

PARENTAL LEAVE PROCEDURES

What is parental leave?

Parental leave is a right to take 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 strike a better balance between their work and family commitments. The leave is unpaid.

The purpose of parental leave is to care for your child. This means looking after their welfare and could include making arrangements for the good of your child.

Caring for a child does not necessarily mean being with the child 24 hours a day. Parental leave might be taken simply to enable you to spend more time with your young child. Examples of the way parental leave might be used include:

- spending more time with your child in their early years
- accompanying your child during a stay in hospital
- looking at new schools
- settling your child into new childcare arrangements
- enabling your family to spend more time together, for example, taking your child to stay with grandparents

You can take parental leave immediately after your maternity, paternity or adoption leave providing you give the correct notice.

Who can take parental leave?

- If have been employed by the University for a year or more
- are an 'employee', with a contract of employment (most agency and casual staff don't have the right to parental leave)
- and you:
- are a parent named on the child's birth certificate or
- are named on the child's adoption certificate or
- have legal parental responsibility for a child under five (18 if disabled)

Both parents have the right to parental leave. If you are separated and you don't live with the children, you have the right to parental leave if you keep formal parental responsibility for the children.

Foster parents do not have rights to parental leave.

How long does parental leave last?

13 weeks in total for each child.

You can take parental leave in short or long blocks depending on what has been agreed with your line manager who will take operational issues into consideration.

What happens if I have twins?

Parental leave is for each child, so if twins are born each parent will get 13 weeks leave for each child.

When does parental leave have to be taken by?

You can choose to take parental leave any time -

- up until the child's fifth birthday
- in adoption cases, for five years after the child is first 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, up until the child's 18th birthday (for the purposes of parental leave, a disabled child is one for whom disability living allowance has been awarded)

Will I be able to return to the same job after parental leave?

At the end of parental leave, you are 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 you are entitled to return to the same job, or, if that is not reasonably practicable, a similar job which has the same or better status, terms and conditions as the old job.

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

Are my conditions of service the same when I am on parental leave?

An employee who takes parental leave is entitled, during the period of leave to the benefit of the University of Bolton's implied obligation of trust and confidence and any terms and conditions of employment relating to:

- Notice of termination of the employment contract by the employer
- Compensation in the event of redundancy
- Disciplinary or grievance procedures

An employee is bound by their implied obligation to the employer of good faith on any terms and conditions of their employment relating to:

- Notice of the termination of the employment contract by them
- The disclosure of confidential information

- The acceptance of gifts or other benefit, or
- The employee's participation in any other business.

If the leave is unpaid what will happen to my superannuation?

As a general rule, when you are not paid you do not pay contributions, however, there are exceptions. You should contact the Personnel Service department for more information.

What procedures have to be followed before I can take parental leave?

- in most cases, leave must be taken in blocks or multiples of one week;
- the exception to the above is that parents of disabled children can take leave in blocks or multiples of one day;
- in all cases a maximum of 4 weeks' parental leave in a year can be taken in respect of any individual child;
- 21 days' notice must be given;
- the University can postpone the leave for up to 6 months where the service would be particularly disrupted if the leave were taken at the time requested;
- but leave cannot be postponed when you give notice to take it immediately after the time the child is born or is placed with the family for adoption.

What is the procedure for postponing leave?

If the University or your line manager considers that your absence would unduly disrupt the service, then your leave cannot be postponed for longer than 6 months after the beginning of the period that you originally wanted to start your parental leave. Your line manager or Personnel will discuss the matter with you and confirm the postponement arrangements in writing no later than 7 days after the employee's notice to take leave. The notice should state the reason for the postponement and set out the new dates of parental leave. The length of the leave should be equivalent to your original request.

Under what circumstances can the University postpone leave?

The University will be justified in postponing leave when, for example, the work is at a seasonal peak; where a significant proportion of the workforce applies for parental leave at the same time; or, when your role is such that your absence at a particular time would unduly harm the business/service

Can leave be postponed if I want to take leave immediately after the birth or adoption of my child?

When you apply to take parental leave immediately after the birth or adoption of your child, then the University cannot postpone the leave. You must give 21 days' notice before the beginning of the expected week of childbirth (an expectant mothers will be able to provide this information to her partner). In the case of adoption, you should give 21 days' notice of the expected week of placement. In rare cases where this is not

possible, an adoptive parent should give the notice as soon as is reasonably practicable.

Do you keep records of my parental leave?

The University is not required to keep records of parental leave taken, however, your absence will be recorded as parental leave. If you should leave the University, your new employer may request details of your absence this information will be forwarded to them.

Can you ask for evidence that the employee is entitled to parental leave?

The University will require you to provide evidence to confirm that you are a parent or the person who is legally responsible for the child. Normally this will be the child's birth certificate, papers confirming your child's adoption or the date of placement in adoption cases, or in the case of a disabled child, the award of disability living allowance for the child. This request will be reasonable and it will not be necessary to check on your entitlement on every occasion on which leave is asked for. This information will be placed on your personal file within the Personnel Service department.

What if you refuse to allow me to take parental leave?

You have the right to go to an employment tribunal if the University prevents or attempts to prevent you from taking parental leave. An employee who takes parental leave will also be protected from victimisation, including dismissal, for taking it.