



PARENTAL LEAVE POLICY

Parental Leave Provisions

The College is committed to equality of opportunity in employment for all staff and to developing work practices and human resource policies that support work-life balance. This policy statement extends the provisions contained in the Equality Act 2010 and the Maternity and Parental Leave (Amendment) Regulations 2014.

The aim of this policy is to inform employees and managers of employment rights relating to parental leave and to provide a framework for the decision making process.

Definition

Parental leave is a statutory right to take unpaid time off work to look after a child or make arrangements for the child's welfare. Parents can use it to spend more time with children and to strike a better balance between their work and family commitments. Parental leave is in addition to maternity leave, paternity/maternity leave, shared parental leave and annual leave.

Statutory qualification for parental leave

To qualify for parental leave an employee must:

- Have one continuous year of employment
- be the mother or father of the child named on the birth certificate or
- have adopted a child under the age of 18 or
- have acquired formal parental responsibility

Consideration will be given by the line manager to the following:

- applications to extend entitlement to staff with informal responsibility for childcare, e.g. grandparents, step-parents or long-term foster parents.
- applications for leave from parents who do not meet the one year qualifying period.
- applications for leave from parents whose children are over the qualifying age.

Statutory parental leave entitlement

An employee, who qualifies for parental leave, is entitled to up to 18 weeks in total (not per year) for each child, which must be taken during the first 5 years of the child's life.

An employee, who qualifies for parental leave, whose children are adopted is entitled to up to 18 weeks leave in total (not per year) for each child, which must be taken during the first 5 years of adoption or up to the child's 18th birthday, whichever comes first.

Parents of children claiming a disability living allowance (or equivalent) are entitled to 18 weeks parental leave which has to be taken during the first 18 years of the child's life.

In the case of multiple births, an employee is entitled to a separate 18 week period for each child.

A part-time employee is entitled to leave in proportion to time worked; for example an employee working one day per week is entitled to 18 days leave in total.

A year, with respect to parental leave, starts on the date on which the employee first became entitled to take parental leave i.e. once the employee has one continuous year of employment if the child has already been born or adopted, or from the date the child was born or adopted.

Taking leave

Leave can be taken up until the child's 5th birthday. In adoption cases, leave can be taken for the first 5 years after the child is placed with the family for adoption (or until the child's 18th birthday if that comes sooner). In the case of a child with a disability, leave can be taken up until the child's 18th birthday.

Statutory entitlement

The statutory right to parental leave states that it should be taken as blocks of one week (except in the case of disabled children where leave may be taken in periods of one or more days at a time) up to a maximum of 4 weeks per year.

Requesting leave

Leave should be requested in writing to the employee's line manager. The line manager will then discuss the request the Human Resources Advisor. Once agreed, leave will be confirmed in writing and a record will be kept in the employee's personal file for future reference.

Wherever possible, the following notification periods should be followed. For periods of leave of more than 5 days, 21 days' notice is required for leave to be given. For periods of leave for less than 5 days, this would be counted as one week's leave. It is in the employee's interest to give as much notice of intended leave as possible in order that their department can try to accommodate their request. Where parental leave is taken as an emergency, the employee may choose to use accumulated Time Off In Lieu or annual leave or unpaid leave or the line manager may agree to the period being made up by working additional hours.

The College may initially ask to see evidence to confirm that that the employee is entitled to parental leave e.g. proof of the child's age and/or proof of the employee's responsibilities towards that child. The College's request must be reasonable and evidence should not be sought on each occasion that leave is requested.

Postponing parental leave

Where the parental leave requested is a statutory right, the request will not unreasonably be refused. However, requests for leave may be postponed for up to 6 months if the College's business needs would be unduly disrupted during the period of leave. If leave is postponed beyond the 5 year limit, the parent still has the right to take the remaining leave time.

Where postponement is necessary, it is expected that the employee, their line manager and if necessary, the Human Resources Advisor, will agree a suitable alternative time to take the leave.

Record keeping

Records of all leave requested and taken, including all letters relating to postponement of leave will be placed on the employee's personal file for future reference.

If an employee moves to a new employer the College is responsible for informing the employer, if requested to do so, of the amount of parental leave the employee has taken whilst at University College and of the amount that is remaining.

For new employees the College is responsible for finding out from the previous employer how much parental leave has been taken and how much is remaining.

Terms and conditions of employment

During the period of parental leave, the employee will remain employed under the same terms and conditions but will not be paid.

Employees, who take parental leave, will be entitled to return to the same position under the same terms and conditions, except in the situation that their post is made redundant whilst they are on leave.

Refusal of parental leave

Should any employee feel that they have been unreasonably refused the right to parental leave or feel that they have been victimised for requesting parental leave, they should, in the first instance, raise the matter with their line manager. They also have the right to raise the matter through the grievance procedure.

Elizabeth Crawford

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Date of adoption by Governing Body: