Maternity leave for Academic Staff – Guidance for Managers

Although this guidance is written in the context of maternity leave the same principles apply for additional paternity and adoption leave.

1. Introduction

This guidance provides specific advice for academic line managers around planning maternity arrangements for academic members of staff.

It is important to read this guidance in conjunction with the University’s Maternity Policy as this provides detailed information about risk assessments, leave, pay, support mechanisms etc. that apply to all staff employed by the University.

Managers and members of staff should direct any queries about this guidance and maternity policy to their Faculty HR team, who can provide advice and support and should be kept informed of any issues that may arise.

There is a checklist at the end of the guidance (Annex A) that should be referred to before, during and after maternity leave and completed by the line manager in collaboration with the staff member – any copies should be retained and do not need to be passed on to HR.

Being pregnant or on maternity leave is a protected characteristic under the Equality Act 2010. This means that if a woman is treated differently or adversely because of her pregnancy, a pregnancy-related illness or because she is on maternity leave this constitutes discrimination. If you have any concerns or queries you should contact your Faculty HR team.

Staff members on fixed term contracts have the same rights to maternity leave and pay as those on open ended contracts.

All discussions and decisions should happen in collaboration with the member of staff.

2. During pregnancy and planning for maternity leave

Staff are encouraged to inform their line manager of their pregnancy as soon as they feel comfortable enough to do so; to protect her right to maternity pay and leave a member of staff must inform her employer of her pregnancy at least 15 weeks before the baby is due.

At this stage consideration needs to be given to a variety of matters, including health and safety risk assessments (New and Expectant Mothers Guidance), antenatal appointments, agreeing maternity leave dates and pregnancy-related sickness. You should encourage the member of staff to familiarise herself with the Maternity Policy.

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1 For the purposes of this guidance ‘manager’ and ‘line manager’ refer to the Head of School or appropriate delegate, such as a Head of Department, Subject or Unit and/or Principal Investigator (PI) responsible for research staff.
It is strongly recommended that you start to plan for a period of maternity leave as soon as possible after being informed by the member of staff that she is pregnant.

Annual leave that has been accrued during the period of maternity can be added on to the end of the period of maternity leave, so you should be aware that the maternity leave end date and actual return to work date may differ. Please refer to Annex B for full details and contact your Faculty HR team for advice as necessary.

Prior to maternity leave you should discuss the possibility of making an application to the Returning Carers’ Scheme (see 4.1); applications can be submitted by individuals prior to, during, or within three months of returning from maternity leave.

2.1 Maternity cover

Following initial discussions between you and the staff member, and provided she is happy for you to do so, relevant colleagues should be involved in discussions about maternity cover at the earliest opportunity. This will enable everyone to provide input and feel confident about how responsibilities will be handled. However, these discussions should not put undue pressure on the members of staff concerned.

In consultation with the member of staff you should determine:

- What tasks will the staff member be completing before they leave?
- Will there be a replacement member of staff to cover the maternity leave, a re-allocation of staff duties to provide cover, an acting-up or secondment opportunity or a combination of these approaches?
- Can any of the work be postponed or shared out among others without causing undue pressure on colleagues or the member of staff when she returns to work?
- The timing of any cover, taking into account what any recruitment process will involve, how long it will take and what handover is required and can be afforded.
- Who are appropriate alternative contacts for queries relating to their work?
- Has the work been organised in a manner that means the member of staff feels no pressure to take a shorter period of leave than she would otherwise choose?
- If the member of staff is externally funded, what is their funder’s maternity policy?

For research active staff you may wish to agree the following:

- Who will assume responsibility for the day-to-day supervision of PhD students during the leave period?
- Who will assume responsibility for supervising technicians or researchers on externally funded projects?
- Where feasible and appropriate, who will be responsible for attending any conferences on their behalf, writing up their work and what agreements have been reached about authorship? It is appropriate to identify and record explicitly any agreements reached.
- 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.
Does the member of staff wish to use Keeping in Touch days (see point 3.1) to continue work on ongoing projects?

There should be open and transparent discussions within your team and everyone should have clear expectations about the anticipated length of the maternity leave and what arrangements there are for during and after leave. Everyone should also feel that any opportunities (e.g. for acting up or secondment) have been fairly offered and allocated to those eligible.

2.2 Contact arrangements

Methods and regularity of contact with the member of staff during their leave should be agreed before the period of maternity leave commences.

It is the individual’s right to have no contact during her leave if that is what she requests, however, you still have a duty to keep her informed of any major workplace changes that may affect her, such as a staffing restructure.

2.3 Funding for maternity cover

Maternity cover funding arrangements should be agreed on a case-by-case basis at the outset via discussion between you as the manager, the relevant Faculty HR and Faculty Finance team and involving the funding body as appropriate. Wherever possible, arrangements should be agreed be in line with those outlined below, although it is recognised that there will be some situations where this is not possible.

2.3.1 Core-funded staff

The salary (i.e. the maternity pay) of the employee on maternity leave continues to be charged to the original School salary funding code (in the same way as if the person was not on maternity leave). This includes both the Occupational Maternity Pay (OMP) and the Statutory Maternity Pay (SMP).

Where it is necessary to employ cover, the salary of the covering employee will be charged to the HR central maternity budget for the first 16 weeks of their employment, provided this does not exceed the salary of the person on maternity leave. From the start of the 17th week, the salary costs switch to the original School salary funding code (i.e. to which the person on maternity leave is charged).

This policy is on the basis that 16 weeks’ full pay is equivalent to the cost of the OMP. Normally, the salary for the covering employee will be the same or lower than the person on maternity leave. If the costs of the cover are less than the OMP costs then the charges to the central maternity budget are lower than those incurred in the School. If (exceptionally) the costs of cover are greater, then the central maternity budget would still normally cover 16 weeks’ full pay, provided this arrangement has been agreed by the relevant HR Manager.
All SMP recovered from the government is refunded to the HR central maternity budget, to offset the cost of the University providing maternity cover, although it is recognised that this will not cover the full costs incurred by the University since OMP is greater than SMP.

Where it is agreed with the relevant Faculty HR team that a different form of cover is required (for instance, via an hourly-paid teacher contract), these costs will be met from the central maternity budget up to a maximum amount equivalent to 16 weeks’ full pay of the person on maternity leave, following which costs switch to the School.

2.3.2 Externally-funded staff

The default position is that additional costs associated with maternity leave should be recovered from the external funding body wherever possible. Where these are not met, the University maternity budget held by HR Services will meet additional costs in order to prevent such staff from being treated less favourably than core-funded staff.

So where an additional member of staff is employed to provide cover, and the external funding will meet all additional costs, the costs of both the person on maternity leave and the covering employee should be charged to the grant. However, if the grant will only meet the costs of one person, the salary of the covering employee should be charged to the grant, whilst the OMP for the person on maternity leave is charged to the central maternity budget.

Due to the different maternity provisions offered by different funding bodies, a number of variations to these arrangements may be appropriate, as set out below. Please note that this is not an exhaustive list and there may be occasions where it is necessary to agree bespoke arrangements.

Details of current funder arrangements can be found on the Research and Enterprise Development (RED) website.

a. Funding body will meet costs of cover and OMP for employee on maternity leave

Some funding bodies will meet all costs, less the 92% of SMP that they assume the employer is reclaiming from the government. In this situation, the salary costs for both the employee on maternity leave and the covering employee should be charged to the grant. However, since the SMP recovered from the government is automatically refunded to the central maternity budget, the Faculty Finance team should arrange a transfer of the costs from the grant to the central maternity budget for an amount equivalent to 92% of SMP costs i.e. the amount recoverable from the government.

Examples of such funders are the Research Councils and the Wellcome Trust. Staff should refer to their website or contact your Faculty Finance team for more information.

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2 For research staff funded by any of the Research Councils, RCUK detail their maternity funding policy in their Briefing on Maternity, Paternity and Adoption Leave and Pay.
b. Funding body will meet costs of cover and additional statutory costs for employee on maternity leave

Some funding bodies will meet additional maternity costs but on a statutory basis only (i.e. they will not cover enhanced occupational benefits). Since it is assumed that the employer will reclaim the majority of SMP (92%) from the government, the funding body will meet only the additional 8% of SMP that cannot be recovered. In this situation, the salary costs for the cover should be charged to the grant and the salary of the employee on maternity leave (maternity pay) should be charged to the central maternity budget while she is on maternity leave. This is particularly important for European Commission grants (where the timesheet system does not allow for non-productive time to be charged to the grant).

Since the grant will also meet the additional statutory costs that cannot be reclaimed from the government (i.e. as well as the costs of cover), the Faculty Finance team should arrange a transfer of the costs from the central maternity budget to the grant for this amount i.e. 8% of SMP.

Examples of such funders are the European Commission (EC). However, although the 8% costs may be charged to the grant, this must be within the total budgeted costs since the EC will not fund greater than 100% of overall budget.

c. Funding body will meet the costs of cover but not provide any additional maternity funds

Some funding bodies will not meet any additional costs associated with maternity leave. In situations where it is deemed necessary to employ cover, the salary costs for the cover should be charged to the grant and the salary of the employee on maternity leave (maternity pay) should be charged to the central maternity budget while she is on maternity leave.

d. Grant placed in abeyance and extended after maternity leave (no cover employed)

In some situations, due to the nature of the work, expertise of the postholder or stage at which the project is at, it may be deemed appropriate to seek permission from the funding body to place the grant in abeyance and extend the project by an appropriate period of time after the person’s maternity leave.

If the funding body agrees to this and is also willing to meet the cost of maternity pay, the employee’s salary should continue to be charged to the grant both during maternity leave and on her return. However, since the SMP recovered from the government is automatically refunded to the central maternity budget, the Faculty Finance team should arrange a transfer of the costs from the grant to the central maternity budget for an amount equivalent to 92% of SMP.

Examples of such funders are the Research Councils and the Wellcome Trust. Staff should refer to their website or contact your Faculty Finance team for more information.

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3 For research staff funded by any of the Research Councils, RCUK detail their maternity funding policy in their Briefing on Maternity, Paternity and Adoption Leave and Pay.
In cases where the funding body agree to an extension but will not provide additional funds to cover maternity pay, the employee’s salary during maternity leave should be charged to the central maternity budget, switching back to the grant on her return from maternity leave.

3. During maternity leave

3.1 Keeping in Touch (KIT) Days

Employees may, by agreement with their Head of School, undertake up to 10 days paid work, referred to as 'keeping in touch (KIT) days', during their maternity leave. Such days may be undertaken at any stage during the maternity period except during the first two weeks after the baby is born. The days may be used for any activity which would ordinarily be classed as work under the employee’s contract, and could be particularly useful in enabling an employee to attend a conference, undertake a training activity or attend a team meeting. KIT days are optional and can only take place by agreement between both parties.

Arrangements for the payment of KIT days may vary for externally funded staff and these should be explored with funders.

With the exception of agreed KIT days, staff members who are on maternity leave are not expected to work. This should be made clear to the member of staff on leave and to colleagues and students that work with them.

Some academic staff may wish to continue to keep up to date with their study area or maintain contact with the students they supervise during their leave. This must be the decision of the individual; it is not a University requirement but will be facilitated at the request of the individual on leave.

Keeping in Touch days details and form

3.2 Contact whilst on leave

As set out in 2.2 above, the method and frequency of contact with the staff member on leave should be established before the period of leave. Only in circumstances where it is justified should you depart from the agreements made. If you would like advice on this please contact your Faculty HR team.

If the staff member’s annual staff review is due whilst she is on maternity leave it should be arranged for as soon after her return to work as possible and she should be notified if the academic promotions round falls during her leave.

3.3 Changes to working patterns for externally funded staff

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4 The individual can be paid for work for up to 10 instances and is paid for the exact hours worked, up to a maximum of 10 full days. So, for example, working for two hours will use a day of their entitlement but they would only be paid for the two hours and not the whole day.
If the member of staff requests to return under different contractual arrangements and is externally funded there may be issues to discuss with the funder regarding changes to working conditions. This will need to be clarified with the funder before any decisions are made and prior to the member of staff returning to work.

4. Returning to work

You should be aware that the staff member’s feelings and circumstances can and may change once her baby has arrived and she may change her mind about her plans to return to work or working hours. This is a crucial time in a woman’s career when flexibility and support can make a critical difference. In line with the University’s Flexible Working Policy, all flexible working requests must be considered and you should contact your Faculty HR team for advice and guidance before implementing this policy and procedure.

You should bear in mind that your member of staff will have been away from the workplace for a considerable amount of time and there may have been significant developments that may need to be explained.

Equally, depending on what has been agreed, the member of staff may be returning under different contractual arrangements (e.g. part-time hours) so you will need to support them in planning their workload and agreeing what their priorities should be.

You should arrange a return to work meeting with the member of staff as soon as possible after her return to work to discuss all arrangements and potential issues. It is also advisable to follow up with her at suitable intervals to ensure that she has settled back into her role and any potential issues can be identified and resolved at the earliest opportunity.

During discussions with the member of staff you should consider the following:

- The balance of teaching, research, administration and clinical duties as appropriate.
- Have any development opportunities been missed while they were away? How can the impact of this on their career progression be minimised?
- Are they going to have any problems with attending conferences and are there any alternatives?
- Where relevant, have they been fairly acknowledged for their contribution to publications?
- Career development, promotion and progression plans should be discussed and the way that maternity leave, part-time hours and childcare commitments are considered in these processes should be made clear; your HR Manager can advise on this as necessary.
- Where the member of staff is returning on part-time hours does any new workplan appropriately reflect the reduction in FTE hours?
- Will any working patterns or caring responsibilities impact on her ability to attend and meetings or seminars? If so, what can be done to mitigate the impact of this?
- Is the member of staff going to need to express milk? If so she will need to be able to access appropriate private and hygienic facilities. For information about existing facilities and to make arrangements where provision doesn’t currently exist please contact Facilities Management and your School Manager. You can also contact the Equality and Diversity team if there are any issues.
Various support initiatives that you should make your member of staff aware of are outlined in Annex C.

4.1 Returning Carers’ Scheme

The Scheme provides financial support for research active staff who have taken 16 weeks or more maternity leave (or any other type of leave related to caring responsibilities) to allow for a period of protected research time on their return to work.

All independent research staff who have taken eligible leave can apply to the fund for up to £10,000 to support the re-establishment of their research career.

The Scheme is not prescriptive about the use of the funding, however, examples of how it might be used include covering the costs of teaching and/or administrative cover or contributing towards the attendance of a key conference.

You should encourage all eligible members of staff to apply and support them in the construction of their application as necessary, in conjunction with the Head of School (or appropriate delegate), who has to provide a supportive paragraph on the application form.

Applications can be made prior to, during, or within three months of returning from maternity leave.

You should also contact your HR Manager and Faculty Finance Team as appropriate for advice on the application.

For full details and an application form please visit the Returning Carers’ Scheme webpage

We are keen to ensure that this guidance and checklist are as useful and relevant as possible. Please pass on any feedback, comments or suggestions to: k.wooster@bristol.ac.uk

Any queries in relation to the application of University policy should be referred to the relevant Faculty HR team.

Maternity – Manager’s Checklist

<table>
<thead>
<tr>
<th>On notification of the pregnancy</th>
<th>Annex A</th>
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<tbody>
<tr>
<td>Provide copies of the Maternity Policy and Pregnancy and Maternity Handbook</td>
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<td>Update risk assessment as appropriate</td>
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<td>During the pregnancy</td>
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<tr>
<td>Allow time off for ante-natal appointments</td>
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Encourage staff member to take lunch breaks and sufficient rest breaks
Discuss and agree maternity leave and return dates (taking accrued annual leave into account)
Make staff member aware of Work and Family website and all support initiatives available

### 3. Planning for maternity leave

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<tr>
<th>Task</th>
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<tbody>
<tr>
<td>Plan and organise maternity cover</td>
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<tr>
<td>Agree contact arrangements for the leave period</td>
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<tr>
<td>Discuss/agree Keeping in Touch (KIT) Days</td>
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<td>Where the staff member is externally funded, check the terms and conditions of the funder</td>
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<td>Discuss how day-to-day supervision of PhD students will be managed</td>
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<tr>
<td>Discuss who will assume responsibility for supervising technicians or researchers</td>
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<tr>
<td>Inform the grant funding body of interim arrangements and discuss all financial implications on the grant with Faculty Finance and HR Teams</td>
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<tr>
<td>Discuss making an application to the Returning Carers’ Scheme where appropriate</td>
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### During the maternity leave

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<th>Task</th>
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<tr>
<td>Finalise arrangements for any agreed KIT days and arrange payment for these as they occur</td>
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<tr>
<td>Keep in contact with staff member during the leave as agreed</td>
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<tr>
<td>Notify the member of staff of the academic promotions round (if this falls during the maternity leave period)</td>
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<tr>
<td>Communicate that any requests to work flexibly should be submitted in good time so they can be carefully considered</td>
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<tr>
<td>Confirm return date and agree how any accrued annual leave will be taken</td>
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### On return from maternity leave

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<th>Task</th>
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<tr>
<td>Arrange a return to work meeting to discuss all relevant matters</td>
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<tr>
<td>Arrange re-induction to the workplace which may include: introductions to new members of staff, information on new/revised policies or changes that have occurred during the leave period</td>
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<tr>
<td>Consider workload issues during settling in period and beyond</td>
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<tr>
<td>Follow up on any agreed change in hours/inform HR/Payroll</td>
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<tr>
<td>Update the Health and Safety Risk Assessment and make any necessary arrangements in relation to breastfeeding/expressing</td>
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<tr>
<td>Consider development activities and support to minimise disruption to career</td>
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<td>Consider any steps that might be taken to help minimise the impact of the career break/childcare responsibilities on their career</td>
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<tr>
<td>Consider workload allocation and agree the balance of research, admin, teaching and, where appropriate clinical duties and priorities with staff member</td>
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<tr>
<td>Provide relevant encouragement and support in relation to the academic promotions round</td>
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<tr>
<td>Maintain contact and check the effectiveness of working arrangements</td>
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### Annual leave and maternity leave

Employees will continue to accrue annual leave during paid and unpaid maternity leave. They will also accrue any University Closure Days that occur during maternity leave. This does not include Bank Holidays, which do not accrue.
It is not possible to take annual leave whilst on maternity leave. This means that any annual leave and University Closure Days accrued during this period must be taken at any alternative date as detailed below.

The University’s annual leave year runs from 1 January to 31 December.

- Any annual leave accrued before maternity leave starts should be taken during that leave year.

- Any annual leave or University Closure Days that will accrue whilst on maternity leave during the annual leave year in which maternity leave begins should be taken:
  - either before maternity leave starts (i.e. it is taken in the same annual leave year);
  - or immediately on return from maternity leave, thereby effectively extending the employee’s actual physical return to work (i.e. it is carried forward to the next annual leave year but must be taken immediately on return or it is lost).

- Any annual leave or University Closure Days accrued whilst on maternity leave during the annual leave year in which the employee returns may be taken:
  - either immediately on return from maternity leave, thereby effectively extending the employee’s actual physical return to work (even if this crosses into a new annual leave year);
  - or at some other mutually agreed time during the annual leave year in which the employee returns. In addition, up to 5 days may be carried forward into the following annual leave year by agreement with the employee’s manager, in line with normal practice. However, it should be noted that the option to take accrued leave at a later point in the leave year does not apply where an employee returns to work on a reduced hours basis (see next paragraph).

Where it is agreed that an employee will return to work on the basis of reduced contractual hours of work, the employee’s new reduced hours should not normally take effect until any leave accrued under the previous contractual hours has been taken. This effectively means that an employee may officially return to work on X day, take her outstanding holiday accrued at her previous (e.g. full-time) contractual hours and then physically return to work and start her new reduced hours on Y date.

Further advice can be sought from your Faculty HR team

Sources of support and information

1. WORK AND FAMILY INITIATIVE
The initiative brings together information and support for colleagues who are parents or have other caring responsibilities, such as an elderly parent, child with disabilities or an unwell spouse. It also provides information for managers on relevant policy and issues such as managing flexibility in teams. Available sources of support include:
- **Working Parents’ Network**: providing information, peer support and events for staff who are parents.
- **Carers’ Network**: providing information, peer support and events for staff with caring responsibilities.
- **Maternity Connections**: a pool of staff with experience of maternity and working parenthood at the University who can be contacted in confidence for informal advice and information.
- **Information for managers**: including guidance on supporting carers and flexible working arrangements.
- **Expressing and Breastfeeding web page**

For more information please visit the [Work and Family website](#).

2. **RETURNING CARERS’ SCHEME (See 4.1)**

The Scheme provides financial support for research active staff who have at least 16 weeks maternity or other caring related leave to allow for a period of protected research time on their return to work.

For full details and an application form please visit the [Returning Carers’ Scheme webpage](#).

3. **STEMM MENTORING CIRCLES SCHEME**

The Scheme consists of mentoring circles for female academics and researchers in science, technology, engineering medicine and mathematics (STEMM). This includes women from the Faculties of Engineering, Science, Medical and Veterinary Sciences, and Medicine and Dentistry.

For more information please visit the [STEMM Mentoring Circles Scheme website](#).

4. **RESEARCH STAFF MENTORING SCHEME**

The Scheme consists of mentoring circles open to all research active staff on grades I-K.

For more information please visit the [Research Staff Mentoring Scheme website](#), which also contains advice on choosing your own mentor if that is preferred.

5. **FLEXIBLE WORKING POLICY**

Information on working flexibly at the University can be found on the [University’s Flexible Working Policy](#) webpage and the [Flexible Working Patterns](#) advice page.