

# Maternity, Adoption, Paternity and Shared Parental Leave Policy for RVC MPhil/PhD Students and Residents

## 1. Introduction

This policy outlines arrangements the College will make for funded postgraduate research (PGR) students and Residents during a period of absence from their programme due to maternity, paternity, shared parental or adoption leave. It aims to ensure that such students are treated fairly in accordance with the terms and conditions of their funding and in accordance with the College's legal obligations under the 2010 Equality Act.

There is no qualifying period for maternity, paternity, shared parental or adoption leave.

Students on a one-year programme are not covered by this policy but can interrupt their registration for up to 12 months for the purposes of maternity leave via the Student Performance and Development Committee.

## 2. Risk Assessment during Pregnancy

Following confirmation of pregnancy, early discussion between the student and supervisor/clinical lead is strongly advised, especially for those doing lab-based/clinical projects or projects involving overseas fieldwork. This is for health and safety reasons and the information can be kept confidential if necessary.

The student's supervisor and/or the Departmental Safety Supervisor will conduct a risk assessment in relation to hazards associated with their work. If a risk is perceived it may be necessary for the student to be referred to Occupational Health for further advice and guidance.

## 3. Policy and Procedure

The College permits all PGR students and Residents to interrupt their degree for a **maximum** period of 12 months\* for the purpose of maternity or adoption leave where the student is the *primary* carer. This consists of 26\* weeks of ordinary maternity/adoption leave and up to 26\* weeks of additional maternity/adoption leave, making a total of 52\* weeks.

During the period of interruption, tuition fees are not payable to the College.

The Graduate School must be notified of the intention to take maternity leave as soon as practicable, but no later than 15 weeks before the baby is due. For adoption leave, please notify the Graduate School no later than 7 days after the date on which notification of a child match has been provided by the adoption agency.

A change of registration form (available on the Graduate School site on Learn) will need to be completed for all maternity/adoption, paternity and shared parental leave beyond 4 weeks\*. The medical certificate MATB1 confirming the date the baby is due should be attached to the form. To qualify for adoption leave, an original 'Matching Certificate' from the adoption agency must be provided.

*\*Pro-rata for part-time studentships/scholarships*

The earliest maternity leave can start is 11 weeks before the baby is due (unless the baby is born before that date in which case it will commence earlier). Adoption leave can start the day your child is placed for adoption or up to 14 days earlier.

The maternity leave period will automatically begin if the student is unable to continue their studies due to a pregnancy related illness within the 4-week period before the baby is due.

The period of maternity/adoption leave cannot be broken by other types of absences, for example sickness leave. Any such absences will be treated as part of the maternity/adoption leave up to the end of that period of maternity/adoption leave.

Where possible students should take all their annual leave entitlement prior to going on maternity/adoption leave. Annual leave that is not taken before the end of the leave year may be lost.

### **International Students.**

International students holding a tier 4 visa and planning to take maternity/adoption leave/shared parental leave will find that interrupting their study will have an impact on their visa status. Depending on the circumstances, the student may be required to leave the UK during this period of absence and return to their home country. After the period of maternity/adoption/shared parental leave, the student will need to apply for a new tier 4 visa in time to return to their studies. Please contact the Graduate School as soon as possible to discuss the different options. International students holding a scholarship should also inform their funder of their pregnancy or planned interruption and comply with any requirements made by the funding body.

The studentship/residency can be interrupted and held in abeyance for up to 12 months\*.

## **4. Student eligibility criteria for receiving for maternity/adoption pay**

All students in receipt of a maintenance stipend from the College, either from College resources or from grants awarded to the College by external bodies, as part of their studentship/residency will continue to receive payments at the usual rate during the first 26\* weeks of **Ordinary Maternity Leave**.

Students who receive a stipend directly from an external organisation must follow the regulations of the funder. If the funder does not provide additional funds to cover a period of maternity/adoption leave, the College is not liable to provide payments under this policy.

The College will not make any payment to self-funded PGR students/Residents during maternity or adoption leave.

**Additional Maternity Leave** begins on the day after ordinary maternity leave ends and may continue for a further 26\* weeks.

PhD students in receipt of a maintenance stipend from the College, either from College resources or from grants awarded to the College by external bodies, are entitled to receive

*\*Pro-rata for part-time studentships/scholarships*

maintenance payments for an additional 13 weeks at approximately 41% of the minimum doctoral stipend.

They should contact the Graduate school for more details of any additional periods of leave and funding support they may be entitled to for maternity/adoption leave.

In order to qualify for maternity leave/pay, the expected date of birth must occur during the period of the funded studentship.

To be eligible for adoption leave/pay, a student must be newly matched with a child for adoption by an approved adoption agency, and the expected date of adoption must occur during the period of the funded studentship.

## **5. Paternity leave**

If the wife, civil partner or partner of a student in receipt of a maintenance stipend from the College as part of their studentship/residency gives birth to a child (or, in the case of adoptive parents, following the arrival of a newly matched/placed child), the student is entitled to a total of 14 days\* (including weekends and public holidays) paid paternity leave. This is in addition to the normal annual leave entitlement and must be approved by their supervisors and reported to the Graduate School.

Paternity leave must be taken in a single block of one or two weeks within eight weeks of the birth or adoption of the child. If the child is born early, it must be taken from the time of the birth.

The studentship will be extended by a commensurate period.

Students who wish to take both paternity leave and shared parental leave (see below) must take their period of paternity leave first. A student cannot take paternity leave if he/she has already taken a period of shared parental leave in relation to the same child.

Students should provide notification as soon as possible that they wish to take paternity leave, but no later than the end of the 15th week before the expected week of childbirth/adoption leave. They should say when the baby is due, whether they intend to take one or two weeks off, and when they expect their paternity leave to start.

Students who receive a stipend directly from an external organisation must follow the regulations of the funder. If the funder does not provide additional funds for paternity leave, the College is not liable to provide payments under this policy.

## **6. Shared parental leave (currently under discussion so please contact the Graduate school)**

Research Students in receipt of a maintenance stipend from the College whose wife, civil partner or partner gives birth to a child (or, in the case of adoptive parents, following the arrival of a newly matched/placed child) are entitled to 52 weeks shared parental leave of which 10 days will be on full stipend (as outlined in the paternity leave conditions above), and up to 50 additional weeks unpaid shared parental leave.

*\*Pro-rata for part-time studentships/scholarships*

With shared parental leave, there is a requirement that mothers commit to ending their maternity/adoption leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner. They can also choose to return to work early from maternity/adoption leave and opt in to shared parental leave/pay at a later date.

The number of weeks that may be taken as shared parental leave will depend on how many of the other parent's 52 weeks of maternity/adoption leave remains and may not end later than the child's first birthday.

UKRI-funded students may be entitled to share a period of funded parental leave depending on the individual circumstances. The [UKRI guidance, terms and conditions](#) on training grants provides further information on maternity, shared parental leave and adoption leave.

Students should contact the Graduate school to discuss their options. Prior to receiving such funding, students will be required to state their intention to return to their studies after taking parental leave. In line with the UKRI policy, students who do not return to their studies for at least 12 weeks\* after taking funded parental leave may be required to pay back in full all monies received during the period of leave.

The payments and leave entitlement reflect those made to students undertaking maternity/adoption leave. Therefore, qualifying students in receipt of UKRI funding will continue to be paid at full stipend for shared parental leave taken in the 26 weeks following the birth of the child/placement of the child, or at the reduced rate in the 13 weeks after week 26. All applications for shared parental leave (paid and unpaid) should be submitted with a statement from the parent in receipt of the paid maternity or adoption leave, confirming that the applicant for shared parent leave is their husband/wife/civil partner, the child's other parent, or partner if the child's father does not share the main responsibility for the care of the child. In addition, the student must also provide the contact details of the employer of the individual in receipt of paid maternity or adoption leave (to check when their entitlement to maternity or adoption leave/pay ends). Where the individual in receipt of maternity or adoption leave is also a post-graduate student, details of their HE Institution should be provided.

## **7. Returning from maternity, adoption or shared parental leave**

Students should not return to study within 2 weeks of giving birth for health and safety reasons. This is known as compulsory maternity leave.

Students taking the full 52-week entitlement\* to maternity/adoption leave will be advised by the College of the date on which they are expected to return to their studies. The student is expected to return on this date, unless they notify the College otherwise.

Students wanting to return to their studies before the planned return date must notify the Graduate School at least 4 weeks before the proposed new return date.

Students on maternity/adoption/shared leave are encouraged to maintain occasional contact with their supervisor/clinical lead so that arrangements may be made for their return to study. This may include an assessment of their requirements in relation to e.g. training, monitoring and additional learning support if applicable.

*\*Pro-rata for part-time studentships/scholarships*

A formal discussion should take place between the student and their supervisor prior to the beginning of the maternity/adoption/shared parental leave period to discuss the contact arrangements and any other relevant issues.

If the student is unable to return to studies at the end of maternity leave/adoption or shared parental leave due to sickness or injury, the student must get in touch with the Graduate school at their earliest convenience. In any other case, late return without prior authorisation will be treated as unauthorised absence.

Students returning to study after the birth of their child/adoption can seek permission to study on a part-time basis. If it is agreed by the supervisory/clinical team that the remaining period of research study/clinical training can be successfully completed on a part-time basis, a change of registration form should be completed and submitted to the Graduate School who will seek approval from the Student Performance and Development System (SPDS). Where necessary, approval must be granted by the student's funding body and (where applicable) visa requirements must be met.

If a student withdraws from their programme of study within 12 weeks of their return from maternity or adoption leave, the College has the right to recover any maternity or adoption payment made (if applicable).