

Maternity and Paternity Guide – Construction Consultancy

Whilst it absolutely should not be, we know that asking about maternity and paternity policies is often a tricky subject when looking at a new job, or even in an existing job! We therefore thought we would put together a guide to help perhaps answer some of the questions you may have, such as;

- Do these policies vary from employer to employer (spoiler; yes they do!)?
- What are the best and worst policies out there?
- What is the jargon / terminology used?
- What considerations should I think about?

Introduction

When doing the research for this guide, what was immediately obvious was that some employers have very straightforward policies, whilst others have policies that will require you to have a PhD to understand! We hope this guide will help you navigate this.

Given that, like any other part of an employment contract, maternity and paternity policies are confidential, we must stress that we cannot, in this guide, detail specific policies for specific employers. What we can do is tell you a range and what to look out for, plus we are of course happy to give you further advice one on one.

Eligibility

The very first item you need to consider is your eligibility to receive maternity or paternity benefit from your employer; we find this is a factor that some do not consider. You are entitled to statutory maternity pay (SMP – see more detail about this later) after, in effect 41 weeks' employment. But for enhanced maternity pay, you usually have to have been employed for longer;

- Our research found two employers who would give employees full rights after 6 months employment, however these were the exception.

- Some gave full rights after a year, however for most businesses we looked at, you need a full two years' service before being entitled to the full maternity or paternity policy.

Paternity

Lets deal with paternity first; because frankly it is easier!

- The very best scheme is for upto six months; but we have only seen one such scheme.
- We did see one scheme that was for four weeks.
- The vast majority were for two weeks.
- Some schemes allow you to take your allowance at anytime (usually within the first year of birth), some allow you to split the leave; for example one week immediately after your child is born and another week three months later.

Maternity

Ok, this is where it gets more complicated! As discussed earlier, all Employers (in the UK) are obliged to pay you statutory maternity pay if you have had at least 26 weeks continuous employment prior to giving notice of your maternity leave (this is 15 weeks before your due date); so in simple terms 41 weeks' employment prior to your due date. SMP is:

- 90% of your average weekly earnings (before tax) for the first 6 weeks.
- £151.97 or 90% of your average weekly earnings (whichever is lower) for the next 33 weeks.

On top of this, dependent on your employer's policy, you may get enhanced maternity pay (the terminology used may be different from employer to employer, but it means the same thing; additional pay on top of SMP).

- Some employers just offer SMP without any enhanced pay (this may be dictated by length of service or, in some cases, this is just their standard policy)
- The best two employers we have come across offer 100% pay for the first 6 months (26 weeks) before reverting to SMP.
- There is then a real range of policies beyond the two above extremes.
- No employer that we have researched offers enhanced pay beyond the first 6 months / 26 weeks.

Returning from Maternity

There are some other factors we feel you should be aware of after returning to work;

- Should you either choose not to return to work or return but leave within a certain time (typically six months), you may be asked to repay some or all of your enhanced maternity pay.
- Some employers appear to actively support you returning on a flexible or part time basis, either indefinitely or for a set period of time, whilst others don't! This may or may not be obvious in any policy documents; it may be worth you taking counsel from others who have returned from maternity leave to gauge what the attitudes to this are in the business. Anecdotally, we find some employers have a much better attitude than others on this.

Shared Parental Leave

This is a whole other level of complicated! As there are very few employers in the construction consultancy world that even offer this, and because the subject is complicated, we have steered clear of this area. You may find [this link](#) a useful resource however.

Adoption and Surrogacy

Unfortunately, there seems to generally be a lack of detail in the policies on adoption and surrogacy (caveat, it may be that these circumstances have their own standalone policies for some employers) so this is not something we feel we can give any advice on at this stage.

Same Sex Couples

Once again, perhaps not the detailed level of policy on this subject we would hope for. If you are a female couple and one of you is the birth mother, then normal maternity policy applies and for your partner, paternity. If you are a male couple, we assume it is similar policies to adoption, but unfortunately we have not found detailed policies on this. [This link](#) may be a useful resource for same sex couples.

What else to consider

Whilst a good maternity or paternity policy is of course worth a lot to you, there is an argument that you also need to look at it in the wider context of your employment or opportunities outside of your current employer. Some factors to consider;

- Salaries – having a great maternity or paternity policy but being underpaid relative to

market, could in fact see you worse off compared to peers in the industry.

- Progression – as above, having a great policy in place, but being in a business that does not actively support your continued progression or worse, allows, either knowingly or unknowingly for your maternity to delay your progression is of course not great; it would be worth you speaking with colleagues to see what their experience has been like. As well as this, we find, again anecdotally, that female employees of a certain age (i.e. those that people may generally assume may choose to start a family in the next few years) are, in some organisations, potentially held back in terms of career progression, by some less than progressive management teams. Again, this is worth you having some honest discussions with other female colleagues in your business to understand if this could be an issue for you.

Summary

Firstly if you are about to embark on starting a family – then our warmest wishes – being a parent is the most rewarding (and demanding!) job there is! We hope you have found our guide of use and hopefully it has raised some points or considerations that you had perhaps not thought of.

Should you have further questions or want some confidential advice on specific policies within employers in the construction consultancy market then follow [this link](#) to book a phone call in with me.

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You may also find the following links below useful for additional reading;

<https://maternityaction.org.uk/advice/maternity-pay-questions/>

<https://www.gov.uk/employers-maternity-pay-leave/eligibility-and-proof-of-pregnancy>

<https://www.gov.uk/maternity-pay-leave/pay>

<https://www.citizensadvice.org.uk/work/rights-at-work/parental-rights/maternity-pay-what-youre-entitled-to/>

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