

# Unpaid Parental Leave Policy

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## 1. Introduction

In accordance with legislation, all members of staff (both male and female) are entitled to take up to a fixed amount of unpaid parental leave for the purposes of caring for a child.

Unpaid Parental Leave should not be confused with Shared Parental Leave (SPL), further details of which can be found in the University's Shared Parental Leave and Pay Policy.

## 2. Entitlement for Parents

A member of staff is entitled to 18 weeks of unpaid parental leave, which can be taken up to the child's eighteenth birthday, for each of their children, provided that they have completed one year's service and their name appears on the birth certificate of the child (or they have acquired formal parental responsibility for the child).

## 3. Entitlement for Adoptive Parents

A member of staff is entitled to 18 weeks of unpaid parental leave, which can be taken until the eighteenth anniversary of the date on which the child is adopted; or until the child's eighteenth birthday (whichever is the sooner), provided that they have completed one year's service.

## 4. Entitlement for Parents of Children with Disabilities

In the case of a disabled child (i.e. a child for whom disability living allowance is awarded), a member of staff is entitled to 18 weeks of unpaid parental leave, which can be taken up until the child's eighteenth birthday, provided that they have completed one year's service.

## 5. Part-Time Staff

Eligible part-time staff will be entitled to leave in proportion to time worked. For example someone who works 2 days a week will have the right to 18 of their working weeks (36 days in total).

## 6. Duration of Parental Leave

Leave must be taken in blocks of one week upwards. This is subject to a maximum period of four weeks' in any leave year, for each eligible child.

In the case of a disabled child, staff can take one day of leave or any multiple of one day.

All staff must specify the duration of the period of unpaid parental leave in their request.

## 7. Notice and Provision of Documentation

Parents must give at least 21 days notice of taking leave, specifying when the leave will begin and end. On the first occasion that leave is requested, a copy of the child's birth certificate must be provided.

Fathers/partners who want to take leave immediately after the baby is born must give at least 21 days notice before the beginning of the expected week of childbirth, and provide a copy of the certificate of expected date of childbirth.

Prospective adoptive parents who want to take leave immediately after a child is placed with them for adoption must give at least 21 days notice (if practicable) before the beginning of the week in which the placement is expected, and provide a copy of the notification of the date on which the placement begins.

## 8. Rules Relating to Parental Leave Entitlement

The allowance for parental leave is per child, not per employment. Therefore, the total unpaid leave taken per child cannot exceed 18 weeks. Where a member of staff changes employers, he or she will need to re-qualify for parental leave, (i.e. complete 1 year's service).

## 9. Pension

Where the member of staff taking unpaid leave of absence is a member of the Universities Superannuation Scheme (USS), their membership of USS will be suspended during this period. For further information, please see the Unpaid Parental Leave Procedure listed in the Useful References section below.

## 10. Contractual Terms during Parental Leave

Continuity of service will be maintained and the period of leave will count towards the employee's length of service with the University.

A member of staff is entitled to return to the same job as before if the parental leave was for four weeks or less, and either:

- an isolated period of leave, or
- the last of two or more consecutive periods of statutory leave which did not include any period of additional maternity leave (AML) or additional adoption leave (AAL).

If the leave period is longer than four weeks, or is preceded or followed by consecutive periods of leave which included a period of AML or AAL, the member of staff is entitled to return to the same job as before or, if that is not reasonably practicable, a similar job which has the same or better status and terms and conditions as the old job.

## 11. Equality, Diversity and Inclusion

Policies are inclusive of all Open University staff, regardless of age, care experience, caring status or dependency, civil status, disability, family status, gender, gender expression, gender identity, gender reassignment, marital status, marriage and civil partnership, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, sex, sexual orientation, socio-economic background or trades union membership status.

## 12. Useful References

Unpaid Parental Leave Procedure  
Contingency Leave Policy  
Maternity Leave and Pay Policy  
Paternity Leave and Pay Policy  
Adoption Leave and Pay Policy  
Shared Parental Leave and Pay Policy  
Unpaid Career Break Policy (for staff with caring responsibilities)  
Dependants Leave Policy