

# Managers guide: Maternity Leave

## Introduction

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This guide is designed to help you support your employee through their pregnancy, maternity leave and when they return to work.

Please read the maternity leave policy and procedure documents alongside this manager guide.

If you have any comments or questions not answered here please email [humanresources@exeter.ac.uk](mailto:humanresources@exeter.ac.uk)

## Before Maternity Leave

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### When you know an employee is expecting

Congratulate her (if appropriate) on her pregnancy. Below is the relevant information People Services believe you may need. However, if you have questions not answered in this or the maternity procedure document please do not hesitate to contact your [HR contact](#).

Employees must inform you (and their Human Resources contact) by the 15th week before the baby is due (e.g. by approximately 25 weeks' pregnant) in order to qualify for maternity leave and pay. However, the laws which protect the employee at work whilst pregnant only apply once the University knows that they are pregnant.

### Antenatal classes and discrimination

Once the University knows that the employee is pregnant they are entitled to have paid time off to keep appointments for antenatal care, including reasonable time for relaxation or parent craft classes. We ask employees to try, whenever possible, to arrange appointments at times which cause the minimum disruption to work or other work colleagues. If you request it, your employee should provide a certificate confirming their pregnancy, an appointment card, or some other documentary evidence to evidence an appointment (other than for their first appointment). The employee is protected from unfair treatment connected with their pregnancy as soon as they have notified the University.

### Risk Assessment

When an employee has formally announced that she is pregnant, a line manager or nominated person should familiarise themselves with the [health and safety standard for New and Expectant Mothers](#). You should then (in agreement with the new or expectant mother) assess the risks of the work by completing a [New and expectant mothers risk assessment tool](#). This risk assessment must be completed with the employee as soon as possible after you have been informed of the pregnancy. If necessary, support is available from your [HR contact](#), [Occupational Health Service](#) or our Health and Safety team.

Once the risk assessment has been carried out managers are then required to take action against any risks which have been highlighted as medium or high. If necessary, you must take steps to reduce the risk to the new or expectant mother by altering the working condition, hours of work, or by finding a suitable alternative working location, where feasible, in consultation with your [HR contact](#). If you need any advice please contact the [Occupational Health Service](#).

It is recommended that this risk assessment is reviewed and updated in each trimester of the employee's pregnancy, or more frequently if required by the employee. Please record all updates on the assessment form by dating and signing the updated assessment together with the employee. All risk assessments should be recorded and stored securely by the manager. Copies will be sent to HR for the new or expectant mother's HR record and to the new or expectant mother.



### **Travel**

If your member of staff travels overseas in their role, the University's insurance includes medical emergencies arising from a pregnancy, but not routine medical appointments relating to pregnancy. For more information please check the University's [travel insurance](#) webpages before you travel.

### **Entitlements**

What your employee is entitled to is covered in the Maternity procedure document and on the [web pages](#). Please check that your employee has read and understood the HR Maternity web pages which details all entitlements and that they have made an appointment to meet with their HR contact.

Ensure you have discussed and agreed with your employee any additional arrangements required during the pregnancy, i.e. antenatal appointments, workload allocation, rest breaks, but remember this will need to be an on-going dialogue.

### **Work Cover**

Consider the effect of the maternity leave on workloads within your team. Does the role need to be covered in some way during the Maternity Leave? If you wish to recruit a fixed term cover post please discuss this with your [HR contact](#).

### **External Funding**

Grant implications must be discussed with the relevant Research Support Services team. The terms and conditions of the funding agreement should be checked. For example, what are the regulations relating to this grant? Is it possible to cover the work? Is it possible to seek an extension?

### **Probation**

If an employee takes maternity leave before they have completed their probation period, the maternity leave will pause the probation period. Ensure regular meetings carry on throughout their pregnancy and ensure they are aware that the probation period will continue after they return from maternity leave. Once they have returned ensure that meetings are scheduled in so work can be monitored within the probation period. If you have any concerns about performance speak to your [HR contact](#) immediately.

### **Academic managers**

If you are an academic manager please ensure you are aware of your College Guidance on parents and carers which will contain more information about how you can support your academic colleague.

### **PDP**

If your employee is currently in the PDP programme it may be appropriate to discuss reduced targets if the employee has a significant period of time out of the workplace, see the [Exeter Academic](#) web pages for further information. The quality, however, is not reduced.

### **PDR**

Ensure you have carried out a review of current targets and agree a date for setting new targets when they return from maternity leave.

### **International Staff**

Check that your employee has read the HR pages relating to international staff and maternity leave and pay.

Tier 2: Please ensure your [HR contact](#) is aware that your employee is on a Tier 2 visa. The University will need to notify UKVI that their pay will be affected due to a period of maternity leave. Please contact [The International Employment Officer](#) for further advice.

### **Communication**

Agree with your employee the appropriate communication of their pregnancy with colleagues and key stakeholders.

Before your employee has begun their period of Maternity Leave, talk to your employee to agree what kind of contact you will have. Ensure you are both clear about contact during this time. For example:

- Does the employee wish to be updated about changes happening at work? If so, how would they like changes to be communicated?
- Would the employee like the opportunity to attend work during their Maternity Leave to keep in touch, go to a particular event or take up a training opportunity?

### **Keeping in Touch (KIT) days**

Keeping in Touch (KIT) days are a provision under the Work and Families Act 2006, particularly intended to help employees on maternity leave with the process of resuming work and to enable employers to maintain better contact and encourage more open communication with women on maternity leave.

These days are optional and the decision to undertake a KIT day must be made by agreement between you and your employee (there are no rights for either the employer or the employee to require such days).

- there can be up to 10 KIT days taken during the period of maternity leave
- the type of work can be anything that your employee would normally do and be paid for, and could include attendance on training courses and at conferences
- they will not be paid for attending KIT days, nor will it be possible for the University to meet any additional childcare costs. However, for each KIT day, their physical return to work will be deferred by one day. They and you will not see these days in Trent and they can't be booked at a later date. For example, if they were due to return to work on Monday 2 April and worked 5 KIT days, for payroll purposes they would be treated as returning to work on Monday 2 April, but would not physically return until Monday 9 April (example for full time worker Monday – Friday). If KIT days occur during the period when they are receiving Statutory Maternity Pay (SMP), payment of SMP will not be affected
- any work carried out on any KIT day will count as one full day
- for health and safety reasons they must not work during the first two weeks after the baby is born
- employees should not bring babies/children into work on KIT days.

By maintaining a minimal, but regular, presence during maternity leave - bearing in mind there is no obligation for the employee to do so - Keeping in Touch days can offer real benefit to the University and the employee.

### **Annual Leave**

Discuss with your employee how they wish to use their annual leave prior to and after the maternity leave period. They should be advised to take as much outstanding leave as possible before the start of their maternity leave. As a minimum, they are required to take the annual leave they have accrued up to the date they commence their maternity leave, e.g. if they wish to commence their maternity leave on 1 February, they should have taken 1/12th of their leave entitlement. However, you can also agree to allow your employee to take more than the period accrued up to the start of their maternity leave. It is important that your employee has booked all their leave in trent and you have approved it before they go on maternity leave.

Your employee will continue to accrue annual leave during the period of maternity leave which can be taken when their maternity leave finishes. Leave should be taken within the year in which it is accrued, except in those circumstances where their period of maternity leave continues into the next calendar year (and, therefore, a new annual leave year). In such cases, any outstanding leave may be carried forward to the following year, providing it is taken in full, immediately following the period of maternity leave. Payment in lieu of annual leave cannot be made. During their maternity leave, bank holidays and closure days that fall on days they would have worked, will be marked as 'not taken' in Trent and will not be deducted from their holiday entitlement. Employees can then book them as leave on their return.

### **Annual leave for academic staff**

Annual leave for academic staff is based on a full-time entitlement of 30 days plus 8 bank holidays and 3 closure days designated by the University. The contractual requirement for academic staff that leave must be taken during vacation periods will be waived where outstanding leave is taken either immediately before or after a period of maternity leave.

### **Sickness during pregnancy**

The normal absence process for your College/Service should be followed. Further information can be found on the [absence webpages](#).

However, if your employee is off sick with a pregnancy-related illness during the four weeks before their baby is due (approximately 36 weeks' pregnant onwards) their maternity leave and pay may start automatically. In this instance, you must ensure your employee has contacted your [HR contact](#).

## **During Maternity Leave**

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### **Communication**

If the baby is born early please ensure that HR have also been made aware of this as it can have implications regarding payroll and agreed dates.

Once your employee has begun their maternity leave it is really important that you maintain the agreed contact with your employee. It is important to keep employees updated of any formal changes that might be happening in their team or the University. Invite them to any social events your team is having. They may not wish to or be able to come but it's nice to be asked and can combat feelings of isolation.

Remember that having a baby is a life changing experience and plans for the return to work may change. If the employee gives the correct notice (at least 8 weeks' notice) then this is perfectly acceptable to do. If your employee indicates that they do wish to change their plans please contact your [HR contact](#) to discuss them. They may also begin to think about changing their hours or days so consider any flexible working applications, you receive using the [flexible working procedure](#).

### **KIT days**

If you and your employee decide to make use of KIT days ensure that these are productive and effective. Please also ask them to complete form [PD25](#) and return it to Human Resources **at least 2 weeks before** the date they are due to return to work. Remember any day they have used will extend their leave by a day.

### **Planning for the return to work**

You will have kept up a dialogue whilst your employee is on maternity leave and when it gets nearer to their return to work it is important to discuss and agree the plans for the return to work, i.e. risk assessments, breastfeeding arrangements (if relevant), re-induction and workload.

You should be aware of the date your employee is due to return to work. If this date changes please liaise with HR Services to ensure they are aware. Your employee may have been out of the workplace for a significant amount of time and returning to work can be a daunting prospect. Create an appropriate re-induction programme for the member of staff, suitable to the length of time they have had away from the workplace. Use the [new staff induction webpages](#) and amend as appropriate. Also consider practical arrangements like office arrangement/work area for your employee's return. Have they got everything they need to do their job when they return?

Consider additional support the employee may need upon their return, it is best practice to offer regular 1:1 meetings to ensure they are being supported in the right way. If you meet before they return to work then you could consider and identify any potential training requirements for their return.

If they have been off for less than 26 weeks then they are entitled to return to their old job, if they have taken more than 26 weeks then they are entitled to return to their job unless it's not reasonably practicable (e.g. the job no longer exists).

Employees may wish to return to work on a different basis. The University have drafted a [flexible working toolkit](#) which should answer many queries you have. If you have any further queries do not hesitate to contact your [HR contact](#).

## **After Maternity Leave/ Returning to work**

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### **First day**

Please ensure that you have made arrangements for when and where they need to go on their first day (office moves may mean this is not where they used to work), like you would for a new starter. It is a good idea as their manager to meet with them for a 1:1 on their first day or very soon afterwards.

### **Return to work meeting**

Take the time to check that your employee is well. Coming back to work can be a difficult time. Be supportive. Allow time for them to catch up and get back up to speed. This meeting is a great opportunity to go through their re-induction and any meetings you have arranged for them. Use this meeting to review and update the risk assessment to reflect the new needs of the employee or if not appropriate then arrange a time to do this.

If they are on probation restart the probation period and arrange a meeting to reset targets and arrange regular review meetings after this. If they have completed probation then arrange a PDR meeting at this stage to allow them a few weeks to settle back in. An employee should always have targets set and previous targets reviewed, where appropriate.

If you did not meet before they returned to work you may now need to consider and identify any potential training requirements they have.

Ensure you and they check that their annual leave is correct in trent. In particular check that any leave booked before they return is recorded correctly.

### **Follow up**

If the staff member is here on a visa, ensure the [International Employment Officer](#) is aware of the return to work dates to UKVI can be informed.

If an employee is not returning to work, again please notify HR Services as soon as possible.

If you need any further information or guidance relating to the risk assessments please contact our Health and Safety team.

### **Breastfeeding**

If your employee is breastfeeding when she returns to work she is entitled to have time to express and rest. The University currently provides a room for nursing mothers on each of our three campuses - find out about [nursing mothers' rooms](#). These rooms are all equipped with fridges for the storage of milk.

### **Bringing Children onto Campus**

There are policies and health and safety issues with bringing [children onto campus](#). Please ensure if you are asked by your employee that you know what your responsibilities are.

## **Further guidance**

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Further guidance is available on the HR [Maternity](#) web pages

The following further guidance is available on the HR [Shared Parental Policy, Procedure and Guidance, Frequently Asked Questions, Flowchart, Forms](#)

Please speak to your [HR contact](#) for anything further or to discuss your individual circumstances.

## Manager checklist

<b>Before Maternity Leave</b>	✓
Carry out risk assessments in all three trimesters of pregnancy and update more frequently if needed	
Follow up with any actions from the risk assessment	
Allow employee time off for ante-natal appointments	
Discuss maternity leave and dates	
Agree contact arrangements and communication for the leave period	
Discuss and agree any cover for the maternity period	
Discuss and agree any KIT days	
If externally funded contact Research Support Services Team	
If your member of staff has to travel during her pregnancy, ensure that she has contacted the insurance services team	
Regular 1:1 to ensure a dialogue is ongoing with regard to work and health	
Probation/PDP/PDR process: ensure that these meetings continue until maternity leave begins and that a plan is agreed of how they will be dealt with when the employee returns from maternity	
If your employee is here on a visa then ensure the International Employment Officer is aware of the upcoming maternity leave	
Check annual leave has been entered into trent and that if you have approved the employees annual leave request that it has been approved in trent	
If the employee is off with a pregnancy related sickness anytime in the four weeks before her due date then inform HR immediately	
<b>During Maternity Leave</b>	
If baby is born early inform HR	
Continue regular contact as agreed with employee	
Invite to department, team training, etc.	
Invite to any social events	
Ensure they have returned their completed KIT day form and returned to HR	
Ensure practical arrangements are sorted for employees return, office, desk, lab space, computer, etc.	
Plan re-induction for employee	
Contact the employee with details of the first day back at work	
<b>Return to work</b>	
Meet with them on their first day, welcome them back and go through the re-induction you have planned	
Arrange for a return to work meeting within the first few days	
Review the risk assessment and note any actions	
Check that your employee is well and is settling in	
Agree on any training requirements identified	
Set a probation meeting if relevant	
Set a PDR meeting	
Check that their annual leave has been recorded for their time after maternity	
If they are an international worker on a visa then ensure that the International Employment Officer has been informed of their return	
If your employee is not returning to work please contact HR immediately to inform them	
Informed your employee of the room designed for expressing milk and resting	