

Parental Leave and Pay Policy			
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<p><i>Note: All policies must be read in conjunction with all other SOAS policy, procedure and guidance documents. Printed copies of policies may not be the most up to date, therefore please refer to the policy pages on the SOAS external website or intranet for the latest version.</i></p>			

## 1. Introduction

- 1.1. SOAS is committed to supporting good practice in relation to parental rights and recognise that time with children is important for a positive work-life balance.
- 1.2. This policy sets out the circumstances where employees who have parental responsibilities may take unpaid time off work to look after their children who are under 18, ensuring fair and consistent treatment.
- 1.3. SOAS will ensure that employees are not treated less favourably or dismiss them because they are pregnant, absent on maternity leave; and will not tolerate discrimination, victimisation or harassment on the basis of a person's caring responsibilities.

## 2. Scope

- 2.1. This policy applies to all directly employed staff, regardless of hours worked, length of service, role or employment contract type.
- 2.2. It also covers where pregnancy ends (after 24 weeks) in a stillbirth and where there is a neonatal death (within 28 days of being born).
- 2.3. This type of parental leave may be particularly useful if employees require time off to care for a child but have used up, or are not entitled to, other types. There are separate associated policies for Maternity Leave and Pay, Paternity/Partner Leave and Pay, Shared Parental Leave and Pay, and Adoption/Surrogacy Leave and Pay, all of which are available on the [SOAS intranet](#).
- 2.4. The university has a distinct policy regarding SOAS's approach to Flexible Working, which addresses requests for changes to working hours or patterns on an ongoing basis. The policy is available on the [SOAS intranet](#).

### 3. Roles and Responsibilities

#### 3.1. Managers

- 3.1.1. Should ensure that employees are aware of this policy and understand their own responsibilities.
- 3.1.2. Should encourage and foster a team culture where employees with children feel safe and supported in sharing an upcoming parental leave and discussing their needs and adjustments.
- 3.1.3. Support options should be proactively discussed with employees, and HR advice sought when needed.
- 3.1.4. Employees on parental leave should be kept informed (and consulted with, where appropriate) regarding any important business changes or announcements that may affect them.
- 3.1.5. Requests for support and adjustments should be considered sympathetically and should be vigilant in ensuring there is no discrimination against employees with children.
- 3.1.6. Be mindful of an employee's personal sense of confidentiality, as well as the General Data Protection Principles (GDPR) when processing information related parental responsibilities. It is good practice to seek the employee's view and gain consent on how and when their upcoming leave is shared with colleagues
- 3.1.7. Are responsible for confirming to the HR department key dates related to parental leave, including a change of return date, or resignations. These should be completed through [UniDesk](#).

#### 3.2. Employees

- 3.2.1. Are encouraged to inform their manager once they are aware of an upcoming need to request parental leave,
- 3.2.2. Must complete the Parental Leave Request Form (available on the [SOAS intranet](#)) no later than 21 days before the intended start date.
- 3.2.3. Inform their manager as soon as possible if there are any changes related to their parental leave.

#### 3.3. The University

- 3.3.1. Will respond quickly and fully to any reports or concerns of harassment, victimisation or discrimination related to an employee's parental responsibilities.
- 3.3.2. Will review this policy regularly, to ensure consistency, fairness and effectiveness, and to reflect any changes in employment legislation.
- 3.3.3. Will monitor and report on the outcomes and impact of this policy annually and in line with the Equality Act 2010.

#### 4. Eligibility for Parental Leave

- 4.1. Employees can take parental leave to care for their child if:
  - They have at least one year's continuous service with SOAS by the first date of the intended leave period.
  - They have or expect to have parental responsibility for a child.
- 4.2. Eligible employees can take up to 18 weeks' unpaid leave for each child, subject to a maximum of four weeks' leave for each child in any one-year period.
- 4.3. Parental leave must be taken in blocks of at least one week, unless the child has a disability. In these circumstances, parental leave may be taken one day at a time.
- 4.4. Entitlement to parental leave carries over from any previous employment. This means that, if an employee has taken parental leave with a previous employer:
  - They can take the balance with SOAS, but must wait until they have worked for the University for at least one year; and
  - SOAS will ask the employee about the amount of ordinary parental leave already taken for the child with your previous employers.

#### 5. Notification Requirements

- 5.1. An employee should notify their line manager as soon as possible to talk about plans/entitlements and to enable support from the university. The Parental Leave Request Form, setting out the intended dates of leave, must be received no later than 21 days before the first day of the absence.
- 5.2. Employees can ask for parental leave to begin when the child is born, whether this is earlier or later than expected. In these circumstances, employees should give their manager at least 21 days' notice, counting back from the beginning of the expected week of childbirth, setting out the expected week of childbirth and the length of leave requested.
- 5.3. Employees can also ask for parental leave to begin when a child is placed with them for adoption, whether this is earlier or later than expected. In these circumstances, employees should give their manager at least 21 days' notice, counting back from the beginning of the week in which the placement is expected to occur. If 21 days' notice is not possible, notice must be given as soon as possible, setting out the expected week of childbirth and the length of leave requested.
- 5.4. If employees are considering taking parental leave on the birth of their child (or in the case of adoption, the placement of the child), they may also be entitled to take up to two weeks' paid paternity/partner leave – for which there is a separate policy.
- 5.5. Employees may be required to provide evidence to support the request for parental leave. This would normally be child's birth certificate or certificate of adoption.

## 6. Postponements

- 6.1. The University will always aim to agree to requests for parental leave. However, there are circumstances in which the start date may need to be postponed. This will only be done in circumstances where the absence would cause undue disruption to university business.
- 6.2. Postponements must be approved by the relevant Dean of College or Director of Professional Service before being confirmed. Written notice of the postponement will be given no more than seven days after the request is received giving the reasons why.
- 6.3. However, periods of parental leave will never be postponed if the leave starts on the birth of the child or the child's placement for adoption.
- 6.4. If parental leave is postponed your line manager will discuss alternative dates with the employee. The period of leave will be taken within six months of the first day that the postponed leave was due to start.

## 7. Rights During Parental Leave

- 7.1. During parental leave, all the terms and conditions, except normal pay, will continue and continuity of employment is not affected. This means that, while sums payable by way of salary will cease, all other benefits will remain in place. Annual leave will continue to accrue in the normal way.
- 7.2. During parental leave, employees will continue to be bound by the terms and conditions of employment. Therefore, are required to comply with their contractual obligations towards the university (e.g. notice of resignation, disclosure of confidential information, paid work outside SOAS, Intellectual Property etc).

## 8. Returning to Work

- 8.1. Where employees take an isolated period of parental leave of four weeks or less, they are entitled to return to the same role they were doing before the absence.
- 8.2. Employees can also return to their previous role if they take a period of parental leave of four weeks or less following on immediately from a period (or consecutive periods) of maternity, adoption, paternity/ partner and/or shared parental leave (taken in relation to the same child) that did not last more than 26 weeks.
- 8.3. Employees are entitled to return to their previous role or, if that is not practical for the university, to another role that is both suitable and appropriate in the circumstances if they:
  - take a period of ordinary parental leave of more than four weeks; or
  - take a period of parental leave of four weeks or less following on immediately from a period (or consecutive periods) of maternity, adoption, paternity/partner and/or shared parental leave, (taken in relation to the same child) that lasted more than 26 weeks.

## 9. Pension

- 9.1. Employees who may be contemplating taking parental leave and are members of either the USS or SAUL pension schemes should contact the Payroll & Pensions team through [UniDesk](#) to discuss options available to them with regard to their pension contributions.
- 9.2. Further information can be found on the USS website [Becoming a parent](#) and on the SAUL website [Life changes | SAUL](#).

## 10. Redundancy or Reorganisation

- 10.1. If the college or directorate undergoes any reorganisation while an employee is on maternity leave, they will be fully involved and consulted during the process.
- 10.2. No employee will be selected for redundancy for a reason related to their parental responsibilities. Any dismissal on these grounds would be automatically unfair and regarded as unlawful discrimination.
- 10.3. More details to be found in Management of Reorganisation and Change Policy, available on the [SOAS intranet](#).