

## **1. Introduction**

1.1 Parental leave is a right to take unpaid time off work to look after a child or make arrangements for the child's welfare. Employees may use it to spend more time with children and strike a better balance between their work and family commitments.

## **2. Leave entitlement**

2.1 Each parent can take a total of 18 weeks unpaid leave for each child and adopted child, up to their 18<sup>th</sup> birthday.

2.2 The leave must be taken in blocks of 1 week or more, with a maximum of 4 weeks in any one year for each child.

2.3 One year is calculated from the date the child is born. In the case of adopted children, this is calculated from the date of the placement. On occasions where when there is no date of placement; for example, if the child is already in a family when step parents formally adopts the child in the place of the parent. In such cases, the period in which leave can be taken starts when the step-parent acquires a reasonable expectation of gaining parental responsibility and ends on the child's eighteenth birthday and is calculated on a pro rata basis.

2.4 Parents of disabled children can take 18 weeks parental leave for each disabled child up to the child's 18<sup>th</sup> birthday and may take the leave in days or periods shorter than a week. For the purpose of parental leave, a disabled child is a child whom an award of Disability Living Allowance (DLA) has been made. (awarded up to the age of 16)

2.5 If an employee works 3 days a week, one 'week' of parental leave equals 3 days. If an employee works irregular weeks then number of days in a 'week' is the total number of days they work in a year divided by 52.

## **3. Eligibility**

3.1 An employee will qualify if all of the following conditions are met:

- Named on the child's birth or adoption certificate;
- Been employed by Aberystwyth University for more than a year before commencing parental leave;
- They have or expect to have parental responsibility (<https://www.gov.uk/parental-rights-responsibilities/what-is-parental-responsibilit> );
- They are not self-employed or a 'worker', e.g. an agency worker or contractor;
- They are not a foster parent (unless they've secured parental responsibility through the courts);
- The child is under 18.

## **4. Carrying leave over from a previous employer**

4.1 Parental leave applies to each child and not an individual's job. An employee is entitled to 18 weeks parental leave. If they use 10 weeks with a previous employer; they can use 8 weeks with Aberystwyth University if they meet the criteria above.

## **5. Requesting evidence for the purpose of approving parental leave**

5.1 Aberystwyth University is able to request proof of meeting the eligibility above. Evidence might take the form of:

- The child's birth certificate;
- papers confirming a child's adoption or date of placement or in the case of a disabled child a record of disability living allowance payments;
- Aberystwyth University may also request records from a previous employer, where the qualifying period overlaps both employments.

## **6. Notice Provision when requesting parental leave**

6.1 An employee must give at least 21 days' notice to their line manager, giving the dates when the leave is to start and finish by inputting the information on PoblAberPeople as a parental leave request. Alternatively the parental leave request may be put in writing (to include email) to the employee's line manager. The line manager will then approve or reject (delay) the request via PoblAberPeople, or correspond with the employee in the format of the initial request.

6.2 Where an employee wishes to take parental leave immediately after the birth of a child, the employee needs to give 21 days' notice before the beginning of the expected week of childbirth (this date is confirmed by the MATb1).

6.3 Where parental leave is required immediately after the placement of a child for adoption the employee needs to give 21 days' notice of the expected week of placement. In cases where this is not possible, the adoptive parent should give the notice as soon as is reasonably practicable. These dates should be entered into PoblAberPeople as a parental leave request.

6.4 Provided that the employee has given the notice set out above, parental leave will start on the day on which the child is born, regardless of whether the child is born early, late or the day on which the child is placed for adoption.

6.5 PoblAberPeople will alert the relevant HR team / Payroll to make the necessary adjustments to salary.

## **7. Postponement provision.**

7.1 Parental leave can't be postponed (delayed) if:

- The line manager doesn't have a significant reason, e.g. it would cause serious disruption to the business;
- It's being taken by the father or partner/same sex partner immediately after the birth or adoption of a child;
- It means an employee would no longer qualify for parental leave, e.g. postponing it until after the child's 18<sup>th</sup> birthday.

7.2 If parental leave is postponed, Aberystwyth University must ensure that the line manager:

- Must respond with an explanation why within 7 days of the original request;
- Suggest a new start date – this must be within 6 months of the requested start date;
- Cannot change the amount of leave being requested.

## **8. Terms and conditions during parental leave**

8.1 The employment contract continues during an absence on parental leave, unless it is terminated by the employee or employer. This means that an employee continues to benefit from his or her statutory employment rights during parental leave. He or she will continue to accrue contractual holiday entitlement and the employee's pension rights are unaffected and will remain the same as they would have been if the employee had not been absent.

8.2 At the end of parental leave, an employee is guaranteed the right to return to the same job as before, if the leave was for a period of 4 weeks or less. If it was for a longer period, the employee is entitled to return to the same job, or, if that is not reasonably practicable, a similar job which has the same or better terms and conditions as the old job.

8.3 When parental leave follows a maternity leave, the general rule is that the employee is entitled to return to the same job they had before the leave. If at the end of additional maternity leave, this would not have been reasonably practicable, and it is not reasonably practicable at the end of parental leave, they are entitled to return to a similar job which has the same or better status, terms and conditions as the old job.

8.4 An employee taking parental leave will be treated in the same as any other employee when a redundancy situation arises. This includes treatment relating to consultation about the redundancy and consideration for redeployment.

## **9. Policy Review.**

Human Resources will co-ordinate a review of this policy in order to maintain compliance with legislation and good practice. The review will be undertaken in liaison with the recognised trade unions and any proposed amendments will be submitted to the appropriate relevant committee, University Executive and Council if required.

## **10. Equality Impact Assessment.**

10.1 The University is committed to embedding the Equality Scheme into its policies, procedures and practices. This policy has been equality impact assessed in accordance with this scheme.

## **11. Welsh Language – Employee Rights**

In accordance with the Welsh Language Standards that came into effect on 1 April 2018 employees have the right to use the Welsh language to

- (a) make a complaint
- (b) respond to a complaint or allegation

and employees also have the right to use the Welsh language in meetings where they are the subject of

- (c) complaints and allegations (or have made the complaint)
- (d) disciplinary proceedings
- (e) effective contribution scheme discussions
- (f) individual consultation meetings

A simultaneous translation service from Welsh to English will be provided at the meeting when the meeting cannot be conducted solely in Welsh.

The university has, in conjunction with its recognised trade unions, incorporated the above requirements into all relevant HR policy and procedural documents.