



## HR Policy – Family Leave and Benefits Policy

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## 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.

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.

## Inclusivity Statement

2. The University of Hull is committed to creating a diverse and strong community of talented and motivated individuals where everyone feels respected and supported throughout each stage of their lives. This policy refers to all employees who have/are giving birth and all couples regardless of gender.

As outlined in our Social Justice & Inclusion strategy, we expect and support all members of the University to embrace our collective and personal responsibility to work together in fostering a diverse and inclusive community where everyone feels welcome, safe and empowered. All members of our university community are expected to treat everyone with dignity and respect. As a community we want everyone to feel welcomed and valued, it is the responsibility of all staff, students and visitors to adhere to our university values.

In addition to the entitlements set out below the University offers a wide range of wellbeing support and encourages all employees to be aware and access this support via our SharePoint site.

## 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 employees 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, e.g. 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, e.g. 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 employees 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.

During this period, 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 '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.

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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

8. However, in order to assist the University to discharge its responsibilities towards the health and safety of the pregnant employee and their 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 parent. 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 parent or change the work that they carry 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 11th 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 4th week before the EWC.

### **Keeping in touch**

12. The University may need to contact the employee on maternity 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.
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 they do not wish to work during their 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 the maternity leave period the employee's position becomes redundant, the employee will be offered suitable alternative employment if it is available. No employee will be selected for redundancy because they are 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. All of our employees have the right to request flexible working from day one of employment. We encourage open discussion and employees who think they may benefit from flexible working are encouraged to speak to their line manager to talk informally about the options that may be available. To make a formal request for flexible working, please refer to the HR Policy - Flexible Working Requests.
21. Those who are breastfeeding 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. Our campus is feeding friendly, and our café spaces provide a relaxed and comfortable space for feeding a child. We also have a dedicated feeding room with storage facilities for any parent wanting to express milk during the day.

### **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, they should give notice of this in writing to HR, stating a date of resignation.
24. Any employee who fails to keep to their return to work without explanation or notice of resignation, will receive a request in writing for information about their 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. All parents, including intended parents in a surrogacy situation and a pregnant person's partner, have the statutory right to unpaid time off to accompany the pregnant person 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:

- have secondary caring responsibilities, are the birth parent'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 26 weeks at the end of the qualifying week<sup>3</sup>, or continuously employed for 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 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.

Paternity leave can be taken in either one or two week blocks at any time within 52 weeks of the birth or adoption.

Employees cannot take statutory paternity leave if they have already taken shared parental leave. If an employee is intending to take shared parental leave they may wish to consider what, if any, paternity leave they may wish to take before starting shared 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 paternity leave falls over these periods).

- Unpaid Parental leave is described in more detail later.

33. All of our employees have the right to request flexible working from day one of employment. We encourage open discussion and employees who think they may benefit from flexible working are encouraged to speak to their line manager to talk informally about the options that may be available. To make a formal request for flexible working, please refer to the HR Policy - Flexible Working Requests.

## 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. The University recognises that when an adoption is taking place, adoption leave may need to begin with short notice therefore the start date of leave can be subsequently altered, giving as much notice as is reasonably practicable and 28 days notice wherever possible. HR will respond to requests 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 other parental leave and pay options)).
- 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. (\*i.e. not available where a stepparent is adopting a partners children for example).

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

- 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:

- attend all mandatory appointments in relation to adoption either through paid leave or agile working practices. Appointments include but are not limited to: adoption training, assessment meetings, medical appointments, adoption and matching panels, introductions and placements. Employees should discuss their requirements with their line manager, Head of Department, Service or Section giving as much notice as possible. All requirements will be assessed on an individual basis and such requests will not be unreasonably refused. Evidence of appointments may be requested. Employees and managers are encouraged to work in a flexible, supportive and problem-solving way that enables employees to attend the mandatory appointments, whilst still meeting the objectives of their role.
- Statutory '*Ordinary*' Adoption Leave  
26 weeks leave during which time 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 '*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, e.g. 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 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, e.g. 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,

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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

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 University recognises that when an adoption is taking place, adoption leave may need to begin with short notice therefore the start date of leave can be subsequently altered, giving as much notice as is reasonably practicable and 28 days notice wherever possible.. 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.

### **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, they 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. All of our employees have the right to request flexible working from day one of employment. We encourage open discussion and employees who think they may benefit from flexible working are encouraged to speak to their line manager to talk informally about the options that may be available. To make a formal request for flexible working, please refer to the HR Policy - Flexible Working Requests.

### **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 their 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 birth parent 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 birth parent 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 15th 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 birth parent'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 birth parent/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 birth parent/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 birth parent/adopter.
61. SPL can commence as follows:
  - The birth parent can take SPL after they have 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 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 partner cannot take paternity leave or pay once they have taken any SPL or ShPP).
62. Where a birth parent/adopter gives notice to curtail their maternity/adoption entitlement then the birth parent/adopter's partner can take leave while the birth parent/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, e.g. 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 14th 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 birth parent/adopter 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 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.
- 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 they 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. All of our employees have the right to request flexible working from day one of employment. We encourage open discussion and employees who think they may benefit from flexible working are encouraged to speak to their line manager to talk informally about the options that may be available. To make a formal request for flexible working, please refer to the HR Policy - Flexible Working Requests.

### **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, they 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, 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. All of our employees have the right to request flexible working from day one of employment. We encourage open discussion and employees who think they may benefit from flexible working are encouraged to speak to their line manager to talk informally about the options that may be available. To make a formal request for flexible working, please refer to the HR Policy - Flexible Working Requests.

### **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 18th 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 21 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.

## **Time off for an emergency involving a dependant**

100. All employees regardless of length of service are entitled to take a reasonable period of unpaid time off work to deal with an emergency involving someone who relies on them for help (as a dependant). This could include your spouse, partner, child, parent, or others for example someone who lives with you as part of your family or who reasonably depends on you for assistance in times of illness or injury.

Examples of when you would be granted time off for an emergency include:

- Your usual care arrangements have broken down or been disrupted.
- You need to deal with the death of a dependant.
- A dependant falls ill, has been assaulted or has been in an accident.
- You need to make long-term arrangements for a dependant who is ill or injured (but not to provide long-term care yourself).
- You need to deal with an incident involving a child during school hours.

In certain circumstances you may be able to take paid compassionate leave – please refer to the University's Leave Policy for details.

### **Notifying your manager**

As soon as practicable, you should contact your manager to keep them informed of your circumstances and so that any relevant support can be offered.

If the need to take leave, involves the care of a child in a non-emergency situation (e.g. arrangements can be made ahead), you should arrange to take annual leave or parental leave.

## **Carers' Leave**

101. If you are caring for a dependant with a long-term care need you are entitled to take 5 days unpaid carer's leave in a year. The entitlement of 5 days is for those who work full-time. Part-time employees will have a pro rata entitlement, depending on how many hours they work in a week.

There is no requirement to provide evidence of how the leave is used, it can be anything to do with caring responsibilities and is intended to allow carers to better balance their caring and work responsibilities and support them to remain in employment.

Carers' leave can be taken in half or full days up to and including a block of one week.

To request leave you should speak to your manager and wherever possible give as much notice as you can. As a minimum requirement, you need to give 3 days' notice to take a half or 1 day. If you want to request more than one day, you must give at least twice as long as the requested leave period, for example if you want to take 2 days, you must give 4 days' notice before you want to start your leave.

## **Leave for Fertility Treatment**

### **Entitlements**

102. 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**

103. 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.
104. Each case will be considered by the Head of Department, in consultation with the individual and an HR Advisor.

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

105. 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**

106. This policy was created with the intention of advancing the University's overarching Social Justice & Inclusion agenda, and to welcome people from all backgrounds equally and without discrimination. The University will take action against anybody who does not adhere to the Equality, Diversity & Inclusion policy and expects employees to use this policy in a way that treats all colleagues fairly and with respect.

## **General Data Protection Regulations**

107. 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.
108. 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**

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

## **Monitoring**

110. 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

111.

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	
Version 12	Version 13	YG	Inclusion para and gender-neutral language added	By circulation for update only
Version 13	Version 14	Helen McLean EDI	All references to gender changed to gender neutral	By circulation for update only
Version 14	Version 15	Yasmine Garman	Updated re legal changes 2024 to Paternity and Carers Leave	Changes agreed by PWG through circulation Feb 2024
Version 15	Version 16	Helen McLean Alison Hebron	Updates to adoption leave References to the right to request flexible working updated Reduced notice period of intent to take parental leave from 28 to 21 days	Changes agreed by PWG through circulation October 2024