

**Request Ref: 2760**

FOI Request dated **21/11/2022** regarding Maternity Leave Policy -

### **Response**

**1) Do you have a returning from maternity leave policy for academic staff? (yes/no)** We have a Family Leave and Benefits policy, which covers returning from maternity leave. This policy covers all staff, both Academic and Professional Services.

**2) If yes: what year is this policy in operation from?** Our Family Leave and Benefits Policy goes back to circa 2005; the current version (12) is from 04/12/2021.

**3) If a policy is in operation: does this policy allow the member of staff at least one semester teaching free?** This is not covered in our Family Leave and Benefits policy with it covering both Academic and Professional Services staff. However, we do have a separate Sabbatical/Study Leave policy that all Academic staff can use to request leave (subject to approval). Leave may be paid or unpaid and granted to Academic staff only, for the purpose of enhancing research or other appropriate study related to the academic or professional field of the individual.

**4) If a policy is in operation: does this policy allow the member of staff to apply for any money to support their research activities?** Although we do not have a reserved pot of money for such purposes, a member of Academic staff may be financially supported if they apply for, and are granted, sabbatical/study leave on a paid basis.

**5) If money can be applied for under this policy, what is the maximum a member of staff can apply for? (£) n/a**



UNIVERSITY  
OF HULL

## FAMILY LEAVE AND BENEFITS POLICY

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When this document is viewed as a paper copy, the reader is responsible for checking that it is the most current version on the University intranet.

## Purpose

1. This policy details some of the special circumstances under which employees of the University are entitled to take leave. Some of the requirements and benefits of the University's schemes may vary from the statutory requirements and benefits but will be no less favourable. Each is explained in detail below but employees may wish to discuss their entitlement with an HR Advisor. While this policy is to be followed by all employees of the University, it does not form part of an employee's contract of employment.
2. This policy has been agreed with the campus trade unions. Any future changes will be made, in consultation with the trade unions, in advance, with the exception of 'Housekeeping' changes which may be required, for example where names have changed or legislation requires minor changes.

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# Maternity Leave

## Eligibility and Entitlements

3. Maternity leave applies to all pregnant employees. The provisions apply whether or not a live birth occurs for any pregnancy lasting at least 24 weeks, or where a baby is born alive at any point in the pregnancy.
4. All pregnant women regardless of length of service are entitled to:
  - Paid time off to attend for ante-natal care but may be required to produce evidence of appointments. Employees should discuss any requirements with their Head of Department, giving as much notice as possible. Such time off will not be unreasonably refused.
  - Statutory '*Ordinary*' Maternity Leave  
26 weeks leave during which time all terms and conditions except for remuneration continue, eg continuity of employment and accrual of annual holiday, (including Public holidays and 'other' University days at Christmas if the period of statutory '*ordinary*' maternity leave falls over these periods). Employees who wish to return to work during this period have a statutory right to return to their original job.
  - Statutory '*Additional*' Maternity Leave  
26 weeks leave during which time all terms and conditions except for remuneration continue, eg continuity of employment and accrual of annual holiday, (including Public holidays and 'other' University days at Christmas if the period of statutory '*additional*' maternity leave falls over these periods). Employees who wish to take '*additional*' maternity leave do not have a statutory right to return to their original job. Where it is not possible to return to their original job, they have a right to return to a job that is similar and on the same pay band.
  - During the first 39 weeks of leave, employees may be entitled to receive Statutory Maternity Pay (SMP), depending on their length of service, and income. This should be discussed with an HR Advisor who will give details of eligibility and amounts payable.
5. Pregnant women who have been continuously employed by the University for a minimum period of 26 weeks at the end of the qualifying week<sup>1</sup>, and who are expecting to return to work are entitled to :
  - Paid time off to attend for ante-natal care as above
  - '*Occupational*' maternity leave<sup>2</sup>  
18 weeks leave on full pay ('*occupational*' maternity pay - OMP) plus up to 52 weeks unpaid leave.  
**OR**  
8 weeks leave on full pay (OMP) and 16 weeks on half pay (half OMP), plus up to 52 weeks unpaid leave.

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<sup>1</sup> The qualifying week is 15 weeks before the Expected Week of Childbirth (EWC)

<sup>2</sup> '*occupational*' maternity pay is conditional upon employees returning to work for at least 3 months after their period of leave

During this period, all terms and conditions except for remuneration continue, eg continuity of employment and accrual of annual holiday, (including Public holidays and 'other' University days at Christmas if the period of 'ordinary' maternity leave falls over these periods).

- Statutory Maternity Pay (SMP) if eligible

During the first 39 weeks of leave, employees may be entitled to receive Statutory Maternity Pay (SMP), depending on their length of service, and income. This should be discussed with an HR Advisor who will give details of eligibility and amounts payable.

If eligible, SMP will be subsumed by full salary, paid in addition to half salary and paid during unpaid 'occupational' maternity leave where appropriate. No combination of payments will exceed full pay. For example, if eligible, an employee who chooses to take **a year (52 weeks) off**, selecting 'occupational' maternity leave of 8 weeks on full pay, followed by 16 weeks on half pay would receive the following:

8 weeks full pay (SMP subsumed)

16 weeks half pay plus SMP

15 weeks SMP

13 weeks unpaid leave

- Unpaid Parental leave - This is described in more detail later.

### **Maternity Leave and Pay for Part-Year Employees**

6. Entitlements for part year employees are the same as above, however during periods of stand down, only statutory maternity pay would continue to be paid. 'Occupational' maternity leave would stop during periods of stand down, and resume as appropriate, at the end of the stand down period. For example, if eligible, an employee who is due to be stood down for 8 weeks from 14 July, and who chooses to take **a year (52 weeks) off**, selecting 'occupational' maternity leave of 18 weeks on full pay, from 1 July would receive the following:

2 weeks full pay (SMP subsumed)

8 weeks SMP while stood down

8 weeks full pay (SMP subsumed)

21 weeks SMP

13 weeks unpaid leave

### **Notification of intention to take Maternity Leave**

7. To qualify for statutory maternity leave, notification of pregnancy, supported by a medical certificate (Mat B1), and date the employee wishes maternity leave to begin, should be submitted to HR at least 28 days before the start of leave using an application for maternity leave form. HR will respond to this request as soon as possible and certainly within 28 days.

8. However, in order to assist the University to discharge its responsibilities towards the health and safety of the pregnant employee and her unborn child, it is advisable that notification should be made at an early stage in the pregnancy.

### **Health and Safety Risk Assessments**

9. As part of their workplace risk assessments, managers are required to have considered the potential risks to an unborn child or new or expectant mother. If notified that an employee is pregnant, breastfeeding or has given birth within the last six months, managers must check their workplace risk assessment to see if any new risks have arisen, and continue to monitor and manage risks as they arise. In certain circumstances, for health and safety reasons it may be necessary to temporarily move a new or expectant mother or change the work that she carries out. Specific advice about risk assessments should be sought from the Health and Safety Directorate

### **Start of leave entitlement**

10. Leave can start any time from the 11<sup>th</sup> week before the EWC.
11. Leave will be triggered automatically by law if:
  - The employee gives birth.
  - The employee is absent wholly or partly because of a pregnancy related illness or childbirth after the beginning of the 4<sup>th</sup> week before the EWC.

### **Keeping in touch**

12. The University may need to contact a woman on maternity leave but any contact would only occur where necessary and reasonable, for example to keep her advised of departmental changes, or to discuss the return to work. The employee is encouraged to keep in touch with their department and the University while they are on leave. They may use the University Portal to keep up to date with the University, if they have access to it, but if not, they may wish to contact their department or HR to have any relevant information forwarded to them.
13. There may be occasions during a period of maternity leave where it would be beneficial for an employee to attend for work or training. This could be used to attend team meetings, conferences or training events for example. A maximum of 10 of these 'keeping in touch' days will be possible during a period of maternity leave without bringing maternity leave or pay to an end. Such days would only occur where both the employee and the University agree, and an employee should feel under no obligation at all if she does not wish to work during her leave. Keeping in touch days may not take place during the first 2 weeks immediately after the birth of the baby. Any day or part of a day would count as one of the 10 allowable keeping in touch days. Any period of work would be paid using the normal hourly or daily rate minus any occupational or statutory maternity pay received for that day.

### **Notice of return to work**

14. No notice is required to return to work at the end of the agreed periods of either occupational maternity leave, statutory '*ordinary*' maternity leave or statutory '*additional*' maternity leave.

15. At least 8 weeks notice in writing on a return to work form is required if an employee wishes to return before the agreed end date of either '*occupational*' maternity leave, statutory '*ordinary*' maternity leave, or statutory '*additional*' maternity leave. If this notice is not given, the employee's return may be postponed in order for the full notice to be given (or until the agreed leave would ordinarily have ended)

### **Return to work**

16. Return to work cannot take place within 2 weeks of the birth
17. Wherever possible, employees will normally return to the job in which they were employed under the original contract of employment and on terms and conditions no less favourable than those which would have been applicable to them if they had not been absent.
18. If during her maternity leave period the employee's position becomes redundant, she will be offered suitable alternative employment if it is available. No employee will be selected for redundancy because she is pregnant, on maternity leave or has taken maternity leave.
19. All accrued annual leave, including Public holidays and University 'other' days at Christmas , regardless of the holiday year accrued in, may be added immediately to the end of the maternity leave period, but only that holiday accrued during the current holiday year can be taken once the employee has returned to work.
20. By law, any employee with 26 weeks' service at the University has the right to request part time or flexible working arrangements. Employees should discuss this with their Head of Department in the first instance and submit their request in writing as early as practicable in accordance with the Flexible Working Policy. Where the University is unable to agree to any such request because of clear business reasons, individuals will be informed of these in writing.
21. Breastfeeding mothers may wish to discuss options to feed their baby and/or express and store milk on their return to work. They should discuss this privately with their manager. A risk assessment may be undertaken and the manager should ensure the individual is given rest breaks and provided with suitable accommodation and storage facilities.

### **Non return to work**

22. Any absence in excess of the periods stated above, supported by a medical certificate will be dealt with under the arrangements for sickness absence.
23. If an individual decides not to return to work as planned, she should give notice of this in writing to HR, stating a date of resignation.
24. Any employee who fails to keep to her return to work without explanation or notice of resignation, will receive a request in writing for information about her return to work, requiring a response within 21 days. Investigation and possible disciplinary action will follow as necessary.

25. The University will reclaim the non-statutory element of maternity pay if an employee who has taken occupational maternity leave resigns or fails to return to work at the agreed time, for a period of at least 3 months.

### **Pension**

26. Employees should contact the Pensions Office with regard to pension rights and contributions during maternity leave.

## **Right to attend ante-natal appointments**

### **Eligibility and entitlements**

27. A child's father, or pregnant women's partner or civil partner, or intended parents in a surrogacy situation have the statutory right to unpaid time off to accompany the pregnant women at up to two ante-natal appointments.
28. This right takes effect from the first day of employment.

### **Notification of intention to take time off**

29. As soon as practicable, employees should contact their Head of Department, Service or Section about the need to take time off work, giving dates and times.

## **Paternity Leave**

30. Paternity leave is a period of one or two weeks usually taken around the time of the birth or adoption or shortly after.

### **Eligibility**

31. Paternity leave applies to all employees, who:

- are the biological father of the child, are the mother's spouse/partner, or are the spouse/partner of an individual who adopts.
- have or expect to have responsibility for the child's upbringing.
- have been continuously employed by the University for a minimum period of at 26 weeks at the end of the qualifying week<sup>3</sup>, or continuously employed for at least 26 weeks by the week in which the adopter is notified of being matched with a child.
- continue in employment with the University up to the date the baby is born, or child placed with the adopter.

### **Entitlements**

32. If eligible, employees are entitled to:

1 week leave on full pay plus 1 week leave at the relevant rate of statutory paternity pay (SPP) if eligible for each pregnancy or adoption, regardless of whether more than one child is born or adopted. HR can give details of current rates and eligibility.

These two periods, if both taken, are to run consecutively.

Leave must be taken between the actual date of birth or adoption and the 56<sup>th</sup> day after the birth or adoption, or Expected Week of Childbirth (EWC) whichever is later.

The provisions apply to eligible employees, whether or not a live birth occurs for any pregnancy lasting at least 24 weeks or where a baby is born alive at any point in the pregnancy

All terms and conditions except for remuneration continue, eg continuity of employment and accrual of annual holiday, (including Public holidays and 'other' University days at Christmas if the period of paternity leave falls over these periods).

- Unpaid Parental leave. This is described in more detail later.

33. By law, any employee with 26 weeks service at the University has the right to request part time or flexible working arrangements. Employees should discuss this with their Head of Department in the first instance and submit their request in writing to HR as early as practicable in accordance with the Flexible Working

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<sup>3</sup> The qualifying week is 15 weeks before the Expected Week of Childbirth (EWC)

Policy. Where the University is unable to agree to any such request because of clear business reasons, individuals will be informed of these in writing.

### **Notification of intention to take Paternity Leave**

34. Applications for paternity leave should be made in writing on an application for paternity leave form to HR, as soon as possible, and no later than 28 days before the start of leave, unless there is good reason for the delay. HR will respond to this request as soon as possible and certainly within 28 days.

### **Pension**

35. Employees should contact the Pensions Office with regard to pension rights and contributions during paternity leave.

## Adoption Leave

### Eligibility

36. Adoption leave applies to:

- One member of a couple who adopt jointly (the couple may choose which partner takes adoption leave (the other member of the couple may be entitled to paternity leave and pay)).
- The employee must be \*newly matched with a child for adoption by an approved adoption agency and have worked continuously for the University for at least 26 weeks by the week in which they are notified of being matched with a child for adoption. (\*ie not available where a step parent is adopting a partners children for example).
- These rules apply to those who adopt from the UK only. Employees adopting from abroad may be eligible for adoption leave and pay, but the detailed operation of the scheme will be different and you should contact an HR Advisor for advice.

### Entitlements

37. All adoptive parents regardless of length of service are entitled to:

- Up to 5 days off with pay for the primary adopter to attend adoption appointments, and unpaid leave for the secondary adopter to take up to two such appointments. Adopters may be required to produce evidence of appointments. Employees should discuss any requirements with their Head of Department, giving as much notice as possible. Such time off will not be unreasonably refused.
- Statutory '*Ordinary*' Adoption Leave  
26 weeks leave during which time all terms and conditions except for remuneration continue, eg continuity of employment and accrual of annual holiday, (including Public holidays and 'other' University days at Christmas if the period of '*ordinary*' adoption leave falls over these periods). This period is the same irrespective of whether more than one child is placed for adoption as part of the same arrangement.
- Statutory '*Additional*' Adoption Leave  
26 weeks leave during which time all terms and conditions except for remuneration continue, eg continuity of employment and accrual of annual holiday, (including Public holidays and 'other' University days at Christmas if the period of '*additional*' adoption leave falls over these periods)

During the first 39 week period, employees may be entitled to receive statutory adoption pay (SAP), depending on their income. This should be discussed with an HR Advisor who will give details of eligibility and amounts payable.

- Unpaid Parental Leave.  
This is described in more detail later.

38. Employees who have been continuously employed by the University for a minimum period of 40 weeks by the week in which a child is placed with them for adoption, and who are expecting to return to work are entitled to:

- Paid time off for the purpose of having contact with the child or for any other purpose connected with the adoption as above.
- *'Occupational' Adoption Leave*<sup>4</sup>  
18 weeks leave on full pay (*'occupational' adoption pay – OAP*) plus up to 52 weeks unpaid leave.

**OR**

8 weeks leave on full pay (OAP) and 16 weeks on half pay (half OAP), plus up to 52 weeks unpaid leave.

During this period, all terms and conditions except for remuneration continue, eg continuity of employment and accrual of annual holiday, (including Public holidays and 'other' University days at Christmas if the period of *'occupational'* adoption leave falls over these periods).

- Statutory Adoption Pay (if eligible)  
During the first 39 weeks of leave, employees may be entitled to receive statutory adoption pay (SAP), depending on their income. This should be discussed with an HR Advisor who will give details of eligibility and amounts payable.

If eligible, SAP will be subsumed by full salary, paid in addition to half salary and paid during unpaid *'occupational adoption leave'* where appropriate. No combination of payments will exceed full pay. For example, if eligible, an employee who chooses to take **a year (52 weeks) off**, selecting occupational adoption leave of 8 weeks on full pay, followed by 16 weeks on half pay, would receive the following:

8 weeks full pay (SAP subsumed)  
16 weeks half pay plus SAP  
15 weeks SAP  
13 weeks unpaid leave

### **Notice of intention to take Adoption Leave**

39. Applications should be made in writing on an application for adoption leave form, to HR, within 7 days of notification of their matching, stating the date of the intended absence. The start date of leave can be subsequently altered so long as 28 days notice is given, or where this is not possible, as soon as reasonably practicable. HR will respond to this request as soon as possible but certainly within 28 days.
40. The dates of the absence must be agreed in advance with the Head of Department, Service or Section, to ensure they will not cause undue disruption in the workplace
41. Evidence must be provided such as adoption papers or a matching certificate.

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<sup>4</sup> *'occupational'* adoption pay is conditional upon employees returning to work for at least 3 months after their period of leave

## **The start of leave**

42. leave must start either from the date of the child's placement, or from a fixed date which can be up to 14 days before the expected date of placement.

## **Keeping in touch**

43. The University may need to contact an employee on adoption leave but any contact would only occur where necessary and reasonable, for example to keep them advised of departmental changes, or to discuss the return to work. The employee is encouraged to keep in touch with their department and the University while they are on leave. They may use the University Portal to keep up to date with the University, if they have access to it, but if not, they may wish to contact their department or HR to have any relevant information forwarded to them, including jobs bulletins.
44. There may be occasions during a period of adoption leave where it would be beneficial for an employee to attend for work or training. This could be used for example to attend team meetings, conferences, training events etc. A maximum of 10 of these 'keeping in touch' days will be possible during a period of adoption leave without bringing adoption leave or pay to an end. Such days would only occur where both the employee and the University agree and an employee should feel under no obligation at all if they do not wish to work during their leave. Any day or part of a day would count as one of the 10 allowable keeping in touch days. Any period of work will be paid using the employee's normal hourly or daily rate minus any occupational or statutory adoption pay received for that day.

## **Notice of return to work**

45. No notice is required to return to work at the end of the agreed periods of either '*occupational*' adoption leave, statutory '*ordinary*' adoption leave, or statutory '*additional*' adoption leave.
46. At Least 8 weeks notice in writing on a return to work form is required if an employee wishes to return before the agreed end date of either, occupational adoption leave, statutory '*ordinary*' adoption leave or statutory '*additional*' adoption leave. If this is not given, the employee's return may be postponed in order for the full notice to be given (or until the agreed leave would ordinarily have ended).

## **Return to work**

47. Wherever possible, employees will normally return to the job in which they were employed under the original contract of employment and on terms and conditions not less favourable than those which would have been applicable to them if they had not been absent.
48. If the child's placement ends during the adoption leave period, or notification is received that the placement will not take place, the adopter will be able to continue statutory adoption leave and statutory adoption pay for up to eight weeks after the end of the placement, or after notification that the placement will not take place is received.
49. If during the adoption leave period the employee's position becomes redundant, he or she will be offered suitable alternative employment if it is available. No employee will be selected for redundancy because they are on adoption leave or have taken adoption leave.

50. All accrued annual leave, including Public holidays and University 'other' days at Christmas , regardless of the holiday year accrued in, may be added immediately to the end of the adoption leave period, but only that holiday accrued during the current holiday year can be taken once the employee has returned to work.
51. By law, any employee with 26 weeks service at the University has the right to request part time or flexible working arrangements. Employees should discuss this with their Head of Department in the first instance and submit their request in writing to HR as early as practicable in accordance with the Flexible Working Policy. Where the University is unable to agree to any such request because of clear business reasons, individuals will be informed of these in writing.

### **Non return to work**

52. If an individual chooses not to return to work, they should state this in writing to HR giving a date of resignation.
53. Any employee, who does not return to work on the date expected, and then fails to respond within 21 days to any written request for information about her return to work, will face investigation and possible disciplinary action.
54. The University will reclaim the non-statutory element of adoption pay if an employee who has taken occupational adoption leave resigns or fails to return to work at the agreed time, for a period of at least 3 months.

### **Pension**

55. Employees should contact the Pensions Office with regard to pension rights and contributions during adoption leave.

## **Shared Parental Leave (SPL)**

56. Shared Parental Leave is a new statutory right for parents of children born or adopted on or after 5 April 2015. It enables eligible parents to share the care of their child during the first year of birth or adoption. This could mean that the mother or adopter shares some of the leave with their partner, perhaps returning to work for part of the time and then resuming leave at a later date. Parents will be able to decide to be off work at the same time, and/or take it in turns to have periods of leave to look after the child.

### **Eligibility**

57. To qualify for Shared Parental Leave an employee must satisfy the following criteria:
- The mother/adopter must be/have been entitled to statutory maternity/adoption leave or statutory maternity/adoption pay or maternity allowance, and must have ended or given notice to reduce maternity/adoption entitlements
  - The employee must still be working for the University at the start of each period of shared parental leave.

- The employee must have been employed at the University for a minimum of 26 weeks at the end of the 15<sup>th</sup> week before the child's expected due date/matching date
- The employee's partner must meet the 'employment and earnings test' requiring them in the 66 weeks leading up to the child's expected due date/matching date to have worked for at least 26 weeks and earned an average of at least £30 a week in any 13 of those weeks

## Entitlement

58. Eligible employees may be entitled to take up to 50 weeks SPL during the child's first year in their family. The number of weeks available is calculated using the mother's/adopter's entitlement to maternity/adoption leave, which allows them to take up to 52 weeks' leave. If they reduce their maternity/adoption leave entitlement then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.
59. A mother/adopter may reduce their entitlement to maternity/adoption leave by returning to work before the full entitlement of 52 weeks has been taken, or they may give notice to curtail their leave at a specified future date.
60. If the mother/adopter is not entitled to maternity/adoption leave but is entitled to Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Maternity Allowance (MA), they must reduce their entitlement to less than the 39 weeks. If they do this, their partner may be entitled to up to 50 weeks of SPL. This is calculated by deducting from 52 the number of weeks of SMP, SAP or MA taken by the mother/adopter.
61. SPL can commence as follows:
- The mother can take SPL after she has taken the legally required two weeks of maternity leave immediately following the birth of the child
  - The adopter can take SPL after taking at least two weeks of adoption leave
  - The father/partner/spouse can take SPL immediately following the birth/placement of the child, but may first choose to exhaust any paternity leave entitlements (as the father/partner cannot take paternity leave or pay once they have taken any SPL or ShPP).
62. Where a mother/adopter gives notice to curtail their maternity/adoption entitlement then the mother/adopter's partner can take leave while the mother/adopter is still using their maternity/adoption entitlements.
63. If the employee is eligible to receive it, Shared Parental Pay (ShPP) may be paid for some, or all, of the SPL period (see "Shared Parental Pay" below).
64. SPL must end no later than one year after the birth/placement of the child. Any SPL not taken by the first birthday or first anniversary of placement for adoption is lost.
65. SPL can only be taken in complete weeks but may begin on any day of the week. For example, if a week of SPL began on a Tuesday it would finish on a Monday. Where an employee returns to work between periods of SPL, the next period of SPL can start on any day of the week.

66. All terms and conditions except for remuneration continue, eg continuity of employment and accrual of annual holiday, (including Public holidays and 'other' University days at Christmas if the period of SPL falls over these periods).

### **Notice of intention to take Shared Parental Leave**

67. Applications should be made in writing on an Application for Shared Parental Leave and Pay form to HR, at least 8 weeks before they can take any period of SPL. This includes a signed declaration from themselves, along with a signed declaration from their partner,

68. The University may, within 14 days of receipt of the application, request further details including: name and business address of the partner's employer, a birth certificate or evidence of adoption. In order to be entitled to SPL, the employee must produce this information within 14 days of request.

69. The employee has the statutory right to submit three notifications specifying leave periods they intend to take, or vary. Each notification may contain either (a) a single period of weeks of leave; or (b) two or more weeks of discontinuous leave, where the employee intends to return to work between periods of leave, for example the employee may request to take a period of 6 weeks unbroken leave, then to work every other week for 3 months.

70. The University is required to agree to continuous blocks of leave, if fully eligible, but has the right to refuse a discontinuous leave notification after full consideration. Where there is concern over accommodating the notification, this would be best discussed at a meeting with a view to agreeing an arrangement that meets the needs of the employee and the University.

71. Leave notifications will be dealt with as soon as possible, and a response in writing provided no later than the 14<sup>th</sup> day after the request was made.

72. The employee has the right to vary or cancel an agreed and booked period of SPL, including a notice to return to work early, so long as they do this in writing at least eight weeks before the date of any variation. This will count as one of the maximum three notifications, unless it is as a result of a child being born early, or as a result of the University requesting it be changed, and the employee being agreeable. Any variation will be confirmed in writing.

### **Shared Parental Pay (ShPP)**

73. Eligible employees may be entitled to up to 37 weeks ShPP while taking SPL. The amount of weeks will depend on the amount by which the mother/adoption reduces their maternity/adoption pay period of maternity allowance period.

74. Eligibility is also dependent on timing of the leave, length of service, and income. This should be discussed with an HR Advisor who will give details of eligibility and amounts payable.

75. Applications for ShPP should be made along with applications for leave on an Application for Shared Parental Leave and Pay form, which will include declarations by the employee and their partner.

## **Keeping in touch**

76. The University may need to contact an employee on shared parental leave but any contact would only occur where necessary and reasonable, for example to keep her advised of departmental changes, or to discuss the return to work. The employee is encouraged to keep in touch with their department and the University while they are on leave. They may use the University Portal to keep up to date with the University, if they have access to it, but if not, they may wish to contact their department or HR to have any relevant information forwarded to them.
77. There may be occasions during a period of shared parental leave where it would be beneficial for an employee to attend for work or training. This could be used to attend team meetings, conferences or training events for example. A maximum of 20 of these 'shared parental leave in touch' days (SPLIT) will be possible during a period of shared parental leave without bringing shared parental leave or pay to an end. Such days would only occur where both the employee and the University agree, and an employee should feel under no obligation at all if he/she does not wish to work during their leave. Any day or part of a day would count as one of the 20 allowable keeping in touch days. Any period of work would be paid using the normal hourly or daily rate minus any shared parental pay received for that day.

## **Notice of return to work**

78. No notice is required to return to work at the end of the agreed period of SPL
79. At Least 8 weeks notice in writing on a return to work form is required if an employee wishes to return before the agreed end date. This will count as one of the employee's notifications. If this notice is not given, the employee's return may be postponed in order for the full notice to be given (or until the agreed leave would ordinarily have ended).

## **Return to work**

80. Wherever possible, employees will normally return to the job in which they were employed under the original contract of employment and on terms and conditions no less favourable than those which would have been applicable to them if they had not been absent.
81. All accrued annual leave, including Public holidays and University 'other' days at Christmas, regardless of the holiday year accrued in, may be added immediately to the end of the shared parental leave period, but only that holiday accrued during the current holiday year can be taken once the employee has returned to work.
82. By law, any employee with 26 weeks service at the University has the right to request part time or flexible working arrangements. Employees should discuss this with their Head of Department in the first instance and submit their request in writing as early as practicable in accordance with the Flexible Working Policy. Where the University is unable to agree to any such request because of clear business reasons, individuals will be informed of these in writing.

## **Non return to work**

83. Any absence in excess of the periods stated above, supported by a medical certificate will be dealt with under the arrangements for sickness absence.

84. If an individual decides not to return to work as planned, he/she should give notice of this in writing to HR, stating a date of resignation.
85. Any employee who fails to return to work without explanation or notice of resignation, will receive a request in writing for information about return to work, requiring a response within 21 days. Investigation and possible disciplinary action will follow as necessary.

### **Pension**

86. Employees should contact the Pensions Office with regard to pension rights and contributions during shared parental leave.

## **Parental Leave**

### **Eligibility**

87. Parental leave applies to all employees who qualify for occupational maternity leave, paternity leave or adoption leave or other employees, whether male or female with 12 months service, who:
- have a child. The provisions apply whether or not a live birth occurs for any pregnancy lasting at least 25 weeks.
  - adopt a child.
  - already have a child or adopted child who is under the age of 18

### **Entitlements**

88. Unpaid leave of up to 18 weeks for each child or adopted child (part time employees entitlement is pro-rata)
89. During parental leave, all terms and conditions except for remuneration continue, e.g. continuity of employment and accrual of annual holiday, (including Public holidays and 'other' University days at Christmas if the period of parental leave falls over these periods).
90. These provisions are in addition to maternity leave, adoption leave, and paternity leave.
91. By law, any employee with 26 weeks service at the University has the right to request part time or flexible working arrangements. Employees should discuss this with their Head of Department in the first instance and submit their request in writing to HR as early as practicable in accordance with the Flexible Working Policy. Where the University is unable to agree to any such request because of clear business reasons, individuals will be informed of these in writing.

### **Unpaid leave**

92. May be used to attend antenatal classes, to make arrangements before the birth or adoption, to attend during the birth, to assist with domestic arrangements after the birth or adoption, to look after a child or make arrangements for the child's welfare.
93. Leave can be taken any time up until the child's 18<sup>th</sup> birthday

94. A maximum of 4 weeks can be taken in each year

### **Notice of intention to take Parental Leave**

95. Applications should be made in writing on an application for parental leave form, to HR, at least 28 days before the intended absence (wherever possible) stating the date of the intended absence.

96. The dates of the absence must be agreed in advance with the Head of Department, Service or Section, to ensure they will not cause undue disruption in the workplace

97. Evidence should be provided at the first application only, such as a copy of the MatB1 certificate showing the expected date of childbirth, a birth certificate or adoption papers.

### **Pension**

98. Employees should contact the Pensions Office with regard to pension rights and contributions during parental leave.

### **Salary Sacrifice Childcare Voucher Scheme**

99. The University's salary sacrifice Childcare Voucher Scheme (known as the Computershare Scheme) closed to new entrants in 2018 following the government's roll out of the Tax-Free Childcare scheme. If, as an existing member in the Scheme prior to its closure, you go onto maternity, adoption, parental or shared parental leave, your payments into the Scheme will cease for any period during which you are in receipt only of Statutory Maternity Pay, Statutory Adoption, Parental or Shared Parental pay, or no pay at all. This is because salary sacrifice cannot be made on the statutory minimum rates or when you are not receiving pay. Please contact the Payroll Office for details of how to contact the Scheme provider and for information about your membership should this be the case.

### **Dependants Leave**

#### **Entitlements**

100. All employees regardless of length of service are entitled to:

- Take a reasonable period of time off work to deal with unexpected or sudden emergencies / problems involving a dependant and to make any necessary long term arrangements for the care of a dependant.
- Time off work will be unpaid

101. A 'dependant' may be:

- a spouse
- a child
- a parent
- Someone who lives with the employee as part of their family

- Someone who reasonably relies on the employee for assistance, (in the event of illness, injury or a breakdown in care arrangements, where the employee is the primary carer or the only person who can assist in an emergency).

### **Purposes of Dependants Leave**

102.If a dependant is ill, gives birth, has an accident, or is assaulted. Note that in the event of death or life threatening illness or injury, Compassionate Leave rather than Dependant Leave will apply.

103.To make longer term care arrangements for a dependant because of illness or injury.

104.To deal with unexpected breakdown in care arrangements for a dependant.

105.To deal with an incident involving his/her child during school hours.

### **Notification of intention to take Dependants Leave**

106.As soon as practicable, employees should notify their Head of Department, Service or Section of the reason for the absence and the expected length of time they intend to be absent.

107.If it is possible to plan ahead, employees should normally take time off as annual leave or if the leave involves the care of a child, parental leave.

## **Leave for Fertility Treatment**

### **Entitlements**

108.All employees regardless of length of service are entitled to:

- Take a reasonable period of time off work to attend appointments related to fertility treatment. Each case will be considered on an individual basis.
- A mixture of paid and unpaid leave will be considered in the context of the particular circumstances.

### **Notification of intention to take time off**

109.As soon as practicable, employees should contact their Head of Department, Service or Section of the need to take time off work, giving dates and approximate durations wherever possible.

110.Each case will be considered by the Head of Department, in consultation with the individual and an HR Advisor.

## **Time off for Foster-caring**

111.Employees who have been with the University for 12 months' continuously, can apply for paid time off to prepare for and undertake foster caring responsibilities. For full details, please refer to the University's Leave Policy.

## Equality

112. This policy has been produced with the aim of supporting the University's overall strategy to embrace diversity and welcome individuals from all backgrounds on an equal and non-discriminatory basis. When using this policy, the University expects employees to treat all colleagues fairly and with respect and will take action against acts which breach the Policy on Diversity.

## General Data Protection Regulations

113. The data collected in the course of following this policy and procedure will be used for monitoring and managing the effectiveness of the University's employee Family Leave and Benefits policy. Records of meetings and correspondence will be held on the University's computerised Human Resources Management System (MyHR) and paper records will be kept on an individual's electronic central HR file, and where necessary in secure records within other relevant departments. Only staff who need to see the information in order to carry out the duties of their post will have access to the data. The information will be kept on computerised and paper records, in line with the Data Retention Policy, for the life of those records, details of which can be found in the Policy on Data Protection on the University's SharePoint site.

114. The University will not pass personal information directly to any representatives who may be assisting an employee, unless a written instruction to do so is received from that employee.

## University Communication

115. The University aims to raise awareness of these procedures and about the rights and responsibilities under this policy.

## Monitoring

116. The effectiveness of this policy will be ensured by continuous monitoring, regular review and consultation with campus trade unions. It will be the responsibility of the HR Director to monitor the effectiveness of this policy.

## Policy Change Record

117.

Change to Version No./dated	Revised Version No./Date	Author	Changes made	Agreed by
Version 10 July 2016 ratified by JNG	Version 11 18 June 2018 revisions due to legal changes.	HR	Re: GDPR  Re: Leave accrual	Legal update only. No further ratification needed
Version 11	Remains as V11	YG	Review date change to 2024	PWG June 2021
Version 11	Version 12	YG	Salary Sacrifice	

			and statutory minimum earnings	
			Reference to time off for Foster-caring	



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## SABBATICAL STUDY LEAVE POLICY

<i>Author:</i>	<i>HR Directorate</i>
<i>Version:</i>	<i>Version 3</i>
<i>Latest Version Issued On:</i>	<i>April 2019</i>
<i>Review Date:</i>	<i>January 2023</i>
<i>Consultation Process:</i>	<i>Policy Working Group (26 March 2021)</i>
<i>Ratified By:</i>	<i>Policy Working Group</i>
<i>Target Audience:</i>	<i>All University Employees</i>
<i>Distribution:</i>	<i>Intranet</i>

When this document is viewed as a paper copy, the reader is responsible for checking that it is the most current version on the University intranet.

# University of Hull

## Sabbatical / Study Leave Policy

### Introduction

1. Study leave, which is referred to in the Terms and Conditions for Academic Staff, and which is often referred to as Sabbatical leave, is an approved period of paid or unpaid absence or relief (from a few months to a year) from normal duties, which may be granted to Academic Staff only, for the purpose of enhancing research or other appropriate study related to the academic or professional field of the member of staff concerned.

### Principles

2. The principles that must apply to any decision on whether a member of academic staff is entitled to sabbatical leave are as follows:
  - i. A minimum time period must have elapsed since the last period of sabbatical leave or since joining the University for newer staff. For leave up to a semester, this should be 3 years. For a longer period of sabbatical leave, this period should be 6 years. These time periods may exceptionally be reduced by approval of the PVC(R&E).
  - ii. Sabbatical leave will only be approved on the condition that the member of staff undertakes to return to work at the University at the end of the period of the sabbatical leave for a period at least equal to the period of leave taken.
  - iii. Sabbatical leave is not a right. Faculty resource constraints will play a part in any decisions and the Dean will be responsible for prioritising applications within his/her faculty where necessary. Candidates for sabbatical leave should seek external funding to support aspects of their leave wherever possible. This might include international fellowships, for example.
  - iv. Sabbatical leave should normally be taken at an external organisation, not within the University of Hull. If this is not planned, the leave must be agreed by the PVC (R&E). Sabbatical leave overseas is also encouraged.
  - v. There must be a strong strategic justification for the leave. This includes fit with the University, Faculty and Department strategies, as well as with the individual's academic development plan. The case must be submitted to the Faculty Dean. Strong support from the Faculty Research Committee would be expected.
  - vi. The application must also make clear the expected outcomes and deliverables; however, these should not just be transient. A longer term benefit or impact is expected.
  - vii. Although sabbatical leave is most likely to be based around research, applications related to learning and teaching may also be considered.

- viii. A report on the outcomes is expected within a month of the member of staff returning from sabbatical leave; however, a further report is expected 12 months after completion of the sabbatical to demonstrate the continued benefits.
- ix. Where the outcomes are considered inadequate, the member of staff will not normally be considered for a further period of sabbatical leave in future.
- x. Sabbatical leave will be granted most favourably to those with a track record of success. For others, a highly convincing case will be needed for the expected benefits of the leave, although sabbatical leave may well be used as a development opportunity. Less experienced staff must specify the nature of any support and mentorship that will be in place during their sabbatical leave.
- xi. While an individual may request a period of sabbatical leave, the University may in some cases propose that a member of staff take a sabbatical for strategic or tactical reasons, e.g. related to a REF submission. In these cases, time considerations may be waived.
- xii. Staff working towards a PhD by agreement of their Faculty may request a period of sabbatical leave to work with outside experts in their field. This should amount to a maximum of one semester, but may be split into smaller blocks by agreement with the Head of Department and the Dean in accordance with local workload models
- xiii. Applications from those that are refreshing their knowledge following a significant administrative role (e.g. Dean or Head of Department) will be reviewed sympathetically. In the case of a Dean, the application must be submitted to the PVC(R&E) and a copy sent to the HR Partner team administrator.
- xiv. Where a Faculty rejects an application for sabbatical leave, the applicant will have a right of appeal to the PVC(R&E), or to the VC in the case of a Dean.

### **Approving requests for sabbatical leave**

- 3. Applications should be made via the Head of Department to the Dean and a copy sent to the HR Partner team administrator. Applications should detail: the purpose of the leave; the research or other work to be undertaken including likely outcomes; any funding to support the work; and possible cover arrangements during the leave. In addition the application should take into consideration any local requirements set by the Faculty.
- 4. Before any period of sabbatical leave begins an agreement must be made between the individual and the Head of Department, about how and when progress will be reported during and at the end of the sabbatical leave.
- 5. An agreement must also be made in advance regarding any expectation that particular work activities will continue during the period of sabbatical leave, for example PhD supervision, or attendance at boards.
- 6. The decision to approve or reject the sabbatical leave should be notified to the employee and a copy provided to the HR Partner team administrator to enable the University to record details of how and when sabbatical leave is taken.

## **Equality**

7. This policy has been produced with the aim of supporting the University's overall strategy to embrace and welcome individuals from all backgrounds on an equal and non discriminatory basis. When using this policy, the University expects members of staff to treat all colleagues fairly and with respect and will take action against acts that breach any of the diversity related policies.

## **Data protection**

8. The data collected in the course of following this policy will be used for monitoring and managing the effectiveness of the University's employee Sabbatical Leave policy. Records of meetings and correspondence will be held on the University's computerised Human Resources Management System (MyHR) and paper records will be kept on an individual's electronic central HR file, and where necessary in secure records within other relevant departments. Only staff who need to see the information in order to carry out the duties of their post will have access to the data. The information will be kept on computerised and paper records, in line with the Data Retention Policy, for the life of those records, details of which can be found in the Policy on Data Protection on the University's SharePoint site.
9. The university will not pass personal information directly to any representatives who may be assisting a member of staff, unless a written instruction to do so is received from that member of staff.

## **Communication**

10. The university aims to raise all staff's awareness of their rights and responsibilities under this policy.

## **Monitoring**

11. The effectiveness of this policy will be ensured by continuous monitoring, regular review and consultation with the campus trade unions. It will be the responsibility of the HR Director to monitor the effectiveness of this policy.