

CONDITIONS OF EMPLOYMENT GOVERNING ACADEMIC AND RELATED STAFF

APPENDIX 2: MATERNITY, PATERNITY AND ADOPTION LEAVE AND PAY

There are three schemes available to the University's employees on the birth or adoption of a child:

- Maternity (Statutory Maternity Leave, Statutory Maternity Pay and University Maternity Pay)
- Paternity (Statutory Paternity Leave and University Paternity Pay)
- Adoption (Statutory Adoption Leave, Statutory Adoption Pay and University Adoption Pay)

Each of these schemes has different qualifying periods and conditions, which may alter as statutory arrangements change. The current statutory provisions are set out in the University's family leave guidance, available from the Human Resources website at intranet.birmingham.ac.uk/hr/leave/family or from HR on request. There are, however, some conditions which are common to all three schemes as follows:

1. All employees who have taken maternity, paternity or adoption leave have a statutory right to return to work at the end of that leave period, subject to their contract enabling them to do so.
2. Where an employee returns after maternity, paternity or adoption leave (including any approved unpaid leave following on from those leave periods) their employment will be regarded as having been continuous through the leave.
3. Maternity, paternity and adoption leave will not be counted against the employee's entitlement to sick leave.
4. Holiday entitlement will continue to accrue during maternity, paternity and adoption leave.
5. There will be no distinction between live and still births past the 24th week of pregnancy in the granting of maternity leave.

University Maternity Pay

6. Female staff who are pregnant are entitled to Statutory Maternity Leave and may also be entitled to Statutory Maternity Pay. Female staff who meet the criteria in 7–9 below are also entitled to University Maternity Pay arrangements during the Statutory Maternity Leave period.
7. Female staff who have at least 1 year's continuous service prior to their expected week of childbirth and who agree to return to work for 3 months following their Statutory Maternity Leave period (subject to their contract enabling them to do so), are entitled to University Maternity Pay.
8. University Maternity Pay consists of 18 weeks leave at full pay, inclusive of Statutory Maternity Pay. The remainder of the paid Maternity Leave period is paid at Statutory Maternity Pay rates.
9. The provisions of the University Maternity Pay scheme are based on a continuing contract of employment. Should the contract be breached by failure to return to work for at least three months following the leave period, the University reserves the right to recover any payments in excess of the Statutory Maternity Pay entitlement.

University Paternity Pay

10. The partner of a woman who gives birth, or the partner of a person adopting, may be entitled to Statutory Paternity Leave and University Paternity Pay. The criteria and arrangements for Leave and Pay are set out in the family leave guidance available from the Human Resources website at intranet.birmingham.ac.uk/hr/leave/family or from HR on request. University Paternity Pay consists of two weeks full pay, inclusive of statutory entitlements.

University Adoption Pay

11. Staff who adopt may be entitled to Statutory Adoption Leave and Pay. The criteria and conditions for Statutory Adoption Leave and Pay are set out in the family leave guidance available from the Human Resources website at intranet.birmingham.ac.uk/hr/leave/family or from HR on request. Staff who meet the criteria in 12–14 below are also entitled to University Adoption Pay arrangements during the Statutory Adoption Leave period.
12. Staff who have at least 1 year's continuous service prior to the week they are newly matched with a child, and who agree to return to work for 3 months following their chosen leave period (subject to their contract enabling them to do so), are entitled to University Adoption Pay.
13. University Adoption Pay consists of 18 weeks leave at full pay, inclusive of Statutory Adoption Pay. The remainder of the paid Adoption Leave period is paid as per Statutory Adoption Pay rates.
14. The provisions of the University Adoption Pay scheme are based on a continuing contract of employment. Should the contract be breached by failure to return to work for at least three months following the leave period, the University reserves the right to recover any payments in excess of the Statutory Adoption Pay entitlement.

Approved by Council, 27 June 2012