

Keeping in Touch (KIT) Days

Guidance and information sheet- Updated Nov 18

(applicable to Maternity/Adoption/Shared Parental Leave)

The University, as an employer, is allowed to make reasonable contact with staff who are on Maternity Leave, Paternity Leave, Adoption Leave and Shared Parental Leave.

Whilst staff are not obliged to do any work or attend any work-related events during maternity / adoption / additional paternity leave, they may, by agreement with their line manager, undertake up to **ten days work**, referred to as 'Keeping in Touch Days (KIT days).

In the case of Shared Parental Leave an employee can work up to 20 days work during SPL without bringing it to an end. These are called 'shared parental leave in touch' (or SPLIT) days. These days are in addition to the 10 'keeping in touch' (or KIT) days already available to those on maternity or adoption leave. For the purposes of this document KIT days will refer to both SPLIT and KIT days as the rules governing the use of both are the same.

This provision in the legislation aims to make things easier for both the University and the member of staff by easing the return to work and facilitating a smoother re-introduction to the team. This note clarifies key points about KIT days.

Key Points

- These days are optional and the decision to undertake a KIT day must be made by agreement between the manager and the member of staff (there is no obligation for either the University to provide these days or for the member of staff to accept any days offered).
- Staff who are unable, or decline, the opportunity to work any KIT days will not be disadvantaged or suffer any detriment for doing so.
- Children must not be brought into the workplace on any days that will be considered as KIT days. Staff will be responsible for meeting childcare costs on KIT days.
- There can be up to 10 KIT days during the period of maternity/adoption leave and an additional 20 days of SPLIT days in the case of Shared Parental Leave.
- Each KIT day can be an agreed amount of working time. For example, whether a member of staff works for one hour or a whole day, this will still count as one KIT day.
- Any KIT day taken will not bring a member of staff's maternity /adoption /shared parental leave period to an end, and payment of SMP/ASPP/SAP/ShPP will not be affected (although SMP/ASPP/SAP/ShPP will be offset against pay for the KIT day).
- KIT days are not an entitlement and they do not extend the maternity / adoption / shared parental leave period in any way as they form part of the whole maternity /

adoption /shared parental leave package and can only be taken during maternity / adoption / shared parental leave.

- KIT days can be taken at any point during adoption / shared parental leave, and at any point during maternity leave except for the first two weeks directly after the baby is born/ the adoption takes place (known as compulsory maternity/adoption leave).
- KIT days can either be taken as blocks of days, or as individual days.

Advantages of Keeping in Touch Days

Keeping in touch days can provide a number of advantages for both the University and the member of staff for the smooth transition back after maternity/adoption/additional paternity leave.

- Important projects can benefit from continued input from staff with valued skills, particularly with projects nearing completion.
- Training and development can continue during maternity / adoption / shared parental leave. (For example, a training course could take place during the maternity / adoption / shared parental leave that might be important to the member of staff's role);
- Staff can stay in touch with workplace issues and changes.

Payment for Keeping in Touch Days:

Payment for KIT days will not exceed full pay and will only be made for work undertaken that is agreed, in advance, between the manager and member of staff. Payment will be made after completion of the work undertaken as follows:

- Staff in receipt of Occupational Maternity / Adoption Pay¹ receive normal pay so no additional payment will be made for working a KIT day.
- Whilst staff are in receipt of SMP/SAP/SPP/ShPP², staff will receive payment for any hours worked, and SMP/SAP/SPP/ShPP will be offset against any pay due for working KIT day(s). Note that SMP/SAP/SPP/ShPP is a weekly benefit so the amount of SMP due for that week is used to offset against any pay due for working KIT day(s) in the same week. Staff who are on unpaid maternity/adoption/ shared parental leave³ will receive payment for the hours worked.

¹ Occupational Maternity Pay: weeks 1-18 of maternity Leave. Occupational Adoption Pay: weeks 1-18 of Adoption leave. Occupational Paternity Pay only related to Ordinary Paternity Leave and is not relevant to Additional Paternity Leave.

² SMP/SAP/SPP/ShPP subject to eligibility criteria. Under the Occupational schemes: weeks 19-39 (maternity); 13-39 (adoption). Under the Statutory Schemes: weeks 1-39 for both maternity and adoption and weeks 3-39 of Shared Parental Leave.

³ For staff eligible to receive SMP/SAP/ShPP: weeks 40-52. Staff who are ineligible to receive SMP/SAP/SPP/ShPP should confirm whether they receive any other state benefits (e.g. Maternity Allowance) which will be offset whilst they are in receipt of the benefit.

- Alternatively, by agreement with the manager, the member of staff may instead accrue time of in lieu for the hours worked.
- If the member of staff works for less than their normal full day, this will count as one KIT day for the purposes of the maximum of 10 KIT days permitted, although payment will only be made (or time off in lieu accrued) for actual hours worked. On no occasion will a member of staff receive more than a full day's pay.

Managers are responsible for ensuring Payroll is notified of payment due and for keeping accurate records of KIT days worked.

N.B. It is important that Managers notify the Payroll department **directly**, of any KIT days that their staff work, **at the time of the day being worked**.

Further advice/guidance can be obtained from the HR and/or Payroll Departments.

Keeping In Touch Days: Frequently Asked Questions

Can my Line Manager ask me to come into work? If so, do I have to agree?

The University, as an employer, is allowed to make reasonable contact with a member of staff whilst they are on maternity / adoption / additional paternity leave. You are not obliged to do any work or attend any work related events during maternity / adoption / shared parental leave however if you and your line manager both agree, then you can work up to a total of 10 days during your leave (plus an additional 20 days during shared parental leave)

Do I have to agree in advance my intention to come to work for a Keeping in Touch Day?

Yes, you and your line manager should agree in advance when you are going to attend work for one of your Keeping in Touch Days to allow both parties to make any necessary arrangements. Your manager must also notify the Payroll department as early as possible, of the date you will be taking your KIT day.

If I attend work for half a day or less is this classed as one of my Keeping in Touch Days?

Yes, as soon as you start work, even if it's for only a few hours, this is counted as one of your 10 KIT days allowed. The number of hours that you attend work can be up to the maximum of the full time equivalent. However, payment will only be made (or time off in lieu accrued) for the hours you work.

Will I be placed at a disadvantage on my return if I don't come into work prior to the end of my maternity / adoption leave?

Staff are encouraged to make use of KIT days as a positive way to keep in contact with developments in their workplace. As work during maternity / adoption / shared parental leave may only take place with the agreement of both parties, you will not be at any disadvantage regarding the options you choose. If you are unable or decline the opportunity to work any KIT days then you will do so without suffering any detriment.

What type of work will I be expected to undertake whilst in work on a Keeping in Touch Day?

The purpose of these days is to allow you to be kept informed and up to date on developments within your own workplace or within the University. This may include attending a conference, undertaking training or a team event.

I have been asked to be an external examiner for another University, can I use a Keeping in Touch Day to undertake this work?

No, because this is paid work for another employer and therefore will affect your maternity/adoption/paternity pay arrangements.

I am the line manager of a member of staff, what do I need to do?

Before the member of staff starts maternity / adoption / additional paternity leave, you should hold a meeting to discuss and agree any general contact / updating arrangements during the period of leave. Also discuss KIT days and ask the member of staff whether he or she would wish to be offered any work and what type of work may be envisaged (e.g. training / development / individual or team meetings, etc) and arrangements for the member of staff to request KIT days (if you consider this to be an option).

During the maternity / adoption / shared parental leave, if you have wish to offer an opportunity to work KIT day(s), you should mutually agree any dates in advance and the arrangements for payment/time off in lieu. If payment is to be made, you must inform Payroll as soon as possible, in order that they can make the necessary arrangements to offset the employee's pay against SMP / SAP / ShPP.

Calculating Pay Entitlement – an Example

Julie is a Technician earning £19,000 pa. She is on maternity leave and she intends to take the full 52 weeks maternity leave. She is entitled to the University Occupational Maternity Scheme and will receive 18 weeks normal pay, a further 21 weeks Statutory Maternity Pay (weeks 19-39) followed by 13 weeks on unpaid maternity leave (weeks 40-52).

Before she started maternity leave, she met with her line manager and they discussed the handover of her work and some planned changes in working practices that were due to take place whilst she was on maternity leave. She and her line manager agreed that s would receive emails with anything relevant to keep her informed of key changes / updates; also that if she wished to discuss anything with her manager, she could email / telephone. She expressed an interest in attending update training on the changes (subject to her being available and able to arrange childcare) and they agreed that her manager would contact her at the time to ask if she wished to work a KIT day.

During her maternity leave, she worked 6 KIT days as follows:

- Half-day in week 17: As she was in receipt of Occupational Maternity Pay, she was not entitled to payment for working this day. She agreed with her line manager that she would accrue a half-day to be taken after she returned from maternity leave. As she has used a whole day's KIT allowance, she would only be able to work a maximum of a further 9 days.

- Half-day in week 24: As she was in receipt of Statutory Maternity Pay (at £124.88 for this week), she was not entitled to be paid for the KIT days (her daily rate of pay is £73). She agreed with her line manager that she would accrue a half-day to be taken after she returned from maternity leave. As she has used a whole day's KIT allowance, she would only be able to work a maximum of a further 8 days.
- 2½ days in week 38: She received payment of £183 for the week (including her SMP of £124.88). As she has used 3 whole day's KIT allowance, she would only be able to work a maximum of a further 5 days.
- 6 hours in week 45: She received payment of £60 for the 6 hours worked. As she has used a whole day's KIT allowance, she would only be able to work a maximum of a further 4 days.

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