

Parental Leave Policy

1. Introduction

The School aims to recruit, retain and motivate the best possible employees and, as part of this objective, wants to support employees to combine work with family commitments.

2. Policy aims

The aim of parental leave is to allow employees the opportunity to take time off to care for a child. Reasons why a member of employee may wish to take unpaid parental leave include wanting to:

- spend more time with his or her young child and achieve a better balance between their work and family commitments;
- be with the child during the initial stages of new childcare arrangements;
- accompany a child during a planned hospital stay.

Parental leave, which is unpaid, is a legal entitlement for both men and women who are the parents of children aged under five (or under 18 if the child is disabled). From the 5th April 2015, the legal entitlement is for parents of children aged up to 18.

There are other policies in place for absences for reasons other than parental leave for example, compassionate, or 'time off' for family and dependents.

3. Policy principles

Parental leave differs from paternity leave. Paternity leave is paid leave (ten working days, pro rata for less than full time employment) to be taken before and around the time of childbirth or adoption, or within a reasonable time period afterwards. It also differs from additional paternity, maternity or adoption leave.

Parental leave can be applied for by an employee who, by the time of the proposed start of the parental leave, has completed a years' continuous service and:

- is a named parent on the birth certificate of a child aged under the age of five (or under 18 if the child is disabled); from the 5th April 2015, the legal entitlement is for parents of children aged up to 18. or, has adopted a child (the cut-off point for this is the fifth anniversary of the adoption or whenever the child reaches the age of 18, whichever is the earlier except in the case of a child entitled to disability living allowance);
- or, has formal parental responsibility;
- or, is the step-parent of a child aged under the age of five (or under 18 if the child is disabled) and is living with that child. From the 5th April 2015, the legal entitlement is for parents of children aged up to 18.

In the case of multiple births or the adoption of more than one child as part of the same placement, the employee has a statutory right to take unpaid parental leave in respect of each child.

Foster parents are not eligible for parental leave.

Amount of parental leave

The statutory right of employees to parental leave is a maximum of 18 weeks' unpaid leave. The entitlement for parental leave applies for each child. The maximum amount of parental leave that may be taken in any one year in respect of a child is four weeks' parental leave in blocks of not less than one week, except where the child is disabled, in which case it may be taken one day at a time.

As part of the School's positive support of employees who are working parents, employees who are eligible for parental leave can request the following:

- one complete block of four weeks ;
- several one-week periods;
- shorter working weeks.

For the purpose of this policy a year is the period of 12 months beginning when the employee first becomes entitled to parental leave in respect of the child in question, and each successive period of 12 months beginning on the anniversary of that date.

If the dates requested for taking a block of leave would substantially prejudice the School's work, then the leave may be postponed but not indefinitely and not usually for more than three months. The School cannot postpone parental leave requested to immediately follow childbirth or adoption.

Change of employer

An employee's total entitlement to parental leave is limited to 18 weeks per child, irrespective of whether they change employer. If, for example, an employee has taken four weeks' parental leave (out of a total entitlement of 18 weeks) during his or her current employment, the employee will have 14 weeks' parental leave outstanding on moving to new employment. The employee will, however, have to work for a full year with the new employer before becoming eligible to take any of their entitlement.

Parental Leave Procedure

Introduction

1. The procedure provides information on the steps necessary to apply the policy on parental leave to the School's eligible employees.

2. The procedure uses the following key terms:

mother: is the woman who gives birth to a child

partner: is the child's biological father or the partner of the mother; this can be a spouse, civil partner; or a partner who is living in an enduring relationship with the mother and the child.

Notification requirements

3. The statutory requirements are that employees must give at least 21 days' notice of the period of parental leave that they wish to take and the notice must specify the dates on which the period of parental leave is to begin and end. Additionally, the School requests that the notice be in writing.
4. A partner who wishes to take a period of parental leave beginning when their child is born, must give notice at least 21 days before the expected week of childbirth, and must specify the expected week of childbirth and the duration of the period of parental leave requested. Additionally, the School requests that notice of the intention to take parental leave should be given together with notice of the intention to take paid paternity leave.
5. Similarly, where parental leave is requested to begin on an adopted child's placement, the employee's notice must be given at least 21 days before the beginning of the week in which the child is to be placed for adoption, or as soon as is reasonably practicable thereafter. The notice must specify the week in which the adoption placement is expected to occur and the duration of the period of parental leave requested.
6. In case where it is not possible to give notice of 21 days, e.g. if the child is born prematurely or where less than 21 days' notice is given that a child is to be placed

with the employee for adoption, then the employee should give notice as soon as practicable.

7. Where a person's manager is not agreeable to allow them to take parental leave at the time or times notified, the parties shall attempt to reach agreement on an alternative time or times when leave will be taken. Where they are unable to agree, and the employee is an academic member of staff, the matter shall be referred to the Vice-Chairman of the Academic Board for a decision within 10 working days.
8. It is the responsibility of the person and the manager to keep a record of any leave requested, agreed and taken. A copy of the record should be sent to HR so that employees receive the correct salary payments and there is proper management information so that future requests for parental leave can be properly managed and administered. A proper record will enable the employer to show, if necessary, that it has granted employees the full periods of parental leave to which they are entitled. Clear records will also enable employers to cooperate with other employers in providing information, on request, about how much parental leave an ex-employee has already taken, although there is no legal duty to provide such information

Documentary evidence of eligibility

9. A line manager may, at their discretion, request documentary evidence from an employee to support a request for parental leave. This might take the form of:
 - sight of the child's birth certificate, in order to ascertain that the child is under five years old; or from the 5th April 2015, under eighteen years old;
 - sight of a certificate of adoption;
 - where the employee is exercising a right in relation to a disabled child, evidence of the child's entitlement to Disability Living Allowance;
 - a signed declaration from the employee that the purpose of the requested period of leave is to care for the child.
10. A line manager may also wish to check whether an employee requesting parental leave has previously taken any periods of parental leave while working for a previous employer and, if so, how many weeks' leave were taken. Line managers should note, however, that there is no legal duty on employers to provide this information.

Return to work

11. There is no statutory requirement for employees to give any specific notice of their return from parental leave, as the return date will have been agreed at the outset. Therefore, the member of staff should simply turn up for work in the usual way on the appropriate date.

12. Return to work to the same job is guaranteed if the leave is for a period of four weeks or less. If the leave is for a longer period, and it is not reasonably practicable to go back to the same job, then the return may be to a similar, alternative job with the same or better status, terms and conditions that is both suitable and appropriate. This means that seniority, pension rights and other similar benefits must be the same as they would have been if the employee had worked normally during the period when he or she took parental leave. Similarly, if parental leave of any length is taken immediately after additional maternity leave, additional adoption leave or additional paternity leave, the employee is entitled to return to the same job or, if that is not reasonably practicable, another job that is suitable and appropriate for the employee to do in the circumstances.

Application of terms and conditions during leave

13. The School is entitled from the employee of the usual application of terms and conditions about notice of termination, disclosure of confidential information, receipt of gifts or benefits, and participation in any other business. The employee can expect the School to meet its obligation of trust and confidence, and terms and conditions about notice of termination, redundancy compensation, and disciplinary and grievance procedures.

Annual leave

14. An employee continues to accrue their statutory paid holiday entitlement during parental leave, but not their contractual paid holiday entitlement. HR can give advice on how to calculate leave.

Pension contributions

15. If return to work takes place after a period of unpaid parental leave, then, in line with pension scheme Rules, employees have the option of making pension contributions to cover the period of unpaid leave.

Advice

16. An employee considering/taking parental leave is encouraged to contact their manager to discuss their request. Employees and managers may contact their HR Adviser or HR Partner or trade union representative for further advice.