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**Parental Leave Policy & Procedure**

**This Policy is also available in Welsh**

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**PARENTAL LEAVE POLICY**

**Contents**

1. Introduction Page 3

2. Scope of Policy Page 3

3. Parental Leave Page 3

4. Eligibility and Entitlement to Parental Leave Page 4

5. Length of Parental Leave Page 4

6. Welsh Language Standards Page 5

**PARENTAL LEAVE PROCEDURE**

**Contents**

1. Notification by the Employee Page 6

2. Cardiff Metropolitan University’s Responsibilities Page 6

3. Terms and Conditions during Parental Leave Page 7

4. Return to Work Page 7

5. Related Documents Page 8

**Parental Leave Policy**

**1. Introduction**

1.1 The University recognises the demands and importance of family life. It is therefore committed to supporting employees through a range of family friendly procedures to achieve a balance between work and home life wherever possible.

1.2 This procedure reflects the statutory rights of eligible employees to take time off in relation to the care of a child.

1.3 Parental leave can be used in various ways, for example to spend more time with a child, to settle children into new childcare arrangements or to allow the child to spend more time with family, such as visiting grandparents.

**2. Scope of Policy**

2.1 This policy applies to all eligible employees, regardless of gender identity, expression or sexual orientation.

## For the avoidance of doubt, the terms “partner” or “spouse” are inclusive of same-sex partnerships.

**3. Parental Leave**

3.1 Parental leave is a statutory right to take unpaid time off work to look after a child or make arrangements for the child’s welfare and is available to biological parents and those with formal parental responsibility for a child under the Children Act 1989.

3.2 All parents, whether they are birth or adoptive parents can qualify for parental leave, provided they are employees of the University. Employees who are adopting a child will be entitled to take parental leave because they will have parental responsibility when they adopt.

3.3 The employee must either be named on the child’s birth certificate or they must have, or expect to have, parental responsibility under the law for the child. The parents of a child do not have to be living with the child in order to qualify for parental leave.

3.4 In some cases legal responsibility for looking after a child will have been given to someone other than a natural or adoptive parent, such as a guardian. If an individual has acquired parental responsibility for the child, they will be entitled to parental leave if the qualifying conditions set out in this document are met.

**4. Eligibility and Entitlement to Parental Leave**

4.1 Any parental Leave that employees take in relation to a child while working for another employer counts towards their 18 week entitlement. If the employee has taken parental leave in relation to a child during previous employment, they should provide written details of this to their manager.

4.2 To take a period of parental leave in relation to a child the employee must:

4.3.1 Have at least 1 year’s continuous employment

4.3.2 Have or expect to have responsibility for the child; and

4.3.3 Be taking the leave to spend time with or otherwise care for the child

4.3 You have responsibility for the child if you;

4.3.1 Are the child’s biological parent, whether or not you are living with the child;

4.3.2 Are the child’s adoptive parent

4.3.3 Otherwise have legal parental responsibility for the child. For example if you are the child’s legal guardian or the child has been placed through a court order.

4.4 You must be named on the child’s birth certificate or adoption certificate or have or expect to have parental responsibility.

4.5 You must not be self-employed or a ‘worker’ e.g. an agency worker or a contractor.

4.6 You must not be a foster parent, unless you have secured parental responsibility through the court.

4.7 The child must be under the age of 18.

**5. Length of Parental Leave**

5.1 All eligible employees are entitled to take up to 18 weeks’ unpaid parental leave for each child.

5.2 You may take your leave in blocks or multiples of one week, however, you do not have to take all the leave at once.

5.3 If your child is disabled, you may take your leave in blocks or multiples of one day.

5.4 The maximum parental leave you may take in any one year is four weeks in respect of an individual child.

5.5 A ‘week’ is equivalent to the length of time an employee normally works over 7 days e.g. if an employee works 3 days a week, one ‘week’ of parental leave equates to 3 days.

5.6 Please note that parental leave applies to each child and not the individual’s job. For example, if an employee is entitled to 18 weeks and has used 10 weeks with a previous employer, then they will still be entitled to up to 8 weeks with the new employer after 1 year’s continuous service.

**6. Welsh Language Standards**

6.1 The University has considered what effects this policy has on opportunities to use the Welsh language and has considered its duty in treating the Welsh language no less favourably than the English language.

6.2 This policy and associated documents are available in both the Welsh language and the English language.

6.3 Any paper correspondence in relation to this policy will be provided in Welsh, should the employee have chosen to receive any correspondence in relation to their employment, in Welsh.

**Parental Leave Procedure**

**1. Notification by the Employee**

1.1 You must give the University 21 days’ written notice of your intention to take parental leave using the application to take parental leave form.

1.2 If you intend to take parental leave immediately after the birth or adoption of a child, you must give the University written notice of that fact at least 21 days before the beginning of the expected week of childbirth or expected week of placement in cases of adoption. Where this is not possible, you should give notice as soon as is reasonably practicable.

1.3 You may start your leave:

1.3.1 Once the child is born or has been placed for adoption; or

1.3.2 As soon as the employee has completed 1 years’ service; whichever is later.

1.4 In certain circumstances, the University can postpone your period of parental leave for up to 6 months.

**2. Cardiff Metropolitan University’s Responsibilities:**

2.1 When you apply to take parental leave immediately after the birth of a child or the placement of a child in the case of adoption, the University cannot postpone the leave.

2.2 The University shall not postpone parental leave if the postponement would result in the leave being taken after the child’s 18th birthday.

2.3 In any other circumstances, specifically when you do not wish to take parental leave immediately after the birth of a child or the placement of a child in the case of adoption, the University may postpone a proposed period of parental leave for up to 6 months where the leave as planned would unduly disrupt the organisation. This may happen where:

2.3.1 You wish to take parental leave during a peak period

2.3.2 A number of employees wish to take parental leave at the same time

2.3.3 The work is of importance to a time critical project

2.3.4 Cover for your absence/work cannot be found before the date on which the parental leave is requested to start on

2.4 If the University decides to postpone the parental leave, it will:

2.4.1 Consult with you about the date to which the leave may be postponed

2.4.2 No more than 7 days after you gave notice of your intention to take parental leave, provide written notice stating the reason for the postponement and the new beginning and end dates of the leave which you will be allowed to take.

2.5 The University has the right to request evidence to confirm you are the parent or person who has legally responsibility for the child.

**3. Terms and Conditions during Parental Leave**

3.1 Parental leave under this policy is unpaid, therefore your contractual provisions relating to pay are suspended during Parental Leave.

3.3 Whilst you are on parental leave no pension contributions will be payable until you return to work. This period of leave will not be included as pensionable service unless you opt to make up the contributions you would have paid had you been at work.

3.4 You may be able to pay back contributions in order for any periods of unpaid leave to count as pensionable. However, there will be conditions on this subject to the rules of your particular pension scheme. Please contact the Payroll Office before you commence your leave to discuss your options.

**4. Returning to Work**

4.1 You are entitled to return to work following Parental Leave to the same position that you held prior to commencing the leave if it was an isolated period of leave lasting 4 weeks or less. Your terms of employment will be the same as they would have been had you not been on leave. Where this is not possible, specifically where the period of Parental Leave has been taken immediately after a period of Maternity Leave, Adoption Leave or Shared Parental Leave the University will fully consult with you and offer you a suitable and appropriate alternative position.

**5. Related Documents**

5.1 Shared Parental Leave Policy and Procedure

5.2 Paternity Policy and Procedure

5.3 Parental Leave Policy and Procedure

5.4 Statutory Right to Request Flexible Working Guidelines

5.5 Maternity Policy and Procedure