

# Ordinary Parental Leave Policy

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# Ordinary Parental Leave Policy

## 1 Introduction

The University of Strathclyde is committed to promoting a positive attitude to work-life balance and offers eligible employees rights to unpaid Ordinary Parental Leave subject to the provisions outlined below. Further advice and guidance can be sought from HR on the interpretation and application of this policy.

## 2 The Purpose of Ordinary Parental Leave

The primary purpose of Ordinary Parental Leave is to allow an employee time to care for a child. This means looking after the welfare of a child and can include making arrangements in relation to a child. Examples may include:

- spending more time with the child
- accompanying the child during a stay in hospital
- visiting new schools
- helping the child settle into new childcare arrangements
- enabling a family to spend more time together

Ordinary Parental leave should not be utilised for any purpose that does not directly relate to the care of a child. Separate arrangements exist for emergency time off for dependants within the University's Special Leave Policy.

## 3 Eligibility

Employees are entitled to up to 18 weeks' unpaid Ordinary Parental Leave if:

- they have at least one year's continuous service with the University of Strathclyde at the date they wish ordinary parental leave to commence
- they have a child or have a child who was adopted or is a surrogate parent and the child is under the age of 18
- they have (or expect to have) parental responsibility for the child

A parent need not necessarily be living with the child to qualify for ordinary parental leave and ordinary parental leave provisions also apply to partnerships of the same sex provided the above conditions are met.

**Note:** For part-time employees a week equates to their normal (or average) working week.

## 4 Dates and Duration of Ordinary Parental Leave

An employee can only take a period of ordinary parental leave before:

- the child's 18<sup>th</sup> birthday

Employees can take a maximum of four weeks leave in any year in respect of any individual child. Therefore an employee with twins could take up to eight weeks in any one year.

An employee can take a period of ordinary parental leave immediately after the end of normal maternity, paternity, adoption leave or shared parental leave subject to qualifying conditions and providing the required level of notice.

Periods of leave must be taken in multiples of one week. If less than a week is taken then this will class as one week in terms of deduction from the overall entitlement though salary will only be deducted for the days actually absent. If the child is disabled leave may be taken as individual days and entitlement deducted accordingly.

## 5 Evidence of Entitlement

The University will ask an employee to produce evidence to show that:

- the employee is the parent of a child
- the employee has parental responsibility for the child
- the child is below the age at which the right to ordinary parental leave ceases
- in the case of a disabled child, the child is entitled to disability living allowance (this is relevant if requests for time off is to be taken as odd days off)

This evidence could be:

- the child's birth certificate
- papers confirming a child's adoption or the date of placement for adoption
- a Parental Order for surrogate parents
- in the case of a disabled child, a record of disability living allowance payments for the child (this is relevant if requests for time off is to be taken as odd days off)

The University retains the right to refuse ordinary parental leave if insufficient evidence is produced.

## 6 Payment during Ordinary Parental Leave

All ordinary parental leave is unpaid.

## 7 Notification of Ordinary Parental Leave

An employee must give the University at least 21 days notice before the proposed period of ordinary parental leave begins. This notice should include details of the start and end dates of the leave period they intend to take.

An employee on maternity, adoption or shared parental leave must provide 21 days notice before their maternity, adoption or shared parental leave ends if they wish to take ordinary parental leave immediately after the end of their maternity, adoption or shared parental leave.

## 8 Procedure

An employee should submit the request in writing using the appropriate pro forma to their Head of Department or suitable nominee, attaching proof of eligibility for Ordinary Parental Leave (most likely a copy of the child's birth certificate). If the request can be granted then the Head of Department should forward the request to HR who will write to the individual outlining details and provide a copy to the Finance Office in order that they deduct salary for the relevant period. A record will be retained in the individual's personal file.

## 9 Postponing Leave

Subject to good business reasons the University can postpone Ordinary Parental Leave for up to six months after the beginning of the leave period the employee originally requested. However, leave cannot be postponed beyond a child's 18<sup>th</sup> birthday.

Leave may be postponed if it would cause significant disruption to University business, e.g. if leave was requested:

- over a period of peak seasonal demand
- at the same time as other employees have requested or are on leave (of any description)
- when the employee's absence would unduly harm business

The University cannot postpone leave where the employee wishes to take it immediately after their child is born or placed with them for adoption.

Where the University wishes to postpone Ordinary Parental Leave then the employee will be advised in writing, including the reason for the postponement and an alternative commencement date sought.

## 10 Contractual Issues

An individual's contract of employment continues during a period of Ordinary Parental Leave as if they had been present at work with the exception of salary being deducted. A period of Ordinary Parental Leave does not affect an individual's date of continuous service.

## 11 Returning to Work after Ordinary Parental Leave

An employee is entitled to return to the same job as before if the Ordinary Parental Leave was for four weeks or less. 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 (AML) or Additional Adoption Leave (AAL), the employee is entitled to return to the job as before if reasonably practicable for the University.

If it is not reasonably practicable for the employee 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.

An employee returning to work after Ordinary Parental Leave is entitled to benefit from any general improvements to the rate of pay (and any other terms and conditions) which may have been introduced whilst they have been absent.

## 12 Superannuation

Employees taking unpaid Ordinary Parental Leave who are a member of a pension scheme should contact the University's Pension Section regarding the pension implications of taking a period of unpaid leave. Different conditions apply depending on which scheme an employee is a member of.

## 13 Other Policies and Procedures

The University has established other policies and procedures that may be of relevance to staff with children including the Flexible Working Policy, Special Leave Policy and Shared Parental Leave Policy. Details of these policies are available on the University website or from Human Resources. Furthermore the University provides access to a Childcare Voucher Scheme and details are also available on the University website or from Human Resources.

**Application for Ordinary Parental Leave**

**University of Strathclyde**

**Note:**

Individuals should consult the University's Ordinary Parental Leave Policy prior to completing this form. This form (plus appropriate proof of eligibility – see section 5 of policy) must be submitted to your Head of Department (or suitable nominee) at least 21 days before the proposed start date of the period of absence. Not all requests will automatically be granted at the specific time of an individuals choosing. Advice on the Policy is available from Human Resources.

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**Applicant**

**Name:** [redacted]

**Department:** [redacted]

**Designation:** [redacted]

**Name of child leave is requested in respect of:** [redacted]

(Separate entitlements exist per child, so it is necessary to know which child entitlement is being deducted in respect of).

**Child's Date of Birth:** [redacted]

**Start Date of Proposed Leave:** [redacted]

**End Date of Proposed Leave:** [redacted]

(With the exception of disabled children, entitlements are deducted in blocks of one week. If less than one week is taken salary is only deducted for the days not present at work though a week is deducted from the leave entitlement).

**Type of documentation attached to confirm eligibility:** [redacted]

(e.g. copy of child's birth certificate/adoption/surrogacy papers)

I wish to apply for unpaid Ordinary Parental Leave on the above dates and give agreement to the University to deduct salary for the above period of Ordinary Parental Leave subject to leave being approved.

**Signed**.....

**Date**.....

**Head of Department (or suitable nominee)**

I  agree/ do not agree to grant Ordinary Parental Leave on the dates requested.

Requests cannot be denied immediately following a period of Maternity Leave, immediately after a child has been placed for adoption or Shared Parental Leave subject to qualifying conditions. If not agreeing please provide a brief explanation of reasons for this:

If you are not agreeing to the requested dates you should now make contact with the individual, explain the reasons for this (suitable grounds are referred to in the policy) and seek to establish suitable alternative dates. This should be done prior to submitting to Human Resources.

Please confirm agreed alternative dates below:

**Start Date of Leave:**

**End Date of Leave:**

**Signed**.....

**Date**.....

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**This form should be submitted to Human Resources who will write to the applicant to confirm the period of leave.**