Maternity Leave
Guidance for Managers
Maternity Leave: Guidance for Managers

Introduction

This guidance is designed to give you all the practical and essential information you need to support women who are pregnant, who are on maternity leave or are returning from maternity leave. For more information on the University’s rules and regulations regarding maternity leave please see the Maternity Leave Policy.

It is essential that staff inform their line manager of their pregnancy as soon as possible in order to ensure any measures can be taken to ensure that the working environment is safe. The latest your staff member can inform you of her pregnancy is 15 weeks before the baby is due. If she fails to do this she will lose her right to maternity pay and leave. The overall environment in the unit should be one of celebrating pregnancy, staff should not be made to feel that they are causing problems or difficulties through their maternity leave.

For research active staff pregnancy and maternity leave are grounds for submission of a reduced number of outputs for submission to the REF.

Pre Maternity Leave

1. What to do when a staff member tells you there are pregnant

   1.1. Congratulate them (if appropriate) on their pregnancy.

   1.2. Find out if and when they wish to share news with others bearing in mind they are entitled to confidentiality.

   1.3. Provide a copy of the Maternity Leave Policy

   1.4. Discuss initial plans for maternity leave start and return dates. At this stage, plans will be subject to change, so avoid going into too much detail.

   1.5. Do not share any concerns you have about arranging cover or your budgets with your staff member. Conversations of this type are matters to be addressed in unit management discussions and are entirely inappropriate with the member of staff concerned at this point.

   1.6. Carry out a Pregnancy Risk Assessment, it is the line manager’s responsibility to ensure that all pregnant employees have an assessment (this is especially important where she is undertaking shift work, physically demanding work or working with substances that may have health risks for pregnant women).
1.7. Bear in mind that the earliest maternity leave start date is 11 weeks before the baby is due. Employees may change their mind about the start date but must notify you at least 28 days in advance of the proposed new start date.

1.8. Find out if your staff member has submitted their MATB1 Form (available from their midwife after week 26) to your local HR team along with their Maternity Leave Request Form no later than 15 weeks before the baby is due.

2. How to best support a staff member during their pregnancy

Allow your staff member time off for any ante-natal appointments. All pregnant employees have a statutory right to paid time off to attend ante-natal appointments. Apart from the first appointment, you may request evidence of appointments if you feel this is necessary.

Encourage your staff member to take rest and lunch breaks.

Make arrangements for maternity cover as soon as possible and communicate your plans with your staff member, including them in decisions wherever possible.

Discuss whether your team member wishes to change her working pattern upon her return from maternity leave. Bear in mind that employees do not have a legal right to return from maternity leave on a different hours but they do have right to request Flexible Working.

Remember that decisions about working patterns on return do not have to be made in advance of maternity leave starting but remind them that any requests must be submitted at least 8 weeks before return date.

Ask your employee about contact arrangements when they will be on maternity leave. It is good practice to maintain “reasonable contact” with your staff member whilst they are on leave. It is equally good practice to keep employees aware of changes going on in the workplace and invite them to social events. Even if your staff member requests no contact during her maternity leave, you have a duty to keep her informed about any major changes to her working environment, e.g. restructure.

Openly discuss Keeping in Touch Days (KiT) prior to your staff member starting maternity leave. KiT days allow your staff member to work up to 10 days during any period of their maternity leave with no adverse impact on their maternity pay. For further information about KiT Days please read the appropriate section below.

3. How to plan for a staff member taking maternity leave

It is essential that managers start to plan for a period of maternity leave within their team as soon as possible. Uncertainty over what will happen to their work when an employee is on maternity leave can be an unnecessary source of stress and anxiety. Here a few things to consider:
3.1. Are you providing a replacement member of staff to cover the maternity leave? Or will you be able to re-allocate existing resource? Or will it be a combination of both?

3.2. Do you have approval to recruit a replacement? If not, what other options are available? Can the work be postponed? Can it be shared out amongst others?

3.3. When does the temporary cover need to be in place? How long will it realistically take to recruit a suitable person?

3.4. Do you need and can you afford to have a handover period? Will you have a handover prior to the maternity leave and upon return?

3.5. It is important to set expectations with other team members about how long the leave period will be and what will happen upon return.

4. **How to organise Keeping in Touch Days (KiT)**

   If you and your staff member agree they can do up to 10 days work, known as Keeping in Touch (KiT) Days. Keeping in Touch Days can only be taken during the maternity leave period (paid or unpaid) but not during any period of annual leave added on to the end of their maternity leave period. If it is agreed that your staff member can come in to work during any period of annual leave, the annual leave entitlement should be adjusted accordingly.

   You can decide with your staff member how many hours they will work on a KiT Day and they will be paid for the appropriate number of hours. Keeping in Touch Days are paid at the rate of full pay for the time worked without any adverse impact on maternity pay. Payment for Keeping in Touch days will be made upon return from maternity leave on completion of the KiT Form. Wherever possible KIT days should reflect the individuals workload balancing research, teaching and administrative KIT activities wherever possible.

   You and your staff member must agree in advance what they will do during your Keeping in Touch Days. KiT days may be used for any activity which would ordinarily be classed as work under their contract, but they could also be used to enable staff to attend a conference, undertake training activities or attend team meetings.

   **N.B. staff are only permitted to work a maximum of 10 KIT days (for example they cannot work 20 half days as an alternative).**

5. **Issues to consider relevant to academic/research staff**

   Some funding bodies are prepared to suspend or extend grants to allow for maternity leave. The Principal Investigator should check the terms and conditions of the relevant funding bodies. Further advice may be sought from the relevant Faculty Grants and Contracts Team in [Research and Enterprise Services](#).
Staff members who have taken maternity leave must not return to work on less favourable terms. With this in mind, it is important to set expectations around the following areas:

5.1. Who will take over supervision of PhD students? Will the supervision be temporary?
The interests of the student need to be balanced with the interests of the member of staff. Who will assume interim responsibility for supervising technicians or researchers on externally funded projects?

5.2. Where the member of staff is a Principal or Co-investigator on a grant it may be necessary to inform the grant funding body of interim arrangements, and in some cases seek their consent. Advice can again be sought from the relevant Grants and Contracts Team in Research and Enterprise Services.

5.3. Does the academic staff member wish to use KiT days to continue to work on ongoing projects?

During Maternity Leave

6. How to best support a staff member during their maternity leave

With the exception of KiT Days, employees who are on maternity leave are not allowed to work. You must not allow, expect or encourage them to work during their maternity leave.

We know that many researchers will wish to continue to read and keep up to date with their study area but this must be their own decision, it must not be seen as a University requirement.

You will have already established the method and how regularly you will stay in touch with your staff member. Stick to this if you can.

Invite staff members on maternity leave to social events. They may not wish or be able to come but it’s nice to be asked.

Remember that having a child is a life changing experience. People’s feelings and circumstances can and do change once the baby arrives. People may change their minds about their wishes to return to work or their working hours. Be flexible when reviewing their requests in the light of University policy. If in any doubt consult your local HR team.

Give sympathetic consideration to requests to return on a part-time or job-share basis. Your staff member has the right to request a change to working conditions and you have a duty to seriously consider the request. Note that applications must be dealt with following a set procedure and timescale. Further information can be found on the Flexible Working website.
Returning from Maternity Leave

7. **How to best support a staff member on their return after maternity leave**

   For health and safety reasons, your staff member cannot return to work within 2 weeks of the birth.

   If your staff member is returning during or at the end of the first 26 weeks Ordinary Maternity Leave they are entitled to return to the same job on the same terms and conditions of employment as if they had not been absent.

   If they are returning during or at the end of Additional Maternity Leave they are entitled to return to the same job on the same terms and conditions of employment as if they had not been absent, or if that is not reasonably practicable, to a similar job.

   Do not assume that your team member can “pick up where they left off”. Allow them some time to catch up and get up to speed, even if this is only for a day or two.

   It is recommended that you carry out a “re-induction” to the workplace and a PDR introducing them to any new members of the team, providing updated policies and providing information about any major changes that have taken place whilst they have been away.

   Consider if their work commitments are reasonable. For example, ensure they are not expected to teach at 9.00 on their first day back.

   If your team member has returned from maternity leave to work part-time after previously working full time, you may need to help them plan their workload and agree what their priorities should be. If someone is working 60% FTE, remember that their workload should be 60% of a full time person’s.

   Consider your team member’s personal development. They may not be as able to attend conferences or training as they were in the past. How can you ensure this does not impede their career aspirations? During their PDR discuss their personal development needs and be prepared to think creatively about their development. Would they benefit from mentoring or coaching activities or any other form of career development? Organisational Development offers a wide range of services for all employees including advice, delivery of workshops, mentoring programmes for Research and Administrative employees.

   Where the member of staff has been a Principal or Co-investigator on a grant or an employee on a grant, there may be issues to discuss with the funder regarding changes to working conditions. The relevant Faculty Grants and Contracts Team in Research and Enterprise Services can advise.
8. How to best support an academic staff member on their return after maternity leave

It can be extremely stressful being away from the highly competitive academic work environment for any period of time. The demands of an academic career combined with family commitments can be extremely challenging for men and women alike. As women are more likely to be the primary carer for children, it is important that you consider the following issues carefully to ensure that women do not inadvertently suffer a detriment in terms of career development:

Are there any issues that may inhibit your team member continuing to be research active upon their return from maternity leave? How can you help your team member to remain research active? If you agree with the member of staff that this is not possible, are there other career pathways which may be suitable? Here are a few issues which are important to consider

8.1. Consider if the balance of teaching, research and administration duties is appropriate.

8.2. If returning on a part-time basis, this should be taken into account in the workload model.

8.3. If they are having difficulty attending or are unable to attend some conferences on their return to work because of childcare issues, are there any alternatives you can explore?

8.4. How can you support them so they continue to produce the quality of publications required to be selected for any research assessment exercise e.g. the Research Excellence Framework

8.5. Have they been fairly acknowledged for their contribution to publications, even if they have had a recent period of maternity leave?

9. Breastfeeding

If your team member advises you that they intend to breastfeed or express breast milk after they have returned to work, including during the Kit days, the University will need to undertake a risk assessment and remove any risks found. You as line manager will need to make arrangements to provide suitable rest periods, with facilities such as a private room and access to a refrigerator for the employee to store expressed milk.

There is no legal right for workers to take time off to breastfeed, however it is important to be as flexible as possible in order to support a mother’s decision to breastfeed her baby. The Equality and Human Rights Commission recommends that you should permit breastfeeding employees to take additional breaks of up to one hour per full working day to feed their baby or to express their breast milk. Note that a refusal to allow a woman to express milk or to adjust her working conditions to enable her to continue to breastfeed may amount to unlawful sex discrimination. Any concerns should be raised immediately with your local HR team.
10. Annual Leave

Entitlement to annual leave will accrue as usual during both paid and unpaid maternity leave. With your agreement, annual leave may be taken immediately prior to, or immediately following maternity leave. Additionally, following paid maternity leave your staff member may wish to take annual leave instead of unpaid maternity leave to enable them to spend more time with their baby while receiving pay.

Staff are expected to take all of their holiday entitlement during the holiday year in which it accrues. However, if it is not practicable due to operational reasons or exceptional circumstances, as line manager you may agree that the leave can be carried forward into the next holiday year but this must be taken at the end of the maternity leave period, immediately prior to their return to work.

Your staff member is entitled to be credited for Bank Holidays and University Closure Days that fall on their normal days of work during the paid period of maternity leave. These days must be taken at the end of the maternity leave period before your staff member returns to work.

Part time workers are advised to use the Leave Calculator to work out their pro-rated annual leave entitlements.

11. Sickness during pregnancy

Absence due to sickness during pregnancy will be considered under the Sickness Absence Policy. If you have any concerns or queries, you must speak to your local HR team as soon as possible.

If the absence is pregnancy related, and occurs during the 4 weeks prior to the due date (expected week of childbirth – EWC), this will automatically trigger the start of your staff member’s maternity leave with effect from the day following the complete first day of absence.
# Checklist for Managers

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<th>Line manager checklist</th>
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<tr>
<td>Provide copy of <a href="#">Maternity Leave Policy</a></td>
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<td>Carry out <a href="#">Pregnancy Risk Assessment</a></td>
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<td>Seek specialist advice (if applicable)</td>
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<td>Allow time off for ante-natal appointments</td>
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<td>Discuss maternity leave and return dates</td>
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<td>Agree contact arrangements for the leave period</td>
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<td>Plan and organise maternity cover</td>
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<td>Discuss/agree Keeping in Touch Days</td>
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<td>Keep in contact with team member during the leave as agreed.</td>
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<td>Arrange re-induction which may include:</td>
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<td>• Introductions to new members of staff.</td>
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<td>• Information about new policies or those that have changed during the leave period.</td>
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<td>• Discussions about any changes to work patterns.</td>
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<td>Follow up on any agreed change in hours/inform HR/Payroll</td>
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<td>Risk assessment for KiT days or return to work, if breastfeeding</td>
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<td>Arrange payment for KiT days.</td>
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<td>Discussed workload priorities, especially if changing hours.</td>
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**For academic colleagues**

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