## UNIVERSITY OF LEICESTER
### PROCEDURE

### PARENTAL LEAVE PROCEDURE

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<tr>
<th>For use in:</th>
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<td>Owner</td>
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<td>Contact – Comments</td>
<td>Geraldine McAughtry/Katie Palfreyman</td>
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PARENTAL LEAVE PROCEDURE

1. Introduction

1.1 The University is committed to promoting equality and diversity by supporting staff who take Parental Leave.

1.2 This procedure is a reference guide for line managers and staff. It sets out information on parental leave matters, including the roles and responsibilities of those who operate the Parental Leave Procedure in the University (see Appendix 1).

1.3 Line managers and staff are encouraged to contact HR for advice on the Parental Leave Procedure.

1.4 The Parental Leave Policy and Procedure is not contractual and does not form part of the terms and conditions of employment. However, where the University wishes to amend the Parental Leave Procedure, staff will be consulted on changes via the recognised Trade Unions.

2. Eligibility

2.1 Staff who qualify for Parental Leave are entitled to take up to a total of 4 months’ unpaid leave or, in the case of a child under the age of 18 who is receiving disability living allowance, 18 weeks’ unpaid leave which can be taken up to the child’s 18th birthday.

2.2 A member of staff is entitled to up to 4 months’ unpaid parental leave per child if they:

- have at least one year's continuous service with University of Leicester; AND
- have or expect to have parental responsibility for a child under the age of five; OR
- have or expect to have parental responsibility for a child who was adopted within the past five years and is under the age of 18.

2.3 A member of staff can only take a period of Parental Leave before:

- the child's fifth birthday;
- the fifth anniversary of an adopted child's placement with them or their child's 18th birthday, whichever is earlier; or
- a disabled child's 18th birthday.

2.4 A member of staff is entitled to Statutory Parental Leave of 4 months for each qualifying child.

2.5 Parental Leave cannot be transferred between parents.
2.6 A week's leave is defined as being equal to the length of time the member of staff is normally required to work, e.g. a week's leave is five days for a member of staff working Monday to Friday, two days for a member of staff working Tuesday and Wednesday only.

2.7 Members of staff can take a maximum of four weeks' leave in any year in respect of any individual child. Therefore a member of staff with twins could take up to eight weeks in any one year.

2.8 A member of staff can take a period of leave immediately after the end of normal maternity, paternity or adoption leave providing the required notification is given (please see ‘Notification’ section below).

2.9 Periods of leave must be taken in multiples of one week – unless the child is disabled, in which case it may be taken as individual days.

2.10 Where a member of staff has an irregular working pattern, an average working week will be calculated to determine the calculation for a week of Parental Leave for that member of Staff.

2.11 The 4 month or 18-week entitlement applies to an individual child. Therefore where a member of staff has changed employer, if, for example, they have taken 2 months’ Parental Leave with their previous employer, they are only entitled to take another 2 months while in employment with the University. They must also have completed a year's service with the University to qualify.

2.12 A member of staff may be required to produce evidence to show that:

- they are the parent of a child;
- they have parental responsibility for the child;
- the child is below the age at which the right to parental leave ceases; or
- in the case of a disabled child, the child is entitled to disability living allowance.

This evidence will be:

- the child's birth certificate;
- papers confirming a child's adoption or the date of placement for adoption;
- in the case of a disabled child, a record of disability living allowance payments for the child.

Evidence will only be required once on the first occasion on which Parental Leave is requested, and a record will be kept by HR of all Parental Leave taken.

2.13 The provision of false information may be treated as a disciplinary offence.

2.14 The University has the right to make enquiries of previous employers or to seek a declaration from the member of staff as to the number of previous weeks of Parental Leave already taken.
3. Notification

3.1 To qualify for Parental Leave, a member of staff must notify their line manager, in writing, that they want to take their Statutory Parental Leave giving at least 21 calendar days notice of the intended start date. This must specify the start and end date of the intended leave, and the number of weeks already taken during a previous employment where relevant. See Appendix 1 for the Notification of Parental Leave form.

3.2 Where Parental Leave connects with maternity, paternity or adoption leave:

- A member of staff must notify their line manager 21 calendar days before their maternity, paternity or adoption leave ends if they want to take Parental Leave immediately after the end of their maternity, paternity or adoption leave.
- If a member of staff wants to take Parental Leave immediately after the birth of a child, they must give 21 calendar days' notice before the beginning of the expected week of childbirth.
- If a member of staff wants to take Parental Leave on the date of placement of an adopted child, they must give 21 calendar days' notice of the expected week of placement. In rare cases where this is not possible, an adoptive parent should give notice as soon as is reasonably practicable.
- As long as the member of staff gives the right notice, entitlement to Parental Leave will be calculated from the day on which the child is either born or adopted, regardless of whether the birth or adoption happens earlier or later than planned.

3.3 On receipt of a signed form, HR will confirm receipt of the notification and the expected date on which the member of staff will return to work, and notify the Salaries and Wages Department of the period of unpaid leave.

4. Postponement of Leave

4.1 Where there are good operational reasons, the granting of Parental Leave may be postponed for up to six months after the beginning of the leave period the member of staff originally requested. However, any postponement will not result in the leave ending after a child’s fifth birthday or placement date (or 18th birthday in the case of disabled children).

4.2 Parental Leave will not normally be postponed where the member of staff wants to take it immediately after their child is born or placed with them for adoption.

4.3 Where postponement is being contemplated, the line manager will write to the member of staff within 7 calendar days of receiving the member of staff’s notification, explaining why he/she needs to postpone their leave and suggesting a new start and end date.

4.4 The member of staff should discuss the alternative dates with their line manager and, once agreement is reached, the new arrangements will be confirmed in writing to the member of staff.

4.5 The member of staff is entitled to take the same amount of Parental Leave as they originally applied for.
5. Parameters of Parental Leave and Emergencies

5.1 A member of staff must only take Parental Leave to care for a child. This means looking after the welfare of a child and can include making arrangements for a child. For example, a member of staff might take parental leave to:

- spend more time with the child;
- accompany the child during a stay in hospital;
- visit new schools;
- help settle the child into new childcare arrangements;
- enable a family to spend more time together, e.g. taking the child to stay with grandparents.

5.2 If a member of staff uses Parental Leave for some other purpose, e.g. to take Parental Leave to undertake other work, action may be taken under the University’s Discipline Ordinance.

5.3 As a period of notice is normally required before taking Parental Leave, it would not normally be used where a member of staff’s child suddenly falls ill. However, the member of staff may be able to take a short period of emergency leave to care for the child under the University’s Time off for Dependents Policy.

6. Return to Work

6.1 A member of staff is normally entitled to return to the same job as before provided the duration of the Parental Leave was for four weeks or less (and did not follow on immediately from a period of Additional Maternity, Paternity or Adoption Leave).

6.2 If the leave period is longer than four weeks, or is preceded or followed by consecutive periods of leave which included a period of Additional Maternity Leave, Additional Paternity Leave or Additional Adoption Leave, the member of staff is entitled to return to the same job if reasonably practicable. If it is not reasonably practicable for the member of staff to return to the same job, they are entitled to return to a similar job with the same or better terms and conditions and status as the old job.

7. Non-return to Work

7.1 If a member of staff does not intend to return to work after Parental Leave, he/she must give at least the period of notice required by his/her contractual arrangements.

8. Useful Resources

8.1 Members of staff may find it useful to familiarise themselves with the information and guidelines provided by the government. These can be found on www.direct.gov.uk or call 0800 055 6688 (8am - 6pm Monday to Friday) and at www.acas.org.uk.

8.2 In addition, members of staff are encouraged to discuss any questions they may have about the Parental Leave Policy and Procedure with a member of HR.
APPENDIX 1
University of Leicester
Notification of Parental Leave

To be lodged at least 21 calendar days before Parental Leave is due to start.

Members of Staff must discuss their request to take Parental Leave with their Line Manager before sending this form to HR.

HR is happy to provide advice on parental leave arrangements and you may find it helpful to contact a member of HR before completing this form.

STAFF MEMBER’S SECTION

Name:  
Dept:  

To HR: Please accept this notification as notification of parental leave, my entitlement to which is supported by the attached documents confirming my parental status (please tick all that apply or confirm that they have already been submitted).

1. the child's birth certificate
2. papers confirming the child's adoption or the date of placement for adoption
3. for a disabled child, a record of disability living allowance payments
4. The relevant papers have already been submitted.

If you have taken parental leave for this child when working for a different employer, please indicate the number of weeks taken

I intend to start parental leave on (normally a Monday)

I confirm that I intend to return to work with the University at the end of my parental leave and I expect to do so on:

Staff Signature

Date

LINE MANAGER’S SECTION

The above details regarding unpaid Parental Leave have been discussed and agreed by myself and the member of staff.

Line Manager Signature

Date

Return completed form to HR
APPENDIX 2

Parental Leave Procedure - Roles and Responsibilities

1. **Line Manager:**
The line manager is responsible for:

1.1. Ensuring that they understand and adhere to the University’s Parental Leave Procedure, in particular ensuring that a member of staff is not disadvantaged as a result of requesting or taking Parental Leave.

1.2. Requesting advice from HR as early as possible (or at any point), if they are unsure about any aspect of the Parental Leave Procedure.

1.3. Seeking guidance from HR, where required, on the receipt of a request to take Parental Leave.

1.4. Ensuring that Parental Leave issues are dealt with in a sensitive and consistent manner whilst maintaining confidentiality, dignity and equality of opportunity.

1.5. Writing and issuing letters to members of staff about Parental Leave (in consultation with HR).

2. **Member of Staff**
The member of staff is responsible for:

2.1. Notifying their line manager of their intention to take Parental Leave at least 21 calendar days before the date on which they wish to start the leave using the relevant form.

2.2. Ensuring that they understand and follow the University’s Parental Leave Procedure.

2.3. Asking questions of either their line manager or HR if they are unsure about any aspect of the Parental Leave Procedure.

3. **Division of Human Resources**
The Division of Human Resources is responsible for:

3.1. Providing advice and guidance to managers and staff on the Parental Leave Procedure, on request.

3.2. Explaining the Policy and Procedure to members of staff, on request.

3.3. Advising line managers on the content of any letters, and any action required to comply with the policy and procedure.

3.4. Processing the Notification of Parental Leave form.

3.5. Liaising with line managers, salaries and wages and pensions regarding periods of Parental Leave.
4. **Salaries & Wages**  
The Salaries and Wages Office is responsible for:

4.1. Ensuring that staff receive their full contractual rights and benefits throughout Parental Leave and that no money will be deducted from pay to cover the cost of providing non-pay benefits.

5. **Pensions Office**  
The Pensions Office is responsible for:

5.1. Providing advice to line managers and staff on Pension issues, on request.

5.2. Ensuring that periods of Parental Leave counts as continuous service in regard to pension and benefits.
APPENDIX 3
Parental Leave Flowchart

Have you been employed by the University continuously for 12 (or more) months?

Yes

Do you have, or expect to have parental responsibility for:
1. a child under the age of 5; or
2. a child placed with you for adoption within the last 5 years who is under the age of 18; or
3. a child in receipt of disability living allowance under the age of 18.

Yes to 1 or 2

Yes to 3

No

You are not eligible for Parental Leave

You are eligible for up to 18 weeks’ Parental Leave

You are eligible for up to 4 months’ Parental Leave

Notify line manager of Parental Leave in writing giving at least 21 calendar days’ notice of the intended start date

HR confirm receipt of notification in writing

Can the leave be granted?

Yes

Member of staff takes period of Parental Leave

Cont.

No

Leave can be postponed for up to 6 months where there are good operational reasons*

*Contact HR for advice on what constitutes good operational reasons

You are not eligible for Parental Leave
Was the duration of the Parental Leave 4 weeks or less (and does not follow on immediately from a period of *additional* maternity/adoption/paternity leave)?

Yes

Member of staff entitled to return to same job as before

No

Member of staff entitled to return to same job if reasonably practicable or to a similar job with the same or better terms and conditions and status as the old job.