



## **MANAGING MATERNITY LEAVE – GUIDANCE FOR MANAGERS**

This document is a guide which provides important information for Managers about maternity leave. Further information can be found in the Family Friendly Policy.

### **Notice of Intention & Basic maternity rights & Start Dates**

Your employee is entitled to 52 weeks maternity leave, regardless of length of service or the number of hours worked. Maternity leave is divided into two halves:

- First 26 weeks is known as Ordinary Maternity leave (OML)
- Second 26 weeks is called Additional Maternity Leave (AML)
  - The earliest an employee can start maternity leave is 11 weeks before the beginning of the week when the baby is due
  - Leave will also start;
    - the day after the birth if the baby is early
    - automatically if you're off work for a pregnancy-related illness in the 4 weeks before the week (Sunday to Saturday) that your baby is due

Notice should be given no later than 15 weeks before the beginning of the week the baby is due. Employees should notify you at least 28 days or as soon as reasonably practicable if they wish to change their original maternity start date.

Employees must take 2 weeks' compulsory maternity leave after the baby is born (4 weeks if the employee works in a physical operational role i.e. Factory/Parks/Waste).

Please speak to HR regarding requests for Shared Maternity Leave.

### **Update Risk Assessments**

Once you have been notified of a pregnancy, you should carry out a risk assessment for that employee and familiarise yourself with the Health and Safety Standards for New and Expectant Mothers [www.hseni.gov.uk/topic/new-and-expectant-mothers](http://www.hseni.gov.uk/topic/new-and-expectant-mothers).

Although it is likely that nothing will need to change, it is important to review the risk assessment at regular intervals during the employee's pregnancy. The employee may require an adjustment to her workstation or role, such as a different chair, to be placed on light duties or home working, as the pregnancy progresses. All risk assessments should be recorded and stored securely by the manager. Please contact the Council's Health and Safety representative for further guidance.

## **Antenatal appointments**

Pregnant employees have the right to reasonable time off for antenatal appointments, paid at the normal rate of pay. The first appointment usually occurs between week 8 and 12 of the pregnancy. Follow up appointments usually occur at weeks 16, 18-20, 25, 28, 30, 32, 34, 36, 38, 40 and 41. After the first appointment your employee must provide proof of the appointment and of her pregnancy.

As well as scans and appointments with the midwife, consideration will be given to other time off e.g. relaxation and parentcraft classes if the appointment has been made on the advice of a GP, nurse or midwife, it counts as antenatal care and will be paid at the normal rate of pay. If possible, an employee should avoid taking time off work when they can reasonably arrange classes or examinations outside of working hours.

## **DURING MATERNITY LEAVE**

### **Keeping in Touch**

An employer is entitled to contact their employee occasionally during Statutory Maternity leave; however, some line managers are wary about contacting an employee (and some employees don't want to be contacted). Discussing and agreeing how/if the employee wants to be kept in touch avoids any misunderstanding later. Keeping in touch could take the form of a phone call every month, e-mail updates or the occasional visits to the office. Whilst on maternity leave you are obliged to inform the employee of changes at work, training opportunities and vacancies.

There are only two things that an employee is required to do legally to keep in touch whilst on maternity leave.

- Inform employer of the birth if this comes before the maternity start date
- Plans a change to maternity end date, then the employee needs to provide 8 weeks formal notice.

Anything else to do with keeping in touch is up to you and your employee.

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

An employee may work up to 10 KIT days without bringing maternity leave to an end or losing Statutory Maternity Pay. KIT days are optional, and you should agree with your employee when the KIT day happens and agree on what work is to be done.

- 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.
- Any work carried out on any KIT Day will count as one full day.

- For Health & Safety reasons employees must not work during the first 2 weeks after the baby is born or 4 weeks who works in a physical operational role.

## **RETURN TO WORK FROM MATERNITY LEAVE**

Returning to work from a period of maternity leave can be daunting and employees can feel anxious and isolated trying to balance their role as a parent to a new child with work demands. As a manager, it can be easy to forget or perhaps not fully understand that employees need to be welcomed back and reintroduced into the team and possibly to new ways of working. This makes a big difference in creating a positive experience for the employee in feeling part of the team again and getting to grips with their shift back to their work duties and responsibilities.

To ensure a smooth transition back into the workplace and the team, it is important that the manager plans appropriately to support this.

### **Return to Work Plan**

It is recommended that a return-to-work plan is organised for the employee to be welcomed back to work. You can start by looking at a plan that you would put together for a new member of the team and tailor it accordingly. It may be particularly helpful to consider the following, where applicable:

A personal welcome back from the line manager

Ensuring all IT access and re-set up is completed prior to the employee coming back to work

The arrangements for the handover of work from other colleagues

Updates on key projects/activities

Any relevant developments/changes not already communicated

One-to-one meetings with key colleagues/stakeholders

Flexible working applications

Breastfeeding arrangements (if applicable)

<https://www.publichealth.hscni.net/publications/promoting-breastfeeding-mothers-returning-work-guide-employers-1>

Risk assessments (if applicable)

Communications regarding the employees return prior to them coming back to work

Training requirements, including the renewal of any compulsory training

## **Phased Return**

A phased return has been shown to be one of the most effective ways to get back into the swing of working. There are several ways that this can be achieved such as:

Accrued holidays can be used to temporarily allow for part-time working after your employee's official return to work, whilst still receiving 'normal' pay. This can mean working for only part of the week or working shorter days across the week.

It is best to discuss the options with your employee as everyone's needs will be different.

## **Flexible Working**

Your employee may wish to request an alternative working pattern for their return to work. Flexible working enables greater employee wellbeing, job satisfaction and retention and managers are encouraged to be open to the prospect of flexible arrangements. A flexible working request should be considered in line with the Council's Flexible Working Policy.

It is also important to remember that your employee has a new child and will probably be very tired during the first few weeks and perhaps a bit overwhelmed. Regular catch ups and one-to-ones with your employee will help to ensure that the lines of communication are open and that you best understand how to support them.

## **TEMPORARY MEMBER OF STAFF**

If you have taken on a temporary member of staff to cover the maternity leave period, you should ensure that you give them the appropriate notice to end their fixed-term contract and follow the statutory termination process as a minimum approach.

Please speak to HR for anything further or to discuss your individual circumstances.

## MATERNITY LEAVE CHECKLIST

<b>Notice of Intention</b>	
Discuss maternity leave and dates (Employee is able to change their original start and end date with the appropriate notice, inform HR immediately if dates change)	
Carry out risk assessment in all three trimesters of pregnancy and update more frequently if needed	
Follow up with any actions from the risk assessments	
Allow employee reasonable time off for antenatal/medically advised appointments	
Discuss and agree any cover for the maternity leave period	
Agree contact arrangements and communication for the maternity leave period	
Discuss and agree any KIT days	
If the employee is off with a pregnancy related sickness anytime in the last 4 weeks before the expected week of childbirth, inform HR immediately	
<b>During Maternity Leave</b>	
If baby is born early, inform HR immediately	
Continue regular contact as agreed with employee	
Arrange KIT days if the employee has requested and notify HR to arrange payment at 'normal' rate	
Plan return to work arrangements	
<b>Return to Work</b>	
Meet with employee on first day, welcome them back and complete the return-to-work plan	
Review the risk assessment and take any actions	
If the employee is not returning to work, inform HR immediately	