

Managing pregnancy and maternity

When someone must tell you

By law, anyone [legally classed as an employee](#) must tell you:

- that they're pregnant
- the expected week of the birth – to confirm this you can ask for a medical certificate, such as a 'MAT B1' form if they're more than 20 weeks pregnant
- the date they want to start [maternity leave](#) – the earliest it can start is 11 weeks before the due date

They must tell you this information no later than 15 weeks before the due date.

This information does not have to be in writing. But if you ask for it in writing, the employee must provide it that way.

After you've received the information you must:

- reply to the employee within 28 days
- tell them they're entitled to 52 weeks' maternity leave
- confirm their return to work date (they can change it later if they want to take less, but must give you 8 weeks' notice)

If the employee tells you how long they want off, use this to work out their return to work date. Otherwise, assume they'll take 52 weeks.

If you do not give them this information, you:

- cannot stop them from returning early without notice
- might not be able to discipline or dismiss them for delaying their return from maternity leave

[Use our template letter to confirm an employee's maternity leave](#)

Have a pregnancy and maternity policy

It's a good idea for your organisation to have a pregnancy and maternity policy that all staff can easily access, for example on an intranet or in a handbook. This can help everyone know where they stand.

If you think your employee is pregnant and they have not told you

It's best to take a supportive and sensitive approach if you think your employee is pregnant and they have not confirmed it yet.

They may have a good reason for not telling you straight away. For example, it may be very early in the pregnancy, or they may not have told family or friends yet.

If you think they're pregnant and it's affecting their work, you could ask them for a quiet chat to discuss whether they need any support from you.

If you've not employed them yet

A person does not have to tell you they're pregnant if you've not yet employed them, for example if they've only come for an interview.

It's likely to be unlawful discrimination if you do not employ someone because they're pregnant or you believe they're pregnant.

You should never ask job applicants if they're pregnant or planning to have children.

Once they've accepted a job offer

Once they've accepted a job offer, the rules for pregnant employees apply.

They must also tell you about any:

- [health and safety concerns](#)
- [planned 'antenatal' \(pregnancy-related\) appointments](#)

If you employ them less than 15 weeks before their baby is due

Once they've accepted the job offer, the person must tell you they're pregnant and follow the other rules for pregnant employees.