon as possible | **Certificate (MATB1 form)**  You must give your MATB1 form to your department at least 28 days before you wish to start your leave. |
| Qualifying for the University’s contractual maternity pay scheme Filling in this section of the form will enable you and your Departmental Administrator (or equivalent) to see if you qualify for the University’s contractual maternity pay scheme (and SMP). | |
| **4.** I confirm that I **intend** to return to work after my return from maternity leave. *Tick relevant box* ☑  Yes  or No  I understand that if I do not return to work for the University for a minimum period of 3 months after my maternity leave, I will be liable to repay any enhanced, contractual pay I have received from the University (unless I am on a fixed term contract which expires without suitable alternative work having been found for me.)  ***Fixed term contract staff\*:***  My contract is due to expire on:  (date)  \*See text in right hand column | **Staff who are employed on fixed-term contracts**: Please note, if your contract of employment is due to terminate during your maternity leave, your entitlement to benefits under the University's contractual schemes will end on the contract end date. Your entitlement to SMP may continue.  If your contract is due to terminate during, or within 3 months, of your maternity leave ending, only tick ‘Yes’, if your intention is to return to work if a suitable alternative post is available. If you refuse suitable alternative work, you may be liable to repay the enhanced portion of any maternity pay you have received.  For full details of the University’s contractual maternity pay scheme, please refer to the HR Support website. |
| Qualifying for Statutory Maternity Pay to be paid by the University Filling in this section of the form will enable you and your Departmental Administrator (or equivalent) to see if you qualify for SMP to be paid to you via the University | |
| **5**. The 15th week before my EWC (the date given in Question 2) is the week beginning:  Sunday | This date is important for working out your maternity leave entitlements A maternity calculator tool is available on the [HR Support Maternity Leave web pages](https://hr.admin.ox.ac.uk/family-leave). |
| **6**. On this date I will have worked for the University as an employee, continuously for at least 26 weeks and I have confirmed that I am eligible to receive Statutory Maternity Pay from the University.  *Tick relevant box* ☑  Yes  (if Yes, go to 8 below)    or  No  (if No, go to 7 below) | Your length of employment runs from the first day you started employment with the University of Oxford as an employee. Any gaps in your employment of over 1 week will normally create a break in continuity of service. If you have worked for University in another capacity (eg as a worker, visitor, etc) this will not contribute to continuity of service as an employee. Eligibility for SMP can be determined by using the Government calculator <https://www.gov.uk/maternity-pay-leave/pay> |
| Employees with **less** than 26 weeks service with the University at the Qualifying week | |
| 7. *Tick a, b, or c below*.  7a) At the qualifying week (see 5 above) I had 26 weeks continuous service with another employer and I am eligiblefor SMP from them  7b) I do not qualify for SMP but I meet the eligibility criteria for Maternity Allowance:   * 39 weeks at the higher rate * 39 weeks at the lower rate * 14 weeks at the lower rate   7c) I do not qualify for either SMP or MA | If you have less than 26 weeks service at the qualifying week you are not eligible for statutory payments from the University but you may be entitled to statutory payments from either a previous employer or Jobcentre plus and you must indicate them here.  The University will ‘top up’ any statutory payments to which you are entitled so that you continue to be paid at a rate equivalent to your current normal full rate of pay for up to the first 26 weeks of your maternity leave.  There is further guidance on the HR Support website |

## PART B – YOUR PLANS FOR YOUR MATERNITY LEAVE

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| --- | --- |
| **Action** | **Guidance Notes** |
| **Starting maternity leave**  **8**. I intend to start my maternity leave on:  (date - this can be any day of the week)  *NB If you are absent from work for a pregnancy-related reason in the four weeks before your EWC, or if you give birth before the date you intended to start maternity leave, your maternity leave will start automatically*. | **Start date:** It is your decision when you start your maternity leave, but it cannot start earlier than the 11th week before your EWC. You should notify your department of your intended start date by the end of the Qualifying week. If you wish to change this date you must give your department at least 28 days’ notice of when you want to start your maternity leave. |
| **Returning after maternity leave**  **8**. My maternity leave entitlement will finish on:  .(date) | **End of maternity leave:**  this is the end of the 52nd week from when you start your maternity leave. The maternity calculator tool on the HR Support website can help you work this out. |
| **9**. Return date: complete either **A** or **B** below.  **A** I would like to take my full 52 weeks entitlement and I am due back to work on:  (date)  **B** I have already decided not to take my full 52 weeks entitlement and will return to work on:  .(date) | If you are not entitled to any statutory or contractual pay you can still take up to 52 weeks’ unpaid leave. It is your decision how much of this leave you wish to take.  You may already know that you wish to take all or only some of your leave entitlement and should state your current wish by completing either 9A or 9B as appropriate. |
| I understand that if I want to change this date, I must give you 8 weeks’ notice of the date on which I want to return.  *You can use* ***part C*** *of this form for this purpose. Please refer to the maternity leave guidance on the HR Support website for further details on changing maternity leave dates.* | |
| **10. Contact during maternity leave**  Would you like to be told about changes happening at work during your maternity leave?  YES  NO  Select one of the options below:  I would prefer to be contacted by:  *eg email, phone, etc Or* I don’t mind how I am contacted | You and your department may make reasonable contact during your maternity leave. Keeping in touch with work in this way can help to make it easier when it is time to return as you will be aware of what has been going on in your department.  Even if you choose not to be told about changes happening at work during your maternity leave, your department will contact you about any matters relating to your employment. |
| **11. Keeping in Touch (KIT) days**  Would you like the opportunity to work, attend a particular event or take up a training opportunity during your maternity leave?  YES  NO | As well as staying in contact with your department during your maternity leave, if you and your department both agree, you can undertake up to 10 days’ work during your maternity leave. For further information on KIT days, please refer to the Maternity leave web pages of the HR Support website. |

***Please keep a copy of your Maternity Leave Plan for yourself.***

In signing this form, I confirm that:

* I have read all of the University’s guidance on maternity leave on the HR Support web pages;
* My attention has been drawn to the right of the University to reclaim the whole or part of the non-statutory element of maternity pay if I fail to return to work after my maternity leave and to continue in employment for a minimum of three months following my return;
* I understand that if my contract of employment is due to terminate during my maternity leave, my entitlement to employment benefits under the University's contractual schemes will end on the contract end date. I understand that my contract of employment will not automatically be extended because I am on maternity leave.

**Signed**  **(***employee*)

**Full Name**  **Date:** 

**Signed**   **(***Departmental Administrator, or equivalent***)**

**Full Name**  **Date:** 

**PART C – CHANGING YOUR NOTIFIED RETURN TO WORK DATE**

To: The Departmental Administrator/HAF

Department 

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| --- | --- |
| I would like to change my return to work date, and now intend to return to work on:  (date) | The law requires that all women take two weeks’ maternity leave immediately after the birth of their baby. You cannot return to work before your compulsory maternity leave has ended. |

*You will be expected back at the end of your maternity leave on the date that you have specified in part 9 of the plan. If you want to return earlier or later than this date (the maximum entitlement is 52 weeks) you must give your department at least 8 weeks’ notice of this change. If you do not give 8 weeks’ notice your department is entitled to postpone your return until 8 weeks’ notice has expired.*

*You should talk to your department in good time if you want to try to agree a different working* *pattern to the one you worked before your maternity leave.*

*Sign the form and send it to your department - don’t forget to keep a copy for yourself.*

**Signed** 

**Full Name** 

**Date:** 