 **Maternity – FAQ’s for Managers**

**I manage a member of staff who is expecting a baby - what are my responsibilities as a manager?**

**If a member of your team informs you that she is pregnant, here’s a brief summary of the key things you need to do:**

**As soon as they have told you they are pregnant, you must ensure that a** [health and safety risk assessment](https://staffintranet.bournemouth.ac.uk/workingatbu/healthsafetywellbeing/riskassessment/) **is undertaken by the relevant departmental Health and Safety Representative. The risk assessment must be carried out by Health and Safety Representatives as soon as the staff member has notified you of the pregnancy. Human Resources and the Occupational Health & Wellbeing Adviser/Health, Safety & Wellbeing Team are available to assist with completion of the risk assessment and help with determining control measures if requested.**

**When your member of staff gives you their** [“Application for Maternity Leave and Pay” form,](https://intranetsp.bournemouth.ac.uk/policy/Maternity%20Leave%20and%20Pay.docx) **you should forward the form to HR along with their MATB1 form.**

**You should also agree with your member of staff the contact you will have during her leave and ensure she is aware of her right to attend KIT days (see below).**

**When your member of staff informs you of their return to work date, you need to pass this information on to HR to ensure that the member of staff is paid correctly on their return. Please bear in mind that if you don’t contact HR when your member of staff is due to come back to work, they may not be paid. Also, if the member of staff will be breastfeeding on their return to work, you must ensure that a health and safety risk assessment is undertaken by you or the relevant departmental Health and Safety Representative. You can use the** [**HSE New and Expectant Mothers Risk Assessment Form**](http://www.hse.gov.uk/mothers/index.htm)**. See further information of preparing for a return to work below.**

**How do I best support my member of staff during her pregnancy?**

Allow your member of staff time off for any ante-natal appointments - all pregnant members of staff are entitled to reasonable paid time off work for ante-natal appointments if they are made on the advice of your doctor / midwife. Ante-natal care may also include relaxation or parent craft classes as well as medical examinations, if these classes are recommended by your doctor/midwife. Apart from the first appointment, you may request evidence of appointments if you feel this is necessary.

* Encourage your member of staff 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 her plans for maternity leave start and return dates.
* The earliest she can start her maternity leave is 11 weeks before the baby is due. She may change her mind about the start date providing she notifies you at least 28 days in advance of the proposed new start date. Obviously some babies make a surprise early appearance. In this case the maternity leave will automatically start on the day after the baby’s birth. If this happens, the staff member must notify their HR Team as soon as is reasonably practicable.
* Discuss whether your team member wishes to change her working pattern upon her return from maternity leave. Members of staff do not have a legal right to return from maternity leave on a different hours but they do have right to request [Flexible Working Arrangements](http://intranetsp.bournemouth.ac.uk/policy/flexible-working.docx) (refer to the Flexible Working procedure).

**What are the legal requirements?**

Being pregnant or on maternity leave is a “protected characteristic” of the Equality Act 2010. This means that pregnancy and maternity-related discrimination can occur in employment if a woman is treated unfavourably because: of her pregnancy; of pregnancy-related illness; she is on compulsory maternity leave (2 weeks) or she is exercising her right to take ordinary or additional maternity leave. If you have any concerns or queries you should contact your HR Adviser.

Women are entitled to return to the same or equivalent job on the same terms and conditions of employment as if they had not been absent (unless this is not reasonably practicable).

Members of staff on fixed term or PTHP contracts have the same rights to maternity leave and pay as those who are established members of staff.

**Sickness during pregnancy**

Absence due to sickness during pregnancy will be considered under the [Absence Management policy](https://intranetsp.bournemouth.ac.uk/policy/Absence%20Management%20Policy%20April%202018.docx) and [Sickness Benefits.](http://intranetsp.bournemouth.ac.uk/policy/sickness-benefits.doc) If you have any concerns or queries, you must speak to your 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.

**How do I arrange cover for one of my team who is going on maternity leave?**

**If someone in your team is going on maternity leave, you will need to consider how their work will be covered while they are away from work. You can do this in different ways:**

**There may be someone else in your team who could undertake the role temporarily, as a development opportunity, or the duties could be allocated across several members of the team. If this involves members of staff undertaking a role or duties at a higher grade than their current grade or a change to their job description, please contact HR to discuss putting an appropriate arrangement in place. If you don't have anyone to cover the absence, or your arrangements leave another gap, you can recruit someone new on a temporary basis to cover the maternity leave. The** [**Recruitment and Selection procedure**](http://intranetsp.bournemouth.ac.uk/policy/Recruitment%20and%20Selection%20Procedures%20-%20version%202.docx) **provides further details.**

**What contact do I have with my team member whilst they are on maternity leave?**

You and your member of staff are encouraged to maintain contact whilst they are on maternity leave. This may be to discuss their plans for returning to work, any special arrangements to be made or training to be given to ease their return to work, or simply to update them on developments at work during their absence.

The way in which contact will be made and the frequency of any contact should be discussed and agreed between you before they go on maternity leave.

**What are KIT days?**

Whilst on maternity leave, staff can take up to 10 paid ‘Keeping in Touch’ days (also referred to as ‘KIT’ days), without their maternity leave or pay being affected.

Arrangements for any KIT days, need to be agreed with you in advance. You will need to inform HR that your member of staff will be undertaking a KIT day. Children cannot be brought to the workplace on KIT days.

If an employee works more than ten keeping-in-touch days then their maternity leave and pay will automatically come to an end.

**How should I prepare for my member of staff’s return?**

Familiarise yourself with other relevant policies:

[Flexible Working](http://intranetsp.bournemouth.ac.uk/policy/flexible-working.docx)

Your staff member may wish to return to work on a part-time basis or with a flexible working arrangement.

[Parental Leave](https://intranetsp.bournemouth.ac.uk/policy/Parental%20Leave%20policy.doc)

Parents with one year’s service are entitled to unpaid leave in relation to a child up to age 18.

[Shared Parental Leave](http://intranetsp.bournemouth.ac.uk/policy/Shared%20Parental%20Leave%20and%20Pay%20Oct%202015.doc)

Parents may be entitled to Shared Parental Leave. If your staff member would like to curtail their maternity leave and take shared parental leave with their partner they should contact their College/Support Group HR Team (who will notify you as Line Manager) giving at least 8 weeks’ written notice of the date on which your staff member intends to bring their maternity leave and pay to an end.

[Time-off for Dependants](http://intranetsp.bournemouth.ac.uk/policy/family-and-domestic-emergencies.doc)

Parents are entitled to a reasonable amount of time off work to deal with emergencies involving dependants.

**How can I support my staff member to return to work after maternity leave?**

One way of managing a smooth return to work is to create a phased start that refreshes skills and rebuilds relationships and confidence. It is also very common for a returning mother to have feelings of anxiety about coping with her new responsibilities and ability to do the job. It is a good idea to talk informally about possible flexible working options and direct your team member to the relevant policies.

You could create a back-to-work plan together which might include:

• A personal welcome back from you as their line manager (or new line manager if it has changed)

• Time to rebuild social contacts

• Time to refresh skills

• Time to get up to speed on process changes and project status

• Opportunity for informal feedback to rebuild confidence

• Informal reviews at regular intervals

Your staff member may be returning to work as a breastfeeding mother. There is supportive [guidance](https://staffintranet.bournemouth.ac.uk/workingatbu/healthsafetywellbeing/hsfire/newexpectantmothers/) on the Health, Safety and Wellbeing intranet pages for women who continue to breastfeed on their return to work, and guidance for line managers too. The University's breastfeeding facilities are listed below (these are private, contain comfortable seating and a refrigerator):

* Bournemouth House - Room B241 (The key to this facility can be signed out at BU reception).
* Dorset House - Room D227 (Keypad access control - please contact Health, Safety & Wellbeing x62713 for access code)
* St Mary's Hospital Portsmouth - Birthing Centre (For Staff & Students operating from the hospital)

**Can I change my staff member’s job, or ask her to come back to a different role after maternity leave?**

Your member of staff is entitled to return to the same or equivalent job on the same terms and conditions of employment as if she had not been absent (unless this is not reasonably practicable). If you foresee any problems in her returning to her original post, consult your HR Adviser at the earliest opportunity.

You cannot retain someone who was temporary cover for the role and move the returning member of staff elsewhere, or refuse to accept her back.

**What other leave is available to Staff after maternity leave?**

[Parental leave](https://intranetsp.bournemouth.ac.uk/policy/Parental%20Leave%20policy.doc) may be taken in addition to any period of maternity leave, paternity leave or adoption leave.

**Unpaid parental leave for a period of up to 18 weeks is available to staff with one years recognised continuous service with the University. Parental leave can be taken immediately after unpaid maternity leave unless the woman has elected to transfer her remaining maternity leave entitlement with her partner, or at a later date in accordance with the** [Shared Parental Leave scheme.](http://intranetsp.bournemouth.ac.uk/policy/Shared%20Parental%20Leave%20and%20Pay%20Oct%202015.doc)

The right to parental leave is subject to the following conditions:

* A minimum of one year’s continuous service with Bournemouth University or one year’s qualifying service with a previous employer.
* Having parental responsibilities for a child and being named on the child’s birth or adoption certificate.
* The child is under 18 years of age.
* Giving at least 21 days’ notice in writing.
* Provision of evidence of entitlement to parental leave (such as birth or adoption certificate), if requested by the University.

They may also qualify for the [Career Break](http://intranetsp.bournemouth.ac.uk/policy/career-break-scheme.doc) or [Academic Study leave](http://intranetsp.bournemouth.ac.uk/policy/academic-study-leave-policy.doc) schemes.

The University will provide reasonable unpaid leave in the event of an unforeseen [family and domestic emergency](http://intranetsp.bournemouth.ac.uk/policy/family-and-domestic-emergencies.doc) which requires immediate attention.  Examples may include:

* A dependant becomes ill, is injured, gives birth or dies
* To arrange care for a dependent who becomes ill or injured
* An unexpected incident involving a child at school or on a school trip.