



SUPPORTING FAMILY LIFE PARTIALLY GLOBAL WHOLLY UK

Overarching Policy

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HERIOT-WATT UNIVERSITY
SUPPORTING FAMILY LIFE OVERARCHING POLICY

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1.	INTRODUCTION
	<p>The purpose of this Supporting Family Life Overarching Policy is to set out employees' entitlements to, and the scope of, the following types of family-related leave and payment:</p> <ul style="list-style-type: none"> • Maternity Leave (UK)* • Paternity Leave (UK) * • Adoption Leave (UK) • Parental Leave (UK) • Shared Parental Leave (UK) • Time off to attend antenatal appointments (UK) • Time off to attend adoption appointments (UK) • Carers' Leave (Global) • Emergency Dependents Leave (UK) • Compassionate Leave (UK/Dubai) • Parental Bereavement Leave (Global) <p>There is a separate Procedure for each of the above types of family-related leave, all linked to this overarching Policy.</p> <p>*Separate Maternity and Paternity Leave Procedures exist for Dubai employees and can be found here .</p>
2.	SCOPE
	<p>This Policy and linked Procedures applies to all employees of the University in the UK.</p> <p>Where specifically noted, sections of this Policy and Procedures also apply to Dubai and Malaysia colleagues. Staff not based in the UK should contact Human Resources for advice about their rights in respect of other family related leave not specified as Global.</p> <p>This Policy does not form part of any contract of employment and the University may amend it at any time.</p> <p>The scope of each type of family-related leave and payment is set out in the Policy below. Full details and the process for applying for each type of leave can be found in the relevant Procedure on the HR Policy Web Page under Family Friendly Policies.</p>

3.	KEY PRINCIPLES	
	<ul style="list-style-type: none"> • Heriot-Watt University is committed to providing, creating and maintaining a supportive environment which promotes equality across our University community. • We recognise that our colleagues have busy and varied lives both in and out of work. We wish to encourage and support colleagues who are, or who wish to become, parents or carers to balance their home and work commitments without detriment and to support career development for everyone who seeks to progress. • Therefore, wherever possible, we will seek to enhance the basic statutory entitlement to leave and pay. • We seek to apply our Policies and Procedures globally where possible and comparable in overall reward where different procedures are required. • Where possible, if the entitlement derives from UK Statutory Legislation (e.g., maternity, paternity, shared parental, adoption) some elements of the statutory entitlement are paid at a higher rate in the UK; or the eligibility requirements are more generous (e.g. “day one” rights rather than a qualifying period). • In line with our commitment to create and maintain a supportive environment, a flexible approach to dealing with non-statutory time off should be encouraged. For example, a short-term adjustment of hours or working from home may be more appropriate, supportive and productive than taking time off. This would not apply to the statutory leave entitlements outlined in this Policy, although flexible options alongside time off are also encouraged. • Where the recommended time off is not linked to a statutory UK entitlement, for example as set out in Carers’ or Compassionate Leave, it should be considered as a consistent base line rather than the maximum time off. Where “further time off at the discretion of management” is stated, there should be positive and proactive discussions with the individual recognising each individual has different needs and reactions. However, there may be genuine operational reasons why non-statutory time off is not possible in any given situation. If so, managers should discuss this with the employee and provide an objective reason why this is not possible. <p>This Policy and its linked procedures recognise and incorporate Athena SWAN principles.</p> <p>The implementation and application of this Policy reflects the Heriot-Watt Values</p>	
4.	DEFINITIONS	
	Carer (NHS England Definition)	<p>A carer is anyone, including children and adults who looks after a family member, partner or friend who needs help because of their illness, frailty, disability, a mental health problem or an addiction and cannot cope without their support. The care they give is unpaid.</p> <p>Caring responsibilities may be temporary but need to meet the definition above.</p>

Carers' Register	The register is a formal list of employees who have identified themselves as carers and satisfied the definition of a Carer as set out in this Policy and who have voluntarily put their name forward
Dependant	The husband, wife, civil partner, partner, child or parent of the employee; or someone who lives in the same household as the employee, e.g., an elderly aunt or grandparent who are dependent on the employee; or anyone for whom the employee holds power of attorney.
EAP (UK)	Enhanced Adoption Pay
EMP (UK)	Enhanced Maternity Pay
ESPP (UK)	Enhanced Shared Parental Pay
Expected Week of Childbirth	The week, starting on a Sunday, during which your doctor or midwife expects the child to be born, or in adoption cases, the week in which you are notified that you have been matched with a child for adoption.
KIT Day (UK)	"Keeping in Touch" Day – up to 10 days' paid time to attend work or training during maternity/adoption leave, without that work or training bringing your maternity/adoption leave and pay to an end
Mother /birth parent	In birth cases, the child's birth mother; in adoption cases, the person with whom the child is, or expected to be, placed; and in surrogacy cases, the parent who has elected to take adoption leave in respect of the child.
Partner	The father of the child, or the person who is married to, or the civil partner or partner of the Mother. A 'partner' is someone (whether of a different sex or the same sex) with whom the Mother lives in an enduring family relationship, but who is not the Mother's parent, grandparent, sister, brother, aunt or uncle.
Qualifying Relationship	Refers to entitlement to time off to attend antenatal appointments as a partner of the pregnant woman if you are either: <ul style="list-style-type: none"> • the baby's father • the pregnant woman's spouse, civil partner or cohabiting partner; or • one of the intended parents in a surrogacy arrangement and expect to obtain a parental order in respect of the child.

	Qualifying Week	The 15th week before the Expected Week of Childbirth.
	SAP (UK)	Statutory Adoption Pay
	SMP(UK)	Statutory Maternity Pay
	SPL (UK)	Shared Parental Leave
	SPLIT Day (UK)	“Shared Parental Leave in Touch” Day – up to 20 days’ paid time to attend work or training during shared parental leave, without bringing the period of leave and pay to an end
	SPP (UK)	Statutory Paternity Pay
	SSPP (UK)	Statutory Shared Parental Pay
5.	TIME OFF TO ATTEND ANTENATAL APPOINTMENTS – UK	
	<p><u>Who is eligible and what am I entitled to?</u> <i>Mothers/birth parents</i> If you are pregnant, you are entitled to take reasonable paid time off work to attend antenatal appointments, as advised by your doctor.</p> <p><i>Partners</i> If you have a “qualifying relationship” with either a pregnant woman, or the child, you are eligible to take paid time off to accompany them to up to two antenatal appointments. A “qualifying relationship” means that you are either:</p> <ul style="list-style-type: none"> • the baby’s father; or • the pregnant woman’s spouse, civil partner or cohabiting partner; or • one of the intended parents in a surrogacy arrangement and expect to obtain a parental order in respect of the child. 	
6.	MATERNITY LEAVE AND PAY – UK	
	<p>For Dubai employees, please see here.</p> <p>Maternity Leave <u>Who is eligible?</u> If you are pregnant, you are eligible to take maternity leave, regardless of the number of hours you work or your length of service.</p> <p><u>What am I entitled to?</u> Up to 26 weeks’ ordinary maternity leave and up to 26 weeks’ additional maternity leave, making a total of 52 weeks’ leave. Additional maternity leave begins on the day after ordinary maternity leave ends. You must take at least two weeks’ maternity leave following the birth of your child.</p> <p>If, tragically, you were to lose your child at 25 weeks or beyond, you have the statutory right to take your full maternity leave and relevant pay.</p> <p>Maternity Pay If you have been continuously employed by the University for a minimum period of 12 months as at the Qualifying Week, and have indicated an intention to return to work, you will be entitled to enhanced maternity pay. If you have been continuously employed by the University for more than 26 weeks, but less than 12 months, before the Qualifying Week, you will be entitled to statutory maternity pay only.</p> <p><u>Enhanced Maternity Pay</u> Enhanced maternity pay is payable either as:</p>	

Option 1

8 weeks on full pay¹, followed by 18 weeks on half-pay plus SMP, followed by 13 weeks' on SMP only and an additional 13 weeks' unpaid leave.

Option 2

17 weeks leave on full pay², followed by 22 weeks on SMP, followed by an additional 13 weeks' unpaid leave.

The University may, at its discretion, extend the period of paid leave in cases of hardship.

The University retains the right to reclaim all or part of the enhanced element of your maternity pay if you fail to return to work following maternity leave (or SPL) and to continue in employment for at least three months. For the purpose of this Policy, 'employment for three months' is defined as being equivalent to three months at the hours worked prior to maternity leave. Sickness absence would not count toward the three-month period.

Statutory Maternity Pay

If you have been continuously employed by the University for less than 12 months as at the Qualifying Week, you may be entitled to statutory maternity pay (SMP). SMP is payable for up to 39 weeks during maternity leave. You are entitled to SMP if:

- you have been continuously employed by the University for at least 26 weeks at the end of the Qualifying Week and you are still employed during that week;
- your average weekly earnings in the eight weeks up to and including the Qualifying Week are not less than the lower earnings limit for national insurance contributions;
- you are still pregnant 11 weeks before the start of the Expected Week of Childbirth (or have already given birth);
- you provide a MAT B1 form stating your Expected Week of Childbirth; and
- you give the University proper notification of your pregnancy in accordance with the rules set out in the Procedures for Applying for Maternity Leave which you can find on the [HR Policy Web Page](#) under Family Friendly Policies

For the first six weeks SMP is paid at the higher rate, which is equivalent to 90% of your average weekly earnings calculated over the period of eight weeks up to and including the Qualifying Week. For the purpose of calculating average weekly earnings, shift allowances, overtime payments, bonuses and commission are all included.

The standard rate of SMP is paid for the remaining 33 weeks (or less if you return to work sooner). This is paid at a rate set by the Government for the relevant tax year, or 90% of your average weekly earnings calculated over the period of eight weeks up to and including the Qualifying Week if this is lower than the Government's set weekly rate.

If you become eligible for a Cost of Living Pay Award between the start of the original calculation period and the end of your maternity leave, the higher or

¹ Full pay includes SMP

² Full pay includes SMP

	<p>standard rate of SMP will be recalculated to take account of your increase in salary, regardless of whether SMP has already been paid. This means that your SMP will be recalculated and increased retrospectively, or that you may qualify for SMP if you did not previously. You will be paid a lump sum to make up any difference between SMP already paid and the amount payable as a result of the pay rise.</p> <p>SMP is treated as earnings and is therefore subject to PAYE and national insurance deductions. The current weekly rate of SMP can be found here.</p> <p>Payment of SMP cannot start prior to the 11th week before your Expected Week of Childbirth. SMP can start from any day of the week in accordance with the date you start your maternity leave.</p> <p>If you qualify for SMP but leave your job at the University for any reason, you are still entitled to SMP. However, if you start work for a different employer you cannot receive SMP for any week in which you carry out work for the new employer.</p> <p>If you do not qualify for SMP, you may be eligible for a Government Maternity Allowance – please ask HR for more details.</p>
<p>7.</p>	<p>PATERNITY LEAVE AND PAY -UK For Dubai employees, please see https://heriotwatt.sharepoint.com/sites/hr-guidanceformanagers/SitePages/Dubai-Policies.aspx</p>
	<p>Paternity Leave <u>Who is eligible?</u> If you are the biological father of the child or the Mother’s Partner, you will be entitled to take paternity leave, provided you have at least 26 weeks’ continuous service with the University at the end of the Qualifying Week or, in the case of adoption, the end of the week in which the Mother is notified of being matched with the child.</p> <p>To qualify for paternity leave, you must have, or expect to have, responsibility for the upbringing of the child and be making the request to help care for the child or to support the child’s Mother.</p> <p>Note: If you intend to take a period of shared parental leave, you must take any period of paternity leave before this. Paternity leave cannot be taken after you have taken a period of shared parental leave.</p> <p><u>What am I entitled to?</u> A single block of one or two-weeks leave may be taken within eight weeks of the birth or adoption of the child. Paternity leave cannot start prior to the birth.</p> <p>If, tragically, you were to lose your child at 25 weeks or beyond, you would still be entitled to take Paternity Leave and pay.</p> <p>Paternity Pay If you are eligible to take paternity leave, you are entitled to full contractual pay throughout the Paternity Leave Period³.</p>
<p>8.</p>	<p>TIME OFF TO ATTEND ADOPTION APPOINTMENTS – UK</p>
	<p><u>Who is eligible and what am I entitled to?</u> Couples who are adopting a child or children with another (joint adopters) may elect for one of them to take paid time off to attend up to five adoption appointments, while the other may take paid time off to accompany them to two appointments. If</p>

³ Full pay includes SPP

	<p>you are adopting on your own, you can take paid time off to attend up to five adoption appointments.</p> <p>Adoption appointments are appointments made by an adoption agency relating to a child being placed for adoption or for a fostering for adoption placement. You may take time off to attend an adoption appointment once the agency has notified you that a child is to be placed with you for adoption but before the child is actually placed with you.</p>
9.	<p>ADOPTION LEAVE AND PAY -UK</p>
	<p>Adoption Leave <u>Who is eligible?</u> If you have been matched with a child for adoption, either jointly⁴ or individually, you are entitled to take adoption leave, regardless of the number of hours you work or your length of service.</p> <p>If you have a child placed with you under a local authority "fostering for adoption" or "concurrent planning" arrangement or are entering into a surrogacy arrangement under which you will be applying for a parental order, you may also be entitled to adoption leave and pay. Please contact HR for more information.</p> <p>You will not qualify for adoption leave or pay if you:</p> <ul style="list-style-type: none"> • arrange a private adoption • become a special guardian • adopt a stepchild <p>If you are adopting a child from overseas, different rules apply. If this is the case, then you should discuss this with a member of the HR Team.</p> <p><u>What am I entitled to?</u> Up to 26 weeks' ordinary adoption leave and up to 26 weeks' additional adoption leave, making a total of 52 weeks. You may start your adoption leave either from the date of the child's placement (whether this is earlier or later than expected), or from a fixed date which can be up to 14 days before the expected date of placement. Leave can start on any day of the week.</p> <p>Adoption Pay If you have been continuously employed by the University for a minimum period of 12 months before the week when the newly matched child is expected to be placed with you, you will be entitled to enhanced adoption pay. If you have been continuously employed by the University for at least 26 weeks, but for less than 12 months, before the week when the newly matched child is expected to be placed, you will qualify for SAP.</p> <p><u>Enhanced Adoption Pay</u> Enhanced Adoption Pay is payable at one of the following:</p> <p>Option 1 8 weeks on full pay⁵, followed by 18 weeks on half-pay plus SAP, followed by 13 weeks on SAP only and an additional 13 weeks' unpaid leave.</p> <p>Option 2</p>

⁴ Only one parent may take adoption leave

⁵ Full pay includes SAP

17 weeks leave on full pay⁶, followed by 22 weeks on SAP, followed by additional 13 weeks unpaid leave.

For these purposes, full pay is your normal basic salary during the relevant period of maternity leave and half pay is half of your normal basic salary during the relevant period of maternity leave. In both cases, it is inclusive of any SMP that may be due for that period.

The University may, at its discretion, extend the period of paid leave in cases of hardship.

The University retains the right to reclaim all or part of the enhanced element of your adoption pay if you fail to return to work following adoption leave (or SPL) and to continue in employment for at least three months. For the purpose of this Policy, 'employment for three months' is defined as being equivalent to three months at the hours worked prior to adoption leave. Sickness absence would not count toward the three-month period.

Statutory Adoption Pay (SAP)

If you have been continuously employed by the University for less than 12 months as at the date of placement, you may be entitled to SAP. SAP is payable for up to 39 weeks during adoption leave. To qualify for SAP you must:

- have been continuously employed by the University for at least 26 weeks before the beginning of the week you are matched with a child;
- your average weekly earnings in the eight weeks up to and including the date you are matched with a child are above the lower earnings limit for national insurance contributions; and
- give the University proper notification of intention to take adoption leave in accordance with the rules set out in the [HR Policy Web Page](#) under Family Friendly Policies

For the first six weeks SAP is paid at the higher rate, which is equivalent to 90% of your average weekly earnings calculated over the period of eight weeks up to and including the date you are matched with a child. For the purpose of calculating average weekly earnings, shift allowances, overtime payments, bonuses and commission are all included.

The standard rate of SAP is paid for the remaining 33 weeks (or less if you return to work sooner). This is paid at a rate set by the Government for the relevant tax year, or 90% of your average weekly earnings calculated over the period of eight weeks up to and including the week that you are matched with a child, if this is lower than the Government's set weekly rate.

If you become eligible for a Cost of Living Pay Award between the start of the original calculation period and the end of your adoption leave, the higher or standard rate of SAP will be recalculated to take account of your increase in salary, regardless of whether SAP has already been paid. This means that your SAP will be recalculated and increased retrospectively, or that you may qualify for SAP if you did not previously. You will be paid a lump sum to make up any difference between SAP already paid and the amount payable as a result of the pay rise.

SAP is treated as earnings and is therefore subject to PAYE and national insurance deductions. The current weekly rate of SAP can be found [here](#).

⁶ Full pay includes SAP

	<p>If you qualify for SAP but leave your job at the University for any reason, you are still entitled to SAP. However, if you start work for a different employer you cannot receive SAP for any week in which you carry out work for the new employer.</p> <p>If you do not qualify for SAP, you should discuss the situation with a member of the HR Team. You may be able to apply for annual leave or parental leave over the period of adoption.</p>
10.	SHARED PARENTAL LEAVE AND PAY – UK
	<p><u>Who is eligible?</u></p> <p>You and your partner may be able to get Shared Parental Leave (SPL) and Statutory Shared Parental Pay (SSPP) if you're:</p> <ul style="list-style-type: none"> • having a baby • using a surrogate to have a baby • adopting a child • share responsibility for the child <p>You're not eligible if you started sharing responsibility for the child after it was born.</p> <p>To be eligible for SPL and SSPP both parents must:</p> <ul style="list-style-type: none"> • share responsibility for the child at birth, on the child's due date or birth date if you're using a surrogate, or the date they're placed with you if you're adopting • meet work and pay criteria - these are different depending on which parent wants to use the shared parental leave and pay <p>You can check if you can get SPL and SSPP. You'll need to know:</p> <ul style="list-style-type: none"> • your child's due date or birth date or the match date if you're adopting • your and your partner's employment status and earnings • if you and your partner can get SMP or SPP <p><u>Qualifying Criteria</u></p> <p>If you meet the following criteria, you will be entitled to apply for SPL and SSPP:</p> <ul style="list-style-type: none"> • you are either a Mother or Partner; • you have at least 26 weeks' continuous employment with the University by the end of the Qualifying Week, and are still employed by the University in the week before the leave is to be taken; • the other parent must have worked (in an employed capacity) at least 26 of the 66 weeks before the Expected Week of Childbirth or by the end of the week your child was placed with your family and their average weekly earnings are at least £390 in total in 13 of the 66 weeks (add up the highest paying weeks, they do not need to be in a row); • you must each earn on average at least £120 a week. If you usually earn an average of £120 or more a week each, and you only earned less in some weeks because you were on furlough under the Coronavirus Job Retention Scheme (CJRS), you may still be eligible. • you and the other parent must give the necessary notices and declarations as summarised in the SPL Procedure; • the Mother must qualify for statutory maternity/adoption leave and/or statutory maternity pay, statutory adoption pay or maternity allowance, and must take at least 2 weeks of this, and have given her employer notice of the date her maternity or adoption leave will end <p><u>What am I entitled to?</u></p>

You can share up to **50 weeks of leave and up to 37 weeks of pay** between you and you need to share the pay and leave in the first year after your child is born or placed with your family.

SPL

You can use SPL to take leave in blocks separated by periods of work or take it all in one go. You can also choose to be off work together or to stagger the leave and pay.

To calculate how many weeks of SPL you and your partner are entitled to, you need to deduct any weeks spent by the Mother on maternity or adoption leave (or the weeks in which the Mother has been in receipt of SMP, SAP or maternity allowance if she is not entitled to maternity/adoption leave) from the Mother's total maternity/adoption leave entitlement of 52 weeks. The remaining weeks may be taken as SPL.

Mothers cannot start SPL until 2 weeks after the birth of the child. If Partners intend to take paternity leave, this must be taken before any period of SPL, otherwise it will be lost. The 2 week period of paternity leave is in addition to any period of SPL.

SSPP

Provided that you satisfy the qualifying conditions noted above, you can share up to 37 weeks of SSPP with your partner. As a Mother must take 2 weeks' maternity or adoption leave prior to SPL commencing, the maximum amount of SSPP available to you is 37 weeks. You may also be entitled to Enhanced Shared Parental Pay (ESPP) – see below for further details.

SSPP will stop being payable if you return to work (except where you attend work for a 'SPLIT' day, as detailed below). Any SPL in excess of the 37-week SSPP period is unpaid.

The weekly rate of statutory SSPP is the lower of:

- the prescribed rate which is set by the Government for the relevant tax year, or the Earnings-Related Rate if this is lower; and
- 90% of the normal weekly earnings of the employee.

The current weekly rate of SSPP can be found [here](#):

Both ESPP and SSPP are treated as earnings and are therefore subject to PAYE and national insurance deductions.

Enhanced Shared Parental Pay (ESPP)

You will be entitled to ESPP if you:

- Have been continuously employed by the University for a minimum period of 12 months as at, in birth cases, the Qualifying Week, or in adoption cases, as at the date of placement;
- have provided the right notice and evidence required as set out in this Procedure;
- are eligible for SPL and entitled to SSPP in respect of each week you intend to claim ESPP; and
- have indicated an intention to return to work,

Like SSPP, your entitlement to ESPP will depend on how many weeks of Enhanced Maternity Pay (EMP), SMP or SAP the Mother has claimed. As a Mother must take 2 weeks' maternity or adoption leave prior to SPL commencing, the maximum amount of ESPP available to you is 37 weeks. We have set out below how you can calculate your entitlement to ESPP if you are a Mother or a Partner.

	<p>ESPP is 15 weeks' leave on full pay⁷, followed by 22 weeks on SSPP and then an additional 13 weeks' unpaid leave.</p> <p>ESPP includes any entitlement to SSPP. Payment of SSPP begins at the same time as ESPP. You will cease to be entitled to ESPP if you cease to meet the eligibility requirements for SSPP or SPL. The University may, at its discretion, extend the period of paid leave in cases of hardship.</p> <p><u>ESPP for Mothers</u></p> <p>If you have received any enhanced maternity pay or enhanced adoption pay and intend to claim ESPP, no combination of payments (i.e. ESPP plus enhanced maternity or adoption pay) will exceed the number of weeks of EMP as per the maternity pay option selected (on the basis that the Mother has taken 2 weeks' compulsory maternity/adoption leave):</p> <p><u>ESPP for Partners</u></p> <p>Your entitlement to ESPP will be reduced by the number of weeks of EMP, SMP, SAP, maternity allowance or SSPP that the Mother has taken. To calculate how many weeks of ESPP you are entitled to, you should deduct any weeks of SMP, SAP, maternity allowance or SSPP claimed by the Mother from the Mother's total entitlement of 39 weeks.</p> <p><u>Both parents employed by the University</u></p> <p>Where both parents work for the University, the combined enhanced payments made to both employees (including any enhanced maternity, adoption or shared parental pay) will not exceed the total enhanced maternity pay as per the option selected (see EMP options above)</p> <p><u>Right to reclaim ESPP</u></p> <p>The University retains the right to reclaim the whole or part of the enhanced element of shared parental pay if you;</p> <ul style="list-style-type: none"> • fail to return to work following the final period of your SPL • Fail to continue to be in employment for at least 3 months further to you returning from SPL <p>For the purpose of this Policy, 'employment for 3 months' is defined as being equivalent to 3 months at the hours worked prior to SPL (or prior to maternity, adoption or paternity leave if relevant). Sickness absence would not count toward the 3-month period.</p> <p>Leave should be requested in line with the Procedure for Applying for SPL and SSPP on the HR Policy Web Page under Family Friendly Policies.</p>
<p>11.</p>	<p>PARENTAL LEAVE AND PAY – UK</p>
	<p>Parental Leave</p> <p><u>Who is eligible?</u></p> <p>You are eligible for parental leave if you have one year's continuous service and:</p> <ul style="list-style-type: none"> • are a named parent or have acquired formal parental responsibility for a child; • have adopted a child; or • are a named parent or adoptive parent of a child who has been awarded disability living allowance. <p>A child means an individual under the age of 18.</p> <p><u>What am I entitled to?</u></p>

⁷ Full pay includes SSPP

	<p>Up to 18 weeks' unpaid leave can be taken per child (pro rata for part-time employees). If you have twins, you will be entitled to 18 weeks' leave for each child. Leave must be taken in blocks or multiples of one week. A maximum of four weeks parental leave in any one year can be taken in respect of any individual child. If your child is disabled the leave can be taken in blocks or multiples of one day.</p> <p>Parental Leave Pay Parental Leave is unpaid.</p>
12.	<p>CARERS' LEAVE AND PAY – GLOBAL</p>
	<p>Carers' Leave <i>Who is eligible?</i></p> <p>In line with the NHS England definition, a carer is anyone, including children and adults who looks after a family member, partner or friend who needs help because of their illness, frailty, disability, a mental health problem or an addiction and cannot cope without their support. The care they give is unpaid.</p> <p>You are eligible to apply for carers' leave regardless of your length of service, if you meet the required definition of a carer set out above. The leave can only be taken for dependants for whom you have a caring responsibility. You may meet the definition of a carer on a permanent or temporary basis.</p> <p>Employees with day-to-day childcare responsibilities that fall outside of this definition should refer to the relevant sections of this policy on how to support family life.</p> <p>The activities that staff with caring responsibilities undertake can be wide ranging, including, but not limited to:</p> <ul style="list-style-type: none"> • help with personal care • help with mobility • managing medication • practical household tasks • emotional support • attending medical appointments • help with financial matters or paperwork <p>Carers may also need time off work to fulfil other caring requirements such as (but not limited to):</p> <ul style="list-style-type: none"> • Attending medical appointments with a dependant • Dealing with a dependant's discharge from hospital • To provide support during post-operative recovery • Setting up a care package with a local authority • Providing emotional and/or practical support to a dependant who is particularly vulnerable, physically or mentally. <p>If you are a carer under the definition outlined above, we invite you to join the Carer Register. This is a formal list of employees who have identified themselves as carers and will be used as means of offering support. The information held on this register will only be available to your own Line Manager and Human Resources. You can register using the form found on the HR Policy Web Page under Family Friendly Policies</p> <p><i>What am I entitled to?</i></p> <p>Employees can request up to 5 days paid leave and a further 5 days unpaid leave in a rolling 12-month period. Carers' leave may be taken as a continuous period or as individual days or half days throughout the 12-month period.</p>

	<p>Carers' leave can be requested in addition to the other leave available in this Policy that may be applicable to time off for caring for dependants. Carers' leave should be requested in line with the Procedure for Requesting Carers' Leave on the HR Policy Web Page under Family Friendly Policies.</p>
13.	EMERGENCY DEPENDANTS LEAVE AND PAY-UK
	<p>Emergency Dependants Leave</p> <p><u>Who is eligible?</u> You are eligible to apply for Emergency Dependants Leave regardless of your length of service. The leave can only be taken in respect of dependants, which means your husband, wife, civil partner, partner, child or parent. It also includes someone who lives in the same household as you. For example, this could be an elderly aunt or grandparent who lives in the household. It does not include tenants or boarders living in the family home, or someone who lives in the household as an employee, such as a live-in housekeeper.</p> <p>In cases of illness or injury, or where care arrangements break down, a dependant may also be someone who reasonably relies on you for assistance. This may be where you are the primary carer or the only person who can help in an emergency; for example, an aunt who lives nearby who you look after outside work falls ill unexpectedly, or an elderly neighbour living alone who falls and breaks a leg, where you are closest on hand at the time of the fall.</p> <p><u>What am I entitled to?</u> The amount of time off that you are entitled to will vary according to the circumstances of the particular emergency. It may be for a small proportion of the working day or for the whole day. In most cases, the amount of time off will not exceed one or two days. You have the opportunity to make the time up later or to use some of your annual leave. If you have already previously worked in excess of your contracted hours without being paid then it would be reasonable to allow you the time off. Line managers should use discretion, compassion and common sense in these situations. If none of the options outlined are possible then the time off to deal with the emergency is unpaid.</p> <p>Emergency Dependants Leave is usually <u>unpaid</u>; however, you may have the opportunity to make the time up later or to use some of your annual leave. If you have already previously worked in excess of your contracted hours without being paid then it would be reasonable to allow you paid time off.</p> <p>Emergency Dependants Leave is meant for <u>short-term emergency situations</u>, to enable you to make immediate arrangements. Should you need more time off please see other parts of this Overarching Policy and discuss with your Line Manager suitable additional support, which may also include making use of Carers' Leave</p>
14.	COMPASSIONATE LEAVE AND PAY – UK/ Dubai
	<p>Compassionate Leave</p> <p><u>Who is eligible?</u> You are eligible to apply for Compassionate Leave, regardless of your length of service.</p>

	<p><u><i>What am I entitled to?</i></u> This will depend on the particular circumstances of each situation, but the minimum entitlement is usually paid time off to attend the funeral of a family member, close friend or colleague. Compassionate Leave may also apply in other circumstances; for example, if a close family member, friend or former long-standing partner is involved in an accident or is diagnosed with, or is in the final stages of, a terminal illness; or where someone has suffered a pregnancy-related loss. The amount of time off will vary according to the circumstances, with the maximum entitlement usually being up to 5 days of paid leave. Line managers should use discretion, compassion and common sense in these situations. Please see further information below with regards to the death of a child.</p> <p>Compassionate Leave Pay Compassionate Leave is usually paid up to a maximum of 5 days. <u>Dubai employees</u> are entitled five days off upon the death of a spouse and three days off upon the death of a direct family member.</p>
<p>15.</p>	<p>PARENTAL BEREAVEMENT LEAVE AND PAY - GLOBAL</p>
	<p><u><i>Who is eligible?</i></u> You are eligible to take Parental Bereavement Leave, regardless of your length of service, if:</p> <ul style="list-style-type: none"> • You are the parent of the child. • You are the partner of the child's parent. You lived in an enduring family relationship with the child and their parent. • You are the "parent in fact" of the child. You were, for a continuous period of at least four weeks before the child passed away, living with the child and had "day-to-day responsibility" for the child, but you were not paid to care for the child. • You are the child's adopter⁸ within the UK. The child was placed with you for adoption within the UK and the placement has not been disrupted. • The child was living with you following their entry into the UK for the purpose of adoption and you have received official notification in respect of the child. • You are the "natural parent" of a child who has passed away who is named in a court order, i.e. where a court orders some contact for an adopted child's birth parent. • You are the "intended parent" of the child (i.e. a parent using a surrogate in the UK). • You or your partner suffer a stillbirth after 24 weeks of pregnancy⁹. <p><u><i>What am I entitled to?</i></u> You can take two weeks of paid parental bereavement leave within 56 weeks of the child's death, taken as either:</p> <ul style="list-style-type: none"> • a single block of two weeks; or • two separate week blocks at different times <p>In line with the Parental and Bereavement (Leave and Pay) Act 2018, you cannot take the leave as individual days.</p> <p>If you have lost more than one child, you have a separate entitlement to bereavement leave for each child who has passed away.</p> <p>If you wish to begin the leave within the first 56 days after the child's death, you can take the leave straight away. You should advise your line manager/HR of your</p>

⁸ Adoption and surrogacy are not applicable in Dubai

⁹ You also have a statutory entitlement to take full maternity leave in these circumstances.

	<p>intention to take parental bereavement leave any time before your usual start time. However, we recognise that this may not be feasible therefore notice can also be provided as soon as it is “reasonably practicable” to do so.</p> <p>If you wish to begin the leave more than 56 days after the child's death, you will be required to give at least one week's notice of your intention to take parental bereavement leave.</p> <p>Parental Bereavement Pay To receive Parental Bereavement Pay, you must be employed by the University on the date of the bereavement.</p> <p>We recognise the need to provide bereaved parents with as much support as possible and will continue to pay normal pay during the two-week period of parental bereavement leave.</p> <p>Managers should seek advice from HR if they wish to grant a longer period of paid leave.</p>
16.	TERMS AND CONDITIONS – UK SPECIFIC
	<p>Maternity, Paternity, Adoption, Emergency Dependants and Shared Parental Leave Your contract of employment will continue in force during any period of maternity, paternity, adoption, emergency dependants or shared parental leave and you are entitled to receive all your contractual benefits, including salary sacrifice schemes, except for salary.</p> <p>Parental Leave During unpaid parental leave your employment contract will continue for certain purposes and certain contractual benefits and obligations remain in force. Further information can be obtained from the HR Department.</p>
17.	ANNUAL LEAVE
	<p>Maternity, Adoption and Shared Parental Leave¹⁰ As you will continue to accrue your full, contractual annual leave entitlement during your family-related leave, you and your line manager should work together to agree the most appropriate time for you to take this leave. You may take outstanding annual leave either at the beginning or at the end of your period of family-related leave.</p> <p>A combination of taking some annual leave prior to your period of maternity, adoption or shared parental leave, and some afterwards, may be possible; as with all annual leave requests this must, however, be in agreement with your line manager and according to operational requirements.</p> <p>We will not make payments in lieu of outstanding annual leave entitlement accrued during any period of family-related leave.¹¹</p>
18.	PENSION – UK SPECIFIC
	<p>Maternity, Paternity, Adoption and Shared Parental Leave Pension contributions will continue to be made during any period when you are receiving enhanced or statutory maternity, paternity, adoption or shared parental</p>

¹⁰ Maternity & Paternity Leave only in Dubai

¹¹ Except for staff in Dubai where accrued leave is paid on termination

	<p>pay. Your contributions will be based on actual pay, while University contributions will be based on the salary that you would have received had you not taken maternity, paternity, adoption or shared parental leave. During any unpaid period of maternity, paternity, adoption or shared parental leave you and the University will not be required to make any contributions to your pension. However, you may be able to pay in additional contributions – you should contact the Payroll Department for further information via the Help Desk</p> <p>Parental and Emergency Dependants Leave Pension contributions will not continue during any period of unpaid parental or emergency dependants leave. However, you may be able to pay in additional contributions – you should contact the Payroll Department for further information via the Help Desk.</p>
19.	CHILD CARE VOUCHERS – UK SPECIFIC
	Heriot Watt University’s Childcare Voucher scheme is now closed to new members. However, you can participate in the Governments New Tax-Free Childcare Scheme. For further information and details of this scheme visit here .
20.	RIGHTS ON AND AFTER RETURN TO WORK
	<p>Maternity, Paternity, Adoption, Shared Parental, Parental, or Parental Bereavement Leave You will normally be entitled to return to the job in which you were employed before you took maternity, paternity, adoption, shared parental, parental leave or parental bereavement leave and on the same terms of employment.</p> <p>However, if it is not reasonably practicable for the University to allow you to do so, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, but only in the following circumstances: if the maternity, paternity, adoption, parental, shared parental, or parental bereavement leave you have taken adds up to more than 26 weeks in total; or if you took more than four weeks of parental leave.</p> <p>Upon your return to work you may make a request to change your hours or working pattern through the University’s Flexible Working Policy. Requests for part-time work or other flexible working arrangements will be considered both to support where possible, colleagues’ balance between home and work lives and the operational requirements of the University’s business; however, there is no automatic right to make changes to your working patterns.</p> <p>If you would like to consider an alternative working pattern, you should refer to the policy on Flexible Working and apply as soon as possible in advance of your return date, and with a minimum of three months’ notice, so that there is adequate time for full consideration of the request.</p>
21.	ABUSE OF RIGHTS
	Any abuse of this Policy and its linked Procedures is likely to result in disciplinary action being taken in accordance with the University’s Disciplinary Policy.
22.	PROCEDURES FORMING PART OF THIS POLICY
	For each of the types of leave set out in this Policy, there is a supporting Procedure, which sets out details of how to apply, lines of responsibility, how leave is calculated and paid and any other action required. Each Procedure, together with the relevant

	<p>form to complete to request the leave may be found on the HR Policy Web Page under Family Friendly Policies:</p> <ul style="list-style-type: none"> • Applying for Maternity Leave • Applying for Paternity Leave • Applying for Adoption Leave • Applying for Parental Leave • Applying for Shared Parental Leave • Applying for Emergency Dependants Leave • Time off for Antenatal Appointments • Time Off for Adoption Appointments • Applying for Compassionate Leave • Applying for Carer's Leave • Applying for Parental Bereavement Leave
23.	MONITORING AND EVALUATION
	<p>This Policy and related Procedures will be reviewed every five years from the date of implementation, or earlier if legislation dictates. Any amendments will be notified to employees through the normal communication channels and/or e-mail. This Policy and related Procedures will be maintained on the Human Resources Website and Intranet pages.</p> <p>Records and information obtained under this Policy and the related Procedures will be kept held and reported on in line with the Data Protection Act 2018¹², the University's Records Retention Policy and in line with the Staff Privacy Notice. In particular, data collected as part of the Carers' Register is held securely and accessed by, and disclosed to, individuals only for the purposes of assessing eligibility for Carers' pay; sharing useful information with the group as an anonymous distribution list or with individual's line managers,</p> <p>General statistics are maintained and reported for equal opportunities monitoring, Athena SWAN and other accrediting bodies, Freedom of Information requests and key performance indicator purposes.</p> <p><u>Any reports produced using this information will be kept securely and confidentially with personal data removed in accordance with the UK Data Protection Act 2018 and the University's Records Retention Policy.</u></p>
24.	RELATED POLICIES, PROCEDURES AND FURTHER REFERENCE
	<p>The University has a range of policies and procedures relating to other types of leave which are not restricted to parents or carers on the HR Policy Web Page and which are identified as Global or UK, Dubai or Malaysia specific. Some examples are:</p> <p>Policies</p> <ul style="list-style-type: none"> • Annual Leave Policy (Global) • Flexible Working Policy (UK) • Leave of Absence Overarching Policy (UK)
	<p>Procedures and Guidance</p> <p>Procedures linked to the Leave of Absence Overarching Policy:</p> <ul style="list-style-type: none"> • Sabbaticals • Career Breaks • Volunteering

¹² The appropriate relevant legislation in Malaysia is the Personal Data Protection Act 2010

	<ul style="list-style-type: none"> • Public Duties • Severe/Adverse Weather Guidance <p>Procedures linked to the Flexible Working Policy:</p> <ul style="list-style-type: none"> • Flexible Working Procedures • Flexible Working Request Form • Flexible Working Guidance and FAQs • Flexible Working Flowchart <p>Further Guidance and resources may be found here:</p> <ul style="list-style-type: none"> • https://www.hw.ac.uk/uk/services/equality-diversity/athena-swan/policies-guidance-and-useful-links.htm • https://heriotwatt.sharepoint.com/sites/hr-familyfriendly 												
	<p>Further reference: For information about Athena SWAN Charter and Principles and the University's Action Plans: www.hw.ac.uk/athenaswan</p>												
25.	FURTHER HELP AND ADVICE												
	<p>Please contact the HR helpdesk for queries regarding this Policy and linked Procedures,</p> <p>For queries regarding statutory payments, additional payments and pension scheme contributions during leave you can contact HR helpdesk or HWU Help Desk and select Staff Systems – Payroll button.</p> <p>The University has an Employee Assistance Programme which is available across all Campuses and employees can utilise this service to speak with independent and trained counsellors on matters of wellbeing, including workplace issues.</p>												
26.	POLICY VERSION AND HISTORY												
	<table border="1"> <thead> <tr> <th data-bbox="268 1245 456 1312">Version No</th> <th data-bbox="456 1245 719 1312">Date of Approval</th> <th data-bbox="719 1245 954 1312">Approving Authority</th> <th data-bbox="954 1245 1401 1312">Brief Description of Amendment</th> </tr> </thead> <tbody> <tr> <td data-bbox="268 1312 456 1379">V.1.5</td> <td data-bbox="456 1312 719 1379">September 2019</td> <td data-bbox="719 1312 954 1379">UE</td> <td data-bbox="954 1312 1401 1379">Updated to reflect 2 enhanced maternity pay options</td> </tr> <tr> <td data-bbox="268 1379 456 1552">V 1.6</td> <td data-bbox="456 1379 719 1552">October 2021 implemented Mar 22</td> <td data-bbox="719 1379 954 1552">UE</td> <td data-bbox="954 1379 1401 1552">Updated to include procedures for Carers and Parental Bereavement Leave and to reflect Dubai Labor Law changes</td> </tr> </tbody> </table>	Version No	Date of Approval	Approving Authority	Brief Description of Amendment	V.1.5	September 2019	UE	Updated to reflect 2 enhanced maternity pay options	V 1.6	October 2021 implemented Mar 22	UE	Updated to include procedures for Carers and Parental Bereavement Leave and to reflect Dubai Labor Law changes
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