



**BISHOP GROSSETESTE UNIVERSITY**

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**BISHOP GROSSETESTE UNIVERSITY**

**MATERNITY, PATERNITY, ADOPTIVE AND PARENTAL LEAVE POLICY**

Responsibility for updating this document is with Human Resources.

*The University provides a separate policy on Shared Parental Leave (children expected to be born after 5 April 2015)*

Manager responsible for policy:	Head of Human Resources
Forum for initial approval:	Senior Leadership Team
Date amended:	March 2015

## Introduction

The following notes are designed to provide you with information regarding your rights under maternity, paternity, adoptive and parental leave legislation as well as the right to request flexible working arrangements.

They also take account of changes to the University's Occupational Maternity Scheme and to the Occupational Adoptive Pay Scheme recommended by the Senior Leadership Team (SLT) and agreed by the University Council.

These notes are designed to provide general guidance only and do not affect your statutory rights.

The provisions for adoptive parents are equitable with our Occupational Maternity Scheme.

You should read these notes carefully and if you are in any doubt on any point or should you wish to discuss any other issue relating to maternity and your employment then HR or the Finance Department will be pleased to help you. Please approach HR in the first instance.

These arrangements include an explanation of entitlements to both **Statutory** and **Contractual/Occupational** benefits.

**'Expected week of childbirth'** means the week, starting on a Sunday, during which your doctor or midwife expects you to give birth.

**'Qualifying week'** means the 15<sup>th</sup> week before the expected week of childbirth.

All pregnant employees (regardless of length of service) have a right in law to take up to 26 weeks' ordinary maternity leave and to a further 26 weeks' additional maternity leave and to resume work afterwards. The employee is therefore entitled to a total of 52 weeks' maternity leave. Additional maternity leave follows on immediately from the end of the period of ordinary maternity leave.

All employees who take maternity leave have the right to return to work at any time during ordinary maternity leave or additional maternity leave (except during the first two weeks from the day of the childbirth), subject to their following the correct notification procedures.

# Maternity

## Statutory Maternity Entitlements

**This section is applicable if you have less than twelve months' service before the expected date of childbirth.**

There are **two types** of statutory maternity benefits – **statutory maternity pay (SMP)** and **maternity allowance (MA)**. If you are not entitled to receive SMP then you may be entitled to receive MA.

## Statutory Maternity Pay

**Statutory Maternity Pay (SMP)** is paid by the University to qualifying pregnant employees.

To qualify for 39 weeks' SMP you must:

- have been continuously employed by the University for at least 26 weeks at the end of the qualifying week and are still employed during that week. The QW is the 15<sup>th</sup> week before the **expected date of childbirth** (EWC).
- have **average weekly earnings** of not less than the lower earnings limit for the payment of national insurance contributions in the 8 weeks up to and including the **qualifying week** (QW). The current figure for this is available from HR or the Finance Department.
- have given 28 days' notice, to the University, of your intention to stop work because of your pregnancy.
- have provided a MAT B1 form stating their expected week of childbirth
- still be pregnant 11 weeks before the start of the expected week of childbirth (or have already given birth).
- have stopped working due to the pregnancy or the birth.

The first 6 weeks of SMP are paid at 90% of your average weekly earnings. The following 33 weeks is payable at a rate set by the Government for the relevant tax year, or at 90% of your average weekly earnings, if this figure is lower than the Government's set weekly rate. It is treated as earnings and is therefore subject to PAYE and national insurance deductions.

SMP is always paid for a whole number of weeks.

SMP cannot start prior to the 11<sup>th</sup> week before your expected week of childbirth.

SMP is paid whether or not you intend to return to work for the University.

At the end of your SMP you will also be entitled to 13 weeks' additional maternity leave which is unpaid.

## Occupational Maternity Scheme

**This section is applicable provided that you have been continuously employed by the University for a period of twelve months before the expected week of childbirth.**

The University's Occupational Maternity Scheme provides enhanced maternity pay provisions providing you return to work and continue in employment for at least 3 months. The occupational maternity pay mentioned in these arrangements will include any relevant Statutory Maternity Pay. The University will take into account the relevant circumstances of each individual case, when deciding to reclaim occupational maternity pay.

### Qualification

**Occupational and Statutory Maternity Pay (SMP)** is paid by the University to qualifying pregnant employees.

To qualify you must:

- have been continuously employed by the University for at least 12 months before the expected week of childbirth.
- have **average weekly earnings** of not less than the lower earnings limit for the payment of National Insurance Contributions in the 8 weeks up to and including the **qualifying week (QW)**. The QW is the 15<sup>th</sup> week before the EWC. The current figure for this is available from HR or the Finance Department.
- have given 28 days' notice, to the University, of your intention to stop work because of your pregnancy.
- have provided a MAT B1 form stating their expected week of childbirth
- still be pregnant 11 weeks before the start of the expected week of childbirth (or have already given birth).
- have stopped working due to the pregnancy or the birth.

Occupational maternity pay and SMP are always paid for a whole number of weeks.

The current level of the SMP flat rate is available from HR or the Finance Department.

SMP is paid via the University payroll and is subject to all statutory deductions and pension contributions, as applicable.

SMP is paid whether or not you intend to return to work for the University.

SMP is payable only when you have stopped work due to the forthcoming birth.

At the end of your SMP you will also be entitled to 13 weeks' additional maternity leave (unpaid).

### **Occupational maternity pay**

An employee who is absent from work on the grounds of pregnancy or childbirth and who qualifies for the occupational maternity scheme and who has given notice, will be entitled to the following maternity leave and pay:

**4 weeks leave on full pay (against which SMP payments are offset)**

**2 weeks leave on 90% of full pay (against which SMP payments are offset)**

**12 weeks leave on half-pay (plus SMP at the appropriate rate, except to the extent that the combined amounts exceed full pay), and**

**21 weeks SMP at the appropriate rate**

**13 weeks' unpaid leave.**

The University may, at its discretion, extend the period of paid or unpaid leave in cases of hardship.

You may decide to receive only SMP rather than the enhanced OMP during the period of your maternity leave. This would mean that if you only receive SMP, and do not return to work, you will not have to repay any maternity pay back to the University. This might be beneficial if you are unsure of whether you wish to return to work. If you do then return to work the OMP element of your maternity pay will be paid to you as a lump sum after your return.

## **Maternity Allowance**

If you are not entitled to receive SMP, **Maternity Allowance (MA)** may be payable.

If you have been employed and/or self-employed and paid National Insurance contributions in 26 out of the 66 weeks up to and including the week before the baby is due you may be entitled to claim a maximum of 39 weeks MA from the Jobcentre Plus.

MA is payable only when you have stopped working due to the forthcoming birth.

MA is paid by the Jobcentre Plus directly to you.

If you are not eligible to receive SMP, the Finance Department will provide you with form SMP1, which will explain the reasons why you are not eligible. The form also gives you instructions on how to apply for MA from the Jobcentre Plus.

For more information about MA please contact the Jobcentre Plus.

## **Timing of maternity leave**

Ordinary maternity leave can start at any time after the beginning of the 11<sup>th</sup> week before the employee's expected week of childbirth (unless her child is born prematurely before that date in which case it will start earlier). Maternity leave will start on whichever date is the earlier of:

- the employee's chosen start date;
- the day after the employee gives birth; or
- the day after any day on which the employee is absent for a pregnancy-related reason in the four weeks before the expected week of childbirth.

If you give birth before your maternity leave was due to start, you must notify the University in writing of the date of the birth as soon as reasonably practicable.

You should notify the University, in writing, of the intended start date of the leave 28 days before the leave is due to start, unless this is not reasonably practicable. If you wish to bring forward or postpone your planned maternity leave start date, you should advise the University, in writing at least 28 days before the new start date or 28 days before the original proposed start date.

## **Notice requirements - Ordinary Maternity Leave**

On becoming pregnant, you should notify your line manager as soon as possible. This is important as there are health and safety considerations for the University.

If you wish to exercise your right to ordinary maternity leave you must notify the University of the following:

- that you are pregnant
- your expected week of childbirth
- the intended start date of maternity leave

This notification should be given no later than 15<sup>th</sup> week before the EWC unless this is not reasonably practicable.

Notification must be supported by a Medical Certificate from your Doctor or registered midwife, stating your expected week of childbirth, (the maternity certificate MAT B1 can be used for this purpose).

You are permitted to bring forward your maternity leave start date, provided that you advise the University in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable. You may also postpone your maternity leave start date, provided that you advise the University in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

The University will formally respond in writing to your notification of your leave plans within 28 days confirming the date you are expected to return to work.

You are required to give at least 28 days' notice of the date that you want your statutory maternity pay to begin. If it is not possible for you to give 28 days' notice, for example if the baby arrives early, you should tell the University as soon as reasonably practicable.

## **Notice requirements - Additional Maternity Leave**

Additional maternity leave commences on the day after the last day of ordinary maternity leave and runs for 26 weeks.

Having complied with the notice provisions contained in ordinary maternity leave, you do not have to inform the University that you wish to take additional maternity leave at the end of your ordinary maternity leave. It will be presumed that you will take the additional leave unless you inform the University otherwise.

Statutory maternity pay is only payable for the 39 week period of these arrangements. Additional maternity leave after the 39 week period is unpaid.

## **Time of for antenatal care**

Once you have advised the University that you are pregnant, you will be entitled not to be unreasonably refused paid time off work to attend antenatal appointments as advised by your doctor, registered midwife or registered health visitor.

The University reserves the right to seek appropriate evidence of ante-natal appointments.

You should endeavour to give your line manager as much notice as possible of antenatal appointments and, wherever possible, try to arrange them as near to the start or end of the working day as possible.

An individual who has a qualifying relationship with you, which includes your husband or civil partner and the father of the expected child, is eligible to take unpaid time off to accompany you at up to two antenatal appointments. The individual with the qualifying relationship should ask his/her employer for more details of the right.

## **Terms and conditions of employment**

During ordinary maternity leave and additional leave, all terms and conditions except normal pay will continue. Salary will be replaced by statutory maternity pay if you are eligible for it.

This means that, while sums payable by way of salary will cease, all other benefits will remain in place. For example, holiday entitlement will continue to accrue.

You are encouraged to take any outstanding holiday due to them before the commencement of maternity leave.

Whilst you are on maternity leave:

- You will be eligible to receive the normal annual increment on your salary scale in accordance with your contract of employment to take effect from the normal incremental date.
- Pension rights and contributions shall be dealt with in accordance with the provisions of the appropriate pension scheme providing that these provisions do not conflict with any relevant statutory requirements that may at the time apply. For further information regarding pensions and maternity leave/pay contact the Finance Department.
- Absence due to ill-health during your pregnancy will be subject to the appropriate sick pay scheme.
- If you are absent from work due to pregnancy-related illness after the beginning of the fourth week before your expected week of childbirth, your maternity leave will start automatically.

If you are absent from work wholly or partly because of pregnancy during the four weeks before the expected week of childbirth, you must notify the University in writing of this as soon as reasonably practicable.

- Maternity leave is not considered as sick leave and is not taken into account when calculating any period of sick leave entitlement
- You will be able to agree with the University to work up to 10 “keeping in touch” (KIT) days during your maternity leave without loss of a weeks’ statutory maternity pay or bringing your maternity leave to an end. The University is not obliged to offer such days, nor will you be obliged to agree to accept such work.

You will be paid a total of your usual rate of pay for any KIT days worked.

- If you are claiming Maternity Allowance (MA), (ie not statutory or occupational maternity pay) you must advise the Jobcentre Plus of any keeping in touch days during your maternity allowance period.
- The University will be entitled to make reasonable contact with you during your maternity leave. This may be to discuss employees’ plans for return to work, to discuss any special arrangements to be made or training to be given to ease your return to work or to update them on developments at work during your absence.

Note: If a stillbirth occurs after the end of the 24<sup>th</sup> week of pregnancy, entitlement to SMP or Maternity Allowance and to maternity leave applies in the same way as if the baby had been born alive.

If a stillbirth occurs during the first 24 weeks of pregnancy SMP or Maternity Allowance are not payable. Any absence in these circumstances will be treated as sickness absence and you will be entitled to sick pay in accordance with the appropriate Sick Pay Scheme.

### **Returning to work**

You may return to work at any time during ordinary maternity leave or additional maternity leave, provide that you give the appropriate notification. Alternatively, you may take your full period of maternity leave entitlement and return to work at the end of this period. If you wish to return to work before the end of the 52 week maternity leave period you must provide the University with 8 weeks' notice of your planned date of return in writing.

You have the right to resume working in the same job if returning from ordinary maternity leave. If you return to work after a period of additional maternity leave, you are entitled to return either in the same job or, if this is not reasonably practicable, to another suitable job that is on terms and conditions not less favourable.

Should a redundancy situation arise whilst you are on maternity leave, you will be offered suitable alternative employment where a suitable alternative vacancy exists. If a suitable alternative vacancy does not exist you will be subject to the University's redundancy arrangements.

You may not return to work within two weeks of the date of birth of the child. This period of time is defined in legislation as 'Compulsory Maternity Leave'.

If you are prevented from returning to work at the end of your maternity leave due to ill health, the right to return may be extended beyond the notified date of return, providing an appropriate medical certificate has been submitted. This period will be treated as sick leave in accordance with the University's Sick Pay Scheme.

If you decide not to return to work after maternity leave, you must give notice of resignation as soon as possible and in accordance with your contract of employment. If the notice period would expire after maternity leave has ended, the University may require you to return to work for the remainder of the notice period.

The University will consider all requests for flexible working. Please see the employee handbook for more information.

## **Transfer of maternity leave**

### ***Shared parental leave for babies due on or after 5 April 2015***

Shared parental leave is a type of leave that is available to parents of a child during the first year of birth or adoption. Shared parental leave enables mothers/adopters to commit to ending their maternity/adoption leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from maternity/adoption leave and opt in to shared parental leave and pay at a later date. The University provides a separate policy on Shared Parental Leave.

## **Health and safety**

The University recognises the importance of protecting from avoidable risk pregnant employees, employees who have recently given birth and employees who are breastfeeding.

Under these arrangements the University will, when notified by the employee that she is pregnant, has recently given birth or is breastfeeding, carry out a risk assessment and take appropriate action to resolve any problem.

In order to assist the University to discharge its responsibilities towards the health and safety of you and your unborn child, it is advisable that notification should be made at an early stage in your pregnancy. Such notification may be made in confidence to your line manager or HR.

Risk assessments will be the responsibility of the line managers or their designated nominee.

The University will take reasonable measures to avoid any identified risk.

Measures may include altering your working conditions or your hours of work. If these measures are not adequate in terms of avoiding the risk to you or your unborn child, it may be necessary to offer you suitable alternative work.

If suitable alternative work is not available it may be necessary to suspend you on maternity grounds in order to protect you and your unborn child.

Suspension from work on maternity grounds will be paid unless you have unreasonably refused the offer of suitable alternative work.

For further information regarding health and safety, including statutory regulations and responsibilities contact the University's Health and Safety Officer.

# **Paternity**

## Ordinary Paternity Leave and Ordinary Statutory Paternity Pay

### **Eligibility**

Employees must satisfy the following conditions in order to qualify for statutory paternity leave. They must:

- have or expect to have responsibility for the child's upbringing and are taking the time off to support the mother or care for the baby.
- be the biological father of the child or secondary adopter of the child or be the mother's (or adopter's) husband, partner or civil partner, or expect to have the responsibility for the child's upbringing.
- have worked continuously for the University for 26 weeks by the end of the 15th week before the baby is due.

The University can ask the employee to provide a self-certificate (see below for further details) as evidence that they meet these eligibility conditions.

### **Ordinary paternity leave**

Eligible employees can take a single block of one or two weeks within eight weeks of the birth or adoption of the child.

They can choose to start their leave:

- from the date of the child's birth (whether this is earlier or later than expected), or
- from a chosen number of days or weeks after the date of the child's birth (whether this is earlier or later than expected), or
- from a chosen date later than the first day of the week in which the baby is expected to be born.

Only one period of leave is available to employees irrespective of whether more than one child is born as the result of the same pregnancy.

Ordinary paternity leave is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either the adoptive father or adoptive mother may take ordinary paternity leave where the other adoptive parent has elected to take adoption leave. The employee must have 26 weeks' continuous service by the week in which the child's adopter is notified of having been matched with the child for adoption.

### **Notice of intention to take ordinary paternity leave**

Where an employee wishes to request ordinary paternity leave, he/she must give the University 15 weeks' written notice of the date on which his/hers partner's baby is due, the length of ordinary paternity leave he/she wishes to take and the date on which he/she wishes the leave to commence, unless this is not reasonably practicable.

In the case of an adopted child, the employee must give written notice of his/her intention to take ordinary paternity leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency.

Employees can change their mind about the date on which they want their leave to start providing they tell the University at least 28 days in advance (unless this is not reasonably practicable). Employees must tell the University the date they expect any payments of Ordinary Statutory Paternity Pay (OSPP) to start at least 28 days in advance, unless this is not reasonably practicable. The employee must also, if so requested, complete and sign a self-certificate declaring that he/she is entitled to ordinary paternity leave and ordinary statutory paternity pay.

### **Ordinary statutory paternity pay**

During their paternity leave, most employees are entitled to OSPP.

Pay during ordinary paternity leave will be set by the Government for the relevant tax year, or at 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate. However, employees whose average weekly earnings are below the lower earnings limit for national insurance contributions will not be eligible for ordinary statutory paternity pay.

OSPP is treated as earnings and therefore subject to PAYE and national insurance deductions.

OSPP can start from any day of the week in accordance with the date the employee starts his/her paternity leave.

### **Occupational paternity pay**

Occupational paternity pay is applicable provided that you have been continuously employed by the University for a period of twelve months before the expected week of childbirth or for a period of twelve months up to and including the week your wife, partner or civil partner was matched with a child for adoption.

You will be entitled to two weeks full pay.

### **Time of for antenatal care**

Regardless of length of service you may take unpaid time off for up to two ante natal appointments if you are the biological father or the mother's husband, partner or civil partner or have or expect to have responsibility for the child's upbringing.

The University reserves the right to seek appropriate evidence of ante-natal appointments.

The employee should endeavour to give his/her line manager as much notice as possible of antenatal appointments and, wherever possible, try to arrange them as near to the start or end of the working day as possible.

### **Additional paternity leave**

Additional paternity leave is available in relation to babies **due before 5 April 2015**. Eligible employees may take up to 26 week's additional paternity leave within the first year of their child's life provided that the mother has returned to work.

Additional Paternity Leave will be repealed once **Shared Parental Leave** arrives in April 2015. Please see HR if your baby is **due before 5 April 2015** for more information on additional paternity leave.

# Adoption

## Introduction

The University undertakes to make provisions for adoptive parents which are equitable with its Maternity and Paternity Leave arrangements.

Where a couple are adopting jointly they can choose which of them will take adoption leave and pay, and the other (regardless of gender) may take paternity leave and pay. If an individual is adopting they may take adoption leave and pay and their partner may be eligible for paternity leave and pay.

## Statutory adoption leave and pay

An employee who adopts a child through an approved adoption agency is entitled to up to 52 weeks' adoption leave made up of 26 weeks' ordinary adoption leave followed immediately by 26 weeks' additional adoption leave. Leave may be transferred or shared under the Shared Parental Leave Policy.

To qualify for leave, you must:

- have at least 26 weeks' continuous service calculated as at the week in which notification of matching is given by the adoption agency.

Employees who qualify for adoption leave will also qualify for statutory adoption pay, provided that their average weekly earnings are not less than the lower earnings limit for national insurance contributions. Statutory adoption pay is payable for up to 39 weeks at a rate set by the Government for the relevant tax year, or at 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate.

Statutory adoption pay is treated as earnings and is therefore subject to PAYE and national insurance deductions.

To qualify for pay you must also:

Provide proof of adoption, usually a matching certificate from your adoption agency, to show that you have the right to paid adoption leave.

The adoption agency must be one which is properly recognised in UK law. You have no statutory rights if you arrange a private adoption.

As long as you've been matched by a recognised agency, it shouldn't matter whether you've previously been fostering the child you adopt.

An employee who is absent from work on the grounds of adoption and who qualifies for statutory adoption leave will be entitled to the provisions under statutory maternity leave and pay.

### **Occupational adoption leave and pay**

To qualify for adoption leave under the occupational scheme, an employee must meet the criteria set above and:

- have worked continuously for the University for 12 months prior to the expected date of placement.

**An employee who is absent from work on the grounds of adoption and who qualifies for occupational adoption leave will be entitled to the provisions under occupational maternity leave and pay.**

The University's Occupational Adoption Scheme provides enhanced adoption pay provisions providing you return to work and continue in employment for at least 3 months. The occupational adoption pay mentioned in these arrangements will include any relevant Statutory Adoption Pay. The University will take into account the relevant circumstances of each individual case, when deciding to reclaim occupational adoption pay.

### **Notification**

You should inform the University of your intention to take adoption leave within seven days of being notified by the adoption agency that you have been matched with a child for adoption, unless this is not reasonably practicable. You will need to say:

- when the child is expected to be placed with you and
- when you want your adoption leave to start

Notification should be given to your Line Manager, with a copy to HR. You will be able to change your mind about the date on which you would like your leave to start providing you tell the University at least 28 days in advance, unless this is not reasonably practicable.

## **Commencement of Leave**

You can choose to start your leave:

- from the date the child starts living with you, or
- on an earlier date up to 14 days before the date you expect the child to start living with you

Your leave can start on any day of the week.

## **Adopters who have average weekly earnings below the Lower Earnings Limit for National Insurance Contributions**

Adopters in these circumstances will not be eligible for Statutory Adoption Pay. Employees in low-income families may be able to seek financial support from their Local Authorities. Additional financial support may be available through Housing Benefit, Council Tax Benefit or Tax Credits. Further information is available from your local Jobcentre Plus office or Benefits agency.

## **Additional Paternity Leave**

Additional paternity leave is available to adoptive parents within the first year after the child's placement for adoption, provided that the child's adopter who elected to take adoption leave (the 'primary adopter') has returned to work.

Employees must give HR eight weeks written notice of their intention to take additional paternity leave. The request must specify the date on which you were notified of having been matched with the child and the date of placement for adoption.

## **Returning to work**

You may wish to consider applying for a new working arrangement under the 'Flexible Working – the right to request and the duty to consider' arrangements.

Further information can be obtained from the employee handbook or HR.

## Ordinary Parental Leave and Time Off for Dependants

An employee is entitled to up to 18 weeks' unpaid parental leave per child if he/she:

- is the parent of a child who is under five years of age;
- has adopted a child under the age of 18 (the right to parental leave lasts for a period of five years from the date of adoption or until the child's 18<sup>th</sup> birthday, whichever is the sooner); or
- has acquired formal parental responsibility for a child who is under five years of age.

Parents of disabled children are entitled to 18 weeks' parental leave up to the child's 18<sup>th</sup> birthday, providing they have the qualifying length of service.

To qualify for parental leave, you must have completed at least one year's continuous service with the University.

Ordinary parental leave should not be confused with shared parental leave. The University provides a separate policy of shared parental leave.

### Right's during ordinary parental leave

During parental leave you will remain employed, although pay and most contractual benefits will be suspended. The right to accrue statutory holiday entitlement will remain in place.

### Conditions of 'ordinary' parental leave

- An employee can take leave in blocks of one week or more (for example, in two-week or three-week blocks), up to a maximum of four weeks in a year for each child.
- Parents whose child is entitled to disability living allowance can take the leave in days or periods shorter than a week.
- An employee needs to give at least 21 days' notice to the University, giving the dates when the leave is to start and finish.
- If an employer considers that an employee's absence would unduly disrupt the business, then the employer can postpone the leave for no longer than

six months after the beginning of the period that the employee originally wanted to start his or her parental leave.

- When an employee applies to take parental leave immediately after the birth or adoption of a child, then the employer cannot postpone the leave. The employee needs to give 21 days' notice before the beginning of the expected week of childbirth (expectant mothers will be able to provide this information to their partners). In the case of adoption, the employee needs to give 21 days' notice of the expected week of placement.

### **Return from ordinary parental leave**

You will be entitled to return to the same job, provided that the leave was for a period of four weeks or less (and did not follow on immediately from a period of additional maternity, paternity or adoption leave). If the period of leave was longer than four weeks (or followed on immediately from a period of additional maternity, paternity or adoption leave), then you will be entitled to return to the same job or, if this is not practicable, to a similar job that has the same or better status, terms and conditions as the previous job.

### **Future developments**

In November 2012, the Government confirmed in Consultation on modern workplaces – government response on flexible parental leave that it will increase the age limit on ordinary parental leave from the current five years to 18 years, providing each parent with the right to up to 18 weeks' unpaid parental leave for each child under 18. In August 2014, BIS advised that it will take effect in April 2015.

### **Time off for dependants**

All employees are also entitled to take a reasonable amount of (unpaid) time off work to deal with an emergency or unexpected situation involving a dependant. It is anticipated that leave would be for 1 or 2 days in most cases.

A written record of the leave will be kept by HR.

## **Other related issues**

The DTI offer some useful guidance notes on statutory maternity leave and other family friendly rights.

Further advice on employment law matters, including the new rights, as well as good practice guidance is available from offices of ACAS.

Information on all aspects of employment legislation can usually be provided by accountants, citizens advice bureaux, employer organisations (such as UCEA), legal advisers, low pay units, trade unions etc.

Further information can be obtained from HR.