

III-Health and Maternity & Paternity Policy

Maternity & Paternity Leave

The Commonwealth Scholarship Commission in the UK has a policy on Maternity and Paternity Leave for Scholars who are:

1. undertaking a doctoral degree at a UK university, here defined as PhD Scholars
2. undertaking a doctoral degree outside the UK but who are attending a component of their studies in the UK, here defined as split-site PhD Scholars

Maternity Leave

PhD Scholars

1. **Subject to the agreement of the Scholar's university*** a PhD Scholar, not on fieldwork, may have **up to a maximum** of 17 weeks paid Maternity Leave and up to a further 35 weeks of unpaid leave in the UK.
2. **To qualify for Maternity Leave the Scholar must notify the Commonwealth Scholarship Commission Secretariat in writing by the 26th week of pregnancy of:**
 - a) the Expected Date of Delivery
 - b) the date the Scholar proposes to start the Maternity Leave
 - c) the amount of unpaid leave the Scholar proposes to take (if any); the unpaid leave must immediately follow the paid leave.
3. In addition, written confirmation of:
 - a) the Expected Date of Delivery must be obtained from the Scholar's General Practitioner or Midwife **and**
 - b) the UK university's agreement to maternity leave, giving the agreed dates of leave from the university (this must be forwarded to the Commonwealth Scholarship Commission Secretariat before the Maternity Leave can be confirmed)
1. The Maternity Leave must start no earlier than 11 weeks before the expected date of delivery and no later than the date the baby is born.
2. If a Scholar develops a maternity-related illness within 4 weeks of the expected date of delivery, the Maternity Leave starts on the first day of absence.
3. In the event the baby is born before the date the Scholar proposes to start the Maternity Leave, the Maternity Leave commences on the date the baby is born.
4. Maternity Leave will only be paid to Scholars on award in the UK.
5. Maternity Leave will be paid at the rate the Scholar received the month before commencing Maternity Leave.
6. A copy of the baby's birth certificate must be submitted to the Commonwealth Scholarship Commission Secretariat as soon as it is available.
7. Illness during Maternity Leave, whether paid or unpaid, does not qualify for extension on grounds of ill-health.

8. Maternity Leave automatically stops if a Scholar requests resources, say, to attend a conference.
9. If the Expected Date of Delivery of a Scholar is less than 13 weeks after the start date of the award, Maternity Leave is not applicable. Either she defers her start date or she commences her studies at the beginning of the academic year and suspends them around the time of Delivery.
10. If the NHS decides to charge the Scholar for ante-natal and/or maternity care on the grounds that the pregnancy was “a pre-existing condition”, the Commonwealth Scholarship Commission will not reimburse the charges.
11. **Maternity leave must start within the 36 month tenure of an award.**

Split-site PhD Scholars

1. **Subject to the agreement of the Scholar's university.*** a split-site PhD Scholar may have **up to 6 weeks** paid Maternity Leave if the baby is due during the period of study in the UK;
2. However
 - a) if the baby is due within 13 weeks of the start of the period of study in the UK, it is recommended that the Scholar delays her arrival for 19 weeks [subject to the agreement of the Scholar's university]
 - b) if the baby is due within 13 weeks of the end of the period of study in the UK, it is recommended that the Scholar goes home 19 weeks sooner than originally agreed with the CSC and returns for 19 weeks the following year [subject to the agreement of the Scholar's university]
3. To qualify for Maternity Leave the Commonwealth Scholarship Commission Secretariat must be notified in writing by the 26th week of pregnancy of:
 - a) the Expected Date of Delivery
 - b) the date the Scholar proposes to start the Maternity Leave
4. In addition, written confirmation of:
 - a) the Expected Date of Delivery must be obtained from the Scholar's General Practitioner or Midwife **and**
 - b) the UK university's agreement to maternity leave, giving the agreed dates of leave from the university (this must be forwarded to the Commonwealth Scholarship Commission Secretariat before the Maternity Leave can be confirmed)
5. The Maternity Leave must start no earlier than 4 weeks before the expected date of delivery and no later than the date the baby is born
6. If a Scholar develops a maternity-related illness within 4 weeks of the expected date of delivery, the Maternity Leave starts on the first day of absence.
7. In the event the baby is born before the date the Scholar proposes to start the Maternity Leave, the Maternity Leave commences on the date the baby is born.
8. Maternity Leave will only be paid to Scholar's on award in the UK.
9. Maternity Leave will be paid at the rate the Scholar received the month before commencing Maternity Leave.
10. A certified copy of the baby's birth certificate must be submitted to the Commonwealth Scholarship Commission Secretariat as soon as it is available.
11. Illness during Maternity Leave does not qualify for extension on grounds of ill-health.
12. Maternity Leave automatically stops if a Scholar requests resources, say, to attend a conference.

13. If the NHS decides to charge the Scholar for ante-natal and/or maternity care on the grounds that the pregnancy was “a pre-existing condition”, the Commonwealth Scholarship Commission will not reimburse the charges.

Paternity Leave

PhD Scholars and split-site PhD Scholars may have 2 consecutive weeks of paid Paternity Leave subject to the agreement of the Scholar's university.* The Paternity Leave must be taken either during the last 11 weeks of the pregnancy of the award-holder's partner or within 13 weeks of the birth of the baby.

In order for paternity leave to be authorized, the scholar intending to claim paternity leave should, prior to the birth of the baby, forward confirmation of the due date from the GP/midwife, and also written confirmation from the university that the paternity leave has been authorised.

III-Health and Maternity & Paternity Policy

III-Health Leave

The Commonwealth Scholarship Commission (CSC) is prepared to consider extension of the awards of PhD Scholars and of Split-site PhD Scholars on grounds of ill-health, **subject to the agreement of the Scholar's university.***

1. Requests for an extension are considered individually. That the university has agreed to leave of absence on grounds of ill-health does not necessarily mean that the Commission will fund an extension.
2. The maximum duration of an extension on grounds of ill-health during an award is 13 weeks.
3. An extension is not granted for illness lasting less than 4 weeks, during which time the Scholar has been unable to complete PhD work.
4. In order for an extension on the grounds of ill-health to be authorised, the Scholar must forward to their Programme Officer: written confirmation of the length of absence, as confirmed by their university, and that the Scholar was unable to work on their PhD during this period.
5. The CSC must be informed as soon after the onset of illness as is practicable, and no later than 4 weeks after the onset of illness. Any later notification may affect the length of ill-health extension granted.
6. The CSC must be informed in writing when the award-holder returns to work.
7. The CSC must receive a report from a doctor looking after the award-holder during his/her illness within 2 months of the award-holder's return to work. The report should state when the illness began and contain details of the diagnosis and the management of the illness together with an estimate of the likelihood of recurrence of the illness during the remainder of the award (0-10%, 11-25%, 26-50%, 51-75%, 76-100%).
8. The CSC will notify the award-holder in writing whether or not an extension has been granted, and if so the length of an extension, within 2 months of the receipt of the medical report.

Please note that the Commission reserves the right to change its policies for its own reasons or in response to external changes. All of the above is subject to the agreement of the UK host university and UK Home Office whose policies are subject to change.

Whilst these Good Practice arrangements conform to current UK employment law, the Commonwealth Scholarship Commission is not obliged to follow the law as Scholars are not employees.

**Recent changes to UK visa regulations mean that it is at the discretion of the institution sponsoring a Scholar's Tier 4 visa whether they support an absence from studies for 'maternity/paternity leave' or 'ill-health' and for how long a period of leave will be granted.*

If the absence is supported, your Tier 4 visa sponsorship will continue and you can remain in the UK for that period without your visa being affected and you may be eligible to receive allowances under the CSC policies.

If the absence for maternity/paternity or ill-health leave is not supported, your University will be required to report you to the Home Office which means that your visa will be curtailed and you will need to return to your home country and apply for a new visa when you are ready to continue with your studies. An extension on the grounds of ill health or maternity/paternity leave can only be paid for periods of supported absence in the UK, so if you return home you will not be eligible for leave pay from the Commission.

We recommend that you speak with an International Student Adviser at your university as soon as possible to discuss your options before contacting the CSC regarding your eligibility for an extension on the grounds of maternity/paternity or ill-health leave.