

SWANSEA UNIVERSITY

PARENTAL LEAVE PROCEDURE

1. Parental Leave

1.1 Introduction

The right to Parental Leave is contained in the Maternity and Parental Leave Regulations 1999, as amended by the Maternity and Parental Leave (Amendment) Regulation 2001.

1.2 Parental Leave

Parental Leave is a right for all employees to take time off from work to look after a child or make arrangements to look after a child's welfare. Parents can use it to spend more time with their children and strike a better balance between work and family commitments.

Parental Leave may be used in the following ways as an example:

- (i) to spend more time with the child in the early years
- (ii) to accompany a child during a stay in hospital
- (iii) to settle a child into new child care arrangements.

Parental leave is unpaid.

1.3 Eligibility

Parental Leave is an individual right and so both mothers and fathers, whether they are the natural or adoptive parents, can qualify. It cannot be transferred between parents.

Employees are eligible for Parental Leave when they have caring responsibilities for a child up to the age of 18 years.

1.4 Duration

Eligible employees of Swansea University may take up to a maximum of 18 weeks unpaid leave for each child. In the case of multiple births each parent will be entitled to 18 weeks unpaid leave for each child.

1.5 Arrangements for Taking Leave

Parental Leave may be taken as a minimum of one week or multiples of one week and up to a maximum of four weeks in any year. Parents of disabled children will have the flexibility to take leave a day at a time if wished, but within the same overall limits of four weeks per year. A year is the twelve month period from 1 January to 31 December.

1.6 Provisions for Taking Leave

a) Notice

Employees of Swansea University wishing to apply for Parental Leave should do so through the Head of their Department/College giving, at least 21 days' notice, except in special or emergency cases, specifying when the leave is to start and finish. Notice must be in writing and a copy sent to the Human Resources Department.

b) Postponement

Whilst permission to take parental leave will not be unreasonably withheld, Heads of Department/College should consider the impact of granting the leave on service delivery. Head of Department/College should take advice from Human Resources, if they consider that the absence would unduly disrupt the business of Department/College. The leave may be postponed for no longer than 6 months after the date on which the leave was originally requested to start.

If it is necessary to postpone the leave, the employee will receive notice of the postponement in writing no later than 7 days after the employee's notice to take leave was submitted. The written notice should include reasons for the postponement and set out the new dates of parental leave. The length of leave granted should be equivalent to that requested originally by the employee.

If the member of staff considers that the leave is being unreasonably withheld, he/she may ask that the application for Parental Leave be reconsidered by the Director of Human Resources, whose decision shall be final.

c) Parental leave and maternity leave

Mothers can take parental leave immediately after a period of maternity leave provided that the notice period, qualifying period and all other conditions are met. NB: Swansea University will not postpone a request for Parental Leave immediately after the birth or an adoption of a child. If such leave is required, the employee must give twenty-one days' notice before the beginning of the expected week of childbirth (expectant mothers will be able to provide this information to their partners). In the case of adoption, the employee needs to give twenty one days' notice of the expected week of placement. (If this is not possible an adoptive parent should give as much notice as is reasonably practicable).

1.7 Returning to Work

At the end of Parental Leave, provided that the period was for a period of four weeks or less, and was not taken immediately after taking additional maternity leave, an employee has the guaranteed right to return to the same job as before. If parental leave is taken for a period longer than four weeks or where additional maternity leave is taken immediately prior to taking parental leave, an 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 status, and terms and conditions of service as the old job.

1.8 Terms and Conditions during Parental Leave

Whilst on Parental Leave the employee will continue to benefit from all the terms and conditions of employment which would have applied had he/she not been absent, apart from remuneration.

1.9 Holiday Entitlement

Unpaid Parental Leave of up to four weeks in the relevant year does not affect the entitlement of an employee's paid holiday entitlement.

1.10 Pension Entitlement

During unpaid parental leave, membership of USS/Swansea University Pension Scheme may be suspended. Employees have the right, with the consent of the University, to make up their contributions for all or part of the period of suspended membership, with the University being required to make up its contributions. Further details may be obtained from the Superannuation Section of the Finance Department.

1.11 Record Keeping

Swansea University will keep records of Parental Leave taken by employees whilst in the employment of Swansea University but will disregard any such leave taken with previous employers. Swansea University may ask for evidence confirming the employee is the parent or the person who is legally responsible for the child. Evidence might take the form of information contained in the child's birth certificate, papers confirming a child's adoption or the date of placement in adoption cases.

1.12 Disciplinary Procedures

An employee found using Parental Leave as described in this code for any other purpose than specified or acting in breach of their terms and conditions of service during the period of Parental Leave, will be subject to the relevant Disciplinary Procedures.