

WMFS

West Midlands
Fire Service

Manager's guide to Family Leave

Introduction

This guide reads alongside the Family Leave Policy with the aim of ensuring you are confident you understand the process you're following for your employee.

This guide focuses on longer term periods of family leave and the importance of your role in this.

My Responsibilities as a Manager

As part of this policy, you are responsible for:

- Educating yourself on the family leave policy and your responsibilities within.
- Ensuring that the Family Leave policy is implemented in a fair, consistent and non-discriminatory manner.
- Supporting employees with planning their family leave and carry out appropriate risk assessments (planning these in advance to ensure they are not missed).
- Adding details of Family Leave dates to SMART.
- Ensuring that KIT and SPLIT day payments are communicated to payroll for payment (see section 12).
- Maintaining agreed contact with employees during the leave period and facilitating a return to work.
- Making necessary arrangements for an employee who wishes to continue breastfeeding on their return to work.

Take a look at the family leave flowcharts for step-by-step information.

Letting you know

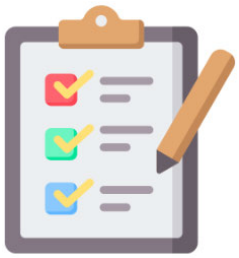


The policy sets out when employees must legally let the service know they intend to take a period of family leave, but they are often likely to tell you much earlier than this. When you are informed, consider if they are ready to share this news with others yet before you share further. If your employee is operational and pregnant, they will need to be removed from operational duties immediately – if you need to inform others as part of this let them know who will know and why.

Once you've been informed, you can plan an informal meeting with the employee to discuss:

- Any questions they have
- Roughly plan dates they intend to take their leave
- Complete a risk assessment (grey book) or a workplace assessment (green book)
- (if operational) plan their work activities now they are unable to be operational.

Risk Assessments or Workplace Adjustment Assessments



Risk assessments and workplace adjustment assessments are an important part of keeping your employee safe in pregnancy and should be completed as soon as possible. They should also be revisited and reviewed often – at least once a trimester, but as often as needed. It's a good idea to plan these in in advance so that they are not missed. Best practice is to keep an open and honest conversation going.

If you need to order any equipment (such as lumbar support or a footstool) you can do this through [redacted]

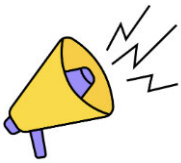
As part of this conversation, it's a good idea to discuss who they would like you to contact if they experienced complications with their pregnancy whilst at work, or if they went in to labour unexpectedly at work. You might also discuss if they would like another employee to travel to hospital with them if their partner were unable to. Your manager will be clear on if this information needs to be shared with anyone.

When removed from operational duties you should plan out the work that they will now be doing and involve them in this. This will be guided by your risk assessment, and they will normally follow their watch. However, it's good practice to talk about what works best for them. Bear in mind that this may change throughout their stages of pregnancy so keep this conversation open.

If your employee has confided in you that they intend to terminate their pregnancy, if they are operational, you will still need to complete a risk assessment and remove them from operational duties. This will be a difficult decision to make, and not one made lightly so be aware that they may require additional support.

Sharing the News

When they are ready to share the news, you'll also need to think about **how** this information is best shared. Some people may prefer to share this information themselves; others may prefer you to circulate by email. You could also look at what upcoming team meetings there may be where this can be announced. Work with your employee on what is comfortable for them.



Annual Leave

You should discuss with your member of staff how they are planning to take their annual leave around their family leave and agree this with them. Annual leave can be taken at any time (outside of the family leave period), including directly prior to or following their family leave period. This will help you plan to cover their role. From a wellbeing perspective you should discourage 'stockpiling' of leave, but this is ultimately down to the individual.

Fertility Treatment
Going through fertility treatment can be difficult emotionally and physically – for both partners. A supportive attitude means they're more likely to be open with you about how their treatment, and any problems they're having, could affect their wellbeing or work.

If the employee tells you they've reached the embryo transfer stage, from a legal perspective you must treat them as pregnant. This is the point when a fertilised egg (embryo) is placed inside their body. They do not have to tell you at this stage.

From this stage they'll have the same rights as any pregnant person, including leave, pay, and protection from discrimination because of pregnancy or maternity.
It can take several more weeks for a pregnancy test to confirm if the pregnancy is successful. Again, an open and supportive working environment means it's more likely they'll tell you about any issues that could affect their wellbeing or work.

Pregnancy Related Illness
It's against the law (Equality Act 2010) to treat an employee unfairly because of a pregnancy-related illness – as such we do not count any pregnancy related illness towards triggers in the Attendance Management Policy. This doesn't mean that you should ignore the absences though – continuing to have conversations about what reasonable adjustments they may need, or if they need a referral to occupational health can help them feel supported and potentially aid them back in to the workplace. You can still also have wellbeing meetings and continue to update any risk assessments or workplace assessments you have in place.

Saying Goodbye (for now!)
However, you as a team choose to say goodbye, we recommend having a template or plan for how you usually approach this. If you organise a leaving party for one, but only have time to get a card for another, comparisons will be drawn, and this is likely to reflect negatively on you.



Whatever you decide to do, make sure you leave enough time to arrange it. A card signed by only half the team and a get together when most of the team are on annual leave is unlikely to make someone feel valued.

There are many tools you can use to help organise this for you. For example, sites that can create a virtual card that people can sign from anywhere, and sites that can help you collect for a leaving fund virtually.

Arrangements for Contact
Before maternity leave starts, you should agree with your employee the best way to keep in touch about important changes or news at work.



This includes arranging how you'll keep in touch. Try and agree a way of keeping in touch that's comfortable for your employee, for example you can ask them if they prefer email to phone calls, and how often they'd like this to be. It's also a good idea to remind them that they are not under any obligation to work during their leave!

By law you must tell them about:

- promotion or other job opportunities
- redundancies
- any reorganisation that could affect their job.

You could also tell them about:

- social events
- colleagues who are leaving or joining

Keeping in Touch (KIT) Days
There is no obligation to work during a period of family leave period, but employees on maternity or adoption leave do have the option to work 10 Keeping in Touch Days (KIT) – or 20 if you are taking shared parental leave. This could be for things like a team meeting, a What's Happening Visit, training, or just to do some work to keep themselves abreast.

Whatever the reason, it is wise to plan their activities in advance and let them know what they will be doing. Coming back into the workplace can be daunting enough without feeling like a last-minute thought.

Please also see below the section on breastfeeding employees and ensure you have considered this for KIT days.

Returning to Work
Returning to work after any period of leave can sometimes be daunting, but not knowing what to expect when you return can exasperate this tenfold. That's why early communication and planning are really important here.



For any colleagues returning form a long period of Family leave it's a good idea to speak to them or meet with them around 4 weeks before their return to see how they are, if they have any concerns, and update them on your plans for their return. You could do this as a KIT day or however suits them best.

For operational colleagues returning to work from family leave they may have been off the run for their period of family leave, and - in the case of maternity leave - almost their entire pregnancy too. You will therefore need to complete a work-up plan with them to ensure that they are physically and mentally ready to return to operational duties. This will culminate in a fitness test with occupational health – which you will need to arrange – to declare them safe to ride.

This on average takes around 12 weeks, and ideally you would start planning their return 4-8 weeks before this. You should keep them well informed about what their return plan will look like – an employee should not return from a long-term period of family leave without knowing what is expected of them.

For non-operational colleagues you should not neglect the fact that whilst they will not have competencies to pass, they have still been out of the workplace for a long period of time, and this will be a big adjustment. When you meet with them before their return you will need to discuss any concerns they have, any areas they feel they may need training or refreshers and attempt to alleviate these concerns when planning their work. It may be useful to schedule weekly 121's for the short term to ensure they feels supported.

Breast Feeding Employees

Deciding when to stop breastfeeding is entirely up to the individual, and we need to support this in the workplace. If someone is planning to continue breastfeeding when they return to work, they will not be able to bring their child on site to feed but may wish to express milk and safely store this for later.

If a person is intending to express at work, you will need to provide them with:

- a private, comfortable, lockable room. A bathroom is not appropriate for this.
- extra breaks to be able to express – these should be uninterrupted where possible.
- A clean fridge exclusively to store milk in. This must not be used for anything else, and can be ordered here.

The room and fridge should be organised in advance of the person being in the workplace. Please also consider if they require these for any KIT days they are planning to work.

The policy states that they will need 'adequate' time to express – but this will vary from person to person. You will need to discuss this with them to make sure you are clear on their needs and what you can provide.

For operational staff you will need to complete a risk assessment to assess the tasks they can complete whilst breastfeeding. This will usually involve moving them to non-operational duties to minimise exposure to harmful contaminants.

Avoiding talking about person's needs around breastfeeding and expressing can lead to them feeling ostracised and unsupported, so it's important that you are comfortable doing this, and that it is not seen as an inconvenience.

Support
Please ensure you have read the policy alongside this guide and referred to the 'Support' section for useful information on support the Service can offer, and external support services.

For you. You can get support with the process from HR. The team will be happy to support with any queries you or your employee may have.