

Parental Leave Policy and Procedure

Document Control

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This policy will be reviewed periodically to ensure compliance with changes in employment law and equality and diversity legislation. In the event that this policy or procedure is not compliant, the relevant legislation shall prevail.

Changes to this policy will be subject to consultation with the University's recognised Trade Unions before implementation

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1. INTRODUCTION

Brunel University London is fully committed to equality of opportunity in employment for all our employees and to developing working practices and employment policies that support a positive work life balance. In particular, this policy and procedure has been designed to ensure that employees are aware of their entitlement to take unpaid time off work to look after a child or to make arrangements for a child's welfare.

As part of its commitment to supporting good practice in relation to parental rights, the University has opted to provide enhanced Parental Leave benefits, such as enabling employees to apply to use Parental Leave in days rather than weeks, and enabling all employees, regardless of their length of service, to apply for Parental Leave. These are above the statutory minimum requirement.

2. SCOPE

This policy and procedure applies to all eligible employees of the University, including married couples, couples in a civil partnership, same sex partners and employees who are single.

3. GENERAL PRINCIPLES

The following general principles apply:

- Parental Leave is time off that employees who have parental responsibility¹ can take to spend time with a child up until the child's 18th birthday.
- A maximum of 18 weeks leave can be taken per child up to the child's 18th birthday.
- Parental Leave is **unpaid**.
- To qualify for Parental Leave, employees must meet the requirements as outlined in this policy and procedure.

4. ENTITLEMENT AND ELIGIBILITY TO TAKE PARENTAL LEAVE

All employees, regardless of length of service with the University or hours worked, are entitled to take Parental Leave.

To be eligible for Parental Leave, the employee must declare that they:

- are named on the child's birth certificate; **or**
- are named on the child's adoption certificate; **or**
- are living with the child's primary parent as their cohabiting partner and are not an immediate relative; **or**

¹ Parental Leave – includes someone who provides a home for the child and protects and maintains them.

- have or expect to have parental responsibility for the child such as a grandparent (this does not include foster parents unless they have secured parental responsibility through the courts); **and**
- have responsibility for the child's upbringing.

Where the employee meets the eligibility requirement they are entitled to take 18 weeks' unpaid leave for each child up to their 18th birthday.

Parental Leave applies to each child and not to an individual's job, so any leave taken with previous employers will count towards the employee's total entitlement of 18 weeks.

Whilst Parental Leave can be taken at any time up until the child's 18th birthday, no more than 4 weeks leave can be taken in one year.

5. APPLYING FOR PARENTAL LEAVE

5.1 When Can Parental Leave be Taken?

Parental Leave can start on any day of the week as long as the employee has given the required notice (see section 5.2).

Parental leave can be taken in **days or blocks of one week or multiples thereof, up to maximum of four weeks in any one year.**

A week is based on the employees' normal working pattern so if an employee works Mondays, Tuesdays and Wednesdays only, a period of one weeks' leave would be considered to be three days.

5.2 Notifying Manager and Human Resources

For the purposes of planning, an employee is encouraged to have an early informal discussion with their Manager regarding their intention to take Parental Leave.

To qualify for Parental Leave, an employee must formally tell the University that they wish to take Parental Leave by completing the "[Notice of Intention to Take Parental Leave](#)" form and submitting this to their Manager by **no later than 21 days** before the date in which they would like the leave to start.

If an employee wants to take Parental Leave straight after the birth or adoption of a child they should give 21 days' notice before the expected week of childbirth or placement.

On the 'Notice of Intention to Take Parental Leave' form, the employee will need to declare that they:

- are named on the child's birth certificate; or
- are named on the child's adoption certificate; or
- are living with the child's primary parent as their cohabiting partner and are not an immediate relative; or

- have or expect to have parental responsibility for the child (this does not include a foster parent unless they have secured parental responsibility through the courts); and
- have responsibility for the child's upbringing.

Refer to **Appendix A** for notification process.

Changing Parental Leave start date:

If an employee wants to change their Parental Leave start date once it has been notified, they should give their Manager **at least 21 days written notice** before the new start date or, if this is not possible, as soon as reasonably practicable.

5.3 Outcome of Leave Request

Providing that the leave request has been approved by the employee's Manager, the Manager will write to the employee confirming their leave and pay arrangements **within 14 days** after the leave notification is received. A copy of the letter will be sent to Human Resources.

5.4 Postponing a Leave Request

Whilst the University encourages Managers not to refuse any reasonable requests, leave may be postponed for **no longer than six months** where, for business reasons, it cannot be granted when requested. In cases of postponement, the Manager must write to the employee **within 7 calendar days** of receiving the 'Notice of Intention to Take Parental Leave' form explaining why the request cannot be granted and offering an alternative start date beginning no later than six months after the requested start date for the same number of weeks' leave as originally requested. In proposing the new date, the Manager cannot change the amount of leave being requested by the employee.

If a Manager is considering refusing a request for Parental Leave, they should discuss the matter with Human Resources before making a decision.

If a period of Parental Leave is to be postponed, the requested period of leave must be completed before the child's 18th birthday, even if this is less than six months away from the date of the original request.

5.5 Exceptions – When a Leave Request Cannot be Postponed

Providing that the employee has given the appropriate notice, Parental Leave cannot be postponed immediately following a birth or adoption. Employees are however advised to read the relevant University policy (Maternity, Adoption or Shared Parental Leave) so that a decision can be made by the employee on the most suitable arrangement for their needs.

6. EMPLOYMENT TERMS AND CONDITIONS DURING PARENTAL LEAVE

During Parental Leave the following conditions will remain in place:

- A period of Parental Leave counts as continuous service and an employee's continuous service rights are not affected.

- Employees are entitled to receive any increments and/or cost of living increases, which they would have been due, had they not been on Parental Leave.
- Employees will continue to benefit from all their contractual terms and conditions – except for those relating to salary.
- Employees will continue to accrue annual leave, including bank holidays whilst on Parental Leave. However, annual leave cannot be taken during a period of Parental Leave. Employees are encouraged to take any accrued annual leave in the year in which it was accumulated. Upon returning to work, the Head of Department can approve for the employee to carry forward up to a maximum of 5 days annual leave to the new holiday year.

7. PENSION CONTRIBUTIONS DURING PARENTAL LEAVE

There may be Pension considerations during any period of unpaid absence, you should therefore contact Pensions@Brunel.ac.uk for guidance on your personal situation.

8. SICKNESS AT THE END OF LEAVE PERIOD

Should an employee be ill and unable to return to work at the end of a period of Parental Leave, the normal contractual arrangements and reporting procedures for sickness absence will apply.

FLOWCHART: NOTIFICATION PROCESS

