

Maternity Leave

Leave Entitlement

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Overview

This section gives a brief summary of the maternity leave to which British Council staff are entitled. The rules on maternity leave are complex, and further information and advice on leave and entitlements can be obtained from:

- your HR Services team, for staff in the UK
- HR International Assignments Team (HR IAT), for UK-appointed staff overseas.
- Maternity Rights booklet

Audience

This section is for all UK-appointed staff only. Country-appointed and English and Exams/OAS staff should refer to country/territory TACOS and/or contracts.

Responsibilities

These guidelines should be read and followed by:

- members of staff wishing to take maternity leave
- their line managers.

Policy

All women regardless of their length of service are entitled to 52 weeks maternity leave, comprising 26 weeks ordinary maternity leave followed immediately by up to 26 weeks additional maternity leave.

- Staff with at least 26 weeks continuous service by the end of the 15th week before the Expected Week of Childbirth (EWC), are entitled to receive Statutory Maternity Pay (SMP), provided their average weekly earnings are at or above the National Insurance lower earnings limit of £90 per week.
- Staff with one year's continuous service, during the immediately preceding three years, are entitled to contractual maternity pay.

Employees have the right to benefit from their normal terms and conditions, with the exception of pay, during the course of their ordinary and additional maternity leave.

Guidelines/Procedures

Statutory Entitlement

SMP is paid for 39 weeks at a rate of 90 per cent of weekly earnings for the first six weeks followed by £117.18 for the next 33 weeks. The remaining 13 weeks additional maternity leave is unpaid.

Women who do not qualify for SMP may instead qualify for Maternity Allowance based on recent employment and earnings. Claims should be directed to your local Social Security/Jobcentre Plus office.

Procedure

To take advantage of ordinary maternity leave, the employee must inform her employer by the end of the 15th week before the EWC of:

- her pregnancy
- the expected week of childbirth
- the date when she wants her maternity leave to start. A woman can change her mind about the start date provided she gives her employer at least 28 days notice.

British Council Entitlement (Contractual)

Eligibility

After one year's continuous employment with the British Council, a member of staff is eligible to contractual maternity pay. Contractual maternity pay will be granted provided the employee:

- confirms her pregnancy before the end of the 15th week before the EWC
- is in paid employment with the British Council at the time her maternity leave begins and has worked for at least one year continuously during the immediately preceding three years
- states that she intends to return to work in the British Council after her confinement
- agrees to repay any payment made during that period if she fails to return, or returns for less than six months (such repayment will exclude any SMP to which she is entitled)
- is not employed on a casual basis.

Entitlement

During the contractual maternity pay period staff are entitled to a total of 39 weeks paid leave as follows:

- 26 weeks maternity leave on full pay followed by 13 weeks SMP at £117.18 per week

The remaining 13 weeks additional maternity leave are unpaid.

Entitlements for all staff are detailed in the Maternity Rights booklet available from:

- HR Services for staff based in the UK
- HR IAT for UK-appointed staff overseas.

Exclusions

If a woman is on a fixed term contract, her entitlements will depend on her eligibility under the statutory requirements and the particulars of her contract.

Ante-natal Classes

All staff are entitled to take reasonable time off work to attend ante-natal appointments (including parent-craft and relaxation classes). Appointments should be notified in advance to line managers.

Health and Safety

Line managers are responsible for carrying out risk assessments on employees who are pregnant, have given birth within the previous six months or who are breast-feeding. This is a compulsory requirement. Further information and advice on risk assessment procedures can be obtained from Health and Safety Adviser, Global Estates.

British Council IT system

The line manager should instruct their Departmental IT Administrator to submit a User Change Request to have the e-mail account disabled for the duration of maternity leave and if appropriate ask for an auto-reply message to be activated for a given duration giving an alternative contact; the account should be re-enabled for "keeping in touch" days.

Keeping In Touch (KIT) Days

Staff may carry out up to 10 days work during maternity leave without losing their right to SMP. Work is defined as activities undertaken as part of the contract of employment and may include training or attendance at meetings for the purposes of keeping in touch with the workplace.

It is not compulsory for staff to work during maternity leave, nor is there any right for another member of staff to request an individual must do so. Attendance at the workplace for part of a day will count as one KIT day. Staff will be paid their normal rate of maternity leave pay unless the KIT day falls during the unpaid period of maternity leave, in which case staff will be compensated for a full day's pay.

Arrangements for working during maternity leave must be discussed and agreed between the member of staff and their line manager. Notification of the days to be worked should be sent to HR Services in writing, giving 28 days notice.

Childcare Vouchers

The *Childcare Vouchers Scheme* is a benefit for staff in the UK, for which parents can apply using the *Childcare Vouchers Scheme Application form*. The vouchers may be claimed for only one child at a time and only until the child starts school or reaches the age of five, whichever is the earlier.

The vouchers are allocated to eligible staff on the basis of the number of childcare days required; for staff working reduced hours a pro rata rate applies.

The benefit is £65 per week of which £55 is exempt from tax and NI if used to pay for childcare which is registered or approved.

Under the rules of the scheme, backdated applications for vouchers cannot be accepted. Contact HR Services for information and help.

An additional childcare voucher scheme is available to staff who are not eligible to this benefit. For information about this scheme please read Essential HR chapter Childcare Vouchers through Salary Sacrifice. This scheme enables staff to have part of their salary reduced in exchange for childcare vouchers. This arrangement can result in savings because of the tax and NI exemption on vouchers up to £55 per week.