

Hilary term HR Policy Briefing 6 February 2025

Welcome to this session for HR colleagues.

We will be recording this session so your camera and microphone will be disabled during the recording

The Q&A function will be active but questions will only be taken after recording ends.

Agenda

- Team News
- General updates
- Family leave changes

Ruth Kinahan, HR Policy Manager, Kate Butler, Anita Paterson, HR Policy Officers

Team News

- Ruth Kinahan – moving to new role at Regent's Park College mid-February
- Tracy Fahey – maternity leave started December, Anita Paterson covering
- Other interim arrangements:
 - Kathryn Fairhurst Jones – Policy Manager
 - Ornella Sciuto – Policy Officer

Employment Rights Bill

- Keeping a close watching brief on expected developments
 - Protection from unfair dismissal becoming a Day One right;
 - Changes to Trade Union legislation including the turnout threshold for Trade Union industrial action ballots being removed and changes to collective consultation;
 - Changes to zero hours/variable hours workers rights;
 - Changes to family leave;
 - A new statutory right for bereavement leave; and,
 - Enhanced protection from dismissal for pregnant women and new mothers.



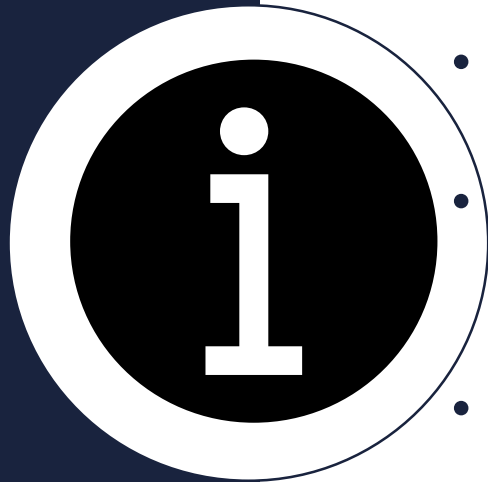
Statutory Neonatal Care Leave and Pay

- Regulations now published
- New entitlement to up to 12 weeks additional leave to parents of children needing neonatal care of at least 7 days within 28 days of birth
- Leave available in min week blocks, depending on length of hospital care (or similar) required
- Leave to be taken within 68 weeks of birth
- Available to both parents of children born after 6 April 2025
- Statutory leave and pay equivalent to SMP
- Guidance will be available later this term (inc rate of pay)
- Current cases - departmental discretion to award special paid leave available at any time

General updates

Holiday pay

- Reminder: where rolled-up holiday pay used (casual teachers, casual student ambassadors) it is **automatically added** by the system – do not request holiday pay for these staff (WFM solution coming)
- Casual examiners – if you are paying outside EAP please email hr.policy@admin.ox.ac.uk
- For casuals, and variable hours staff holiday is accrued and can be:
 - booked and taken within the contract term or
 - paid in lieu at the termination of employment.
- Not currently possible to distinguish between these
- New casual spreadsheet - 2 new paycodes
 - **Holiday pay taken** – for those taking accrued leave (only variable hours employees and casual workers)
 - **Holiday pay in lieu** – for leavers only
 - Please use the right option



General updates



Prevent Duty training

- Counter-Terrorism and Security Act 2015 creates a statutory duty for Universities to 'have due regard to the need to prevent people from being drawn into terrorism'.
- This includes a duty for relevant staff to engage in training
- HR staff are included in the University's Training Plan under the Prevent Duty (welfare aspect of HR roles)
- Take up is monitored through CoSY and reported to OfS
- Please complete online training (annually) - [Training | Compliance](#):
 - New: 30 minute, summary version has been added
 - 1 hour session also available

New: Oxford University Additional Paternity/Partner Leave (OUAPPL)

Note: applies to fathers, and partners of mothers, and 'second' adopters equally regardless of sex, marital status, etc.

- Pay and Conditions Review recommendation 19(a):
“Adjust family leave policies to allow for greater flexibility, according to individual needs and circumstances. Specifically: (...) increase paid paternity leave entitlement for all staff from the current allocation of two weeks to 12 weeks”
- Individual entitlement - greater balance between parents
- Sector-leading offering (only Cambridge match)
- Launched 5 Feb to HoDs (Cascade), w/c 10 Feb to all staff (Bulletin)

Considerations in development

- Fairness and mindful of other family leave ie
 - 52 week parameter remains
 - No more than 26 weeks leave at full pay for either parent
 - to care for a new child not the new mother
- OUAPPL – to differentiate from statutory scheme and encompass partners more visibly
- Surveyed new parents for views on how leave would be most popular/use – flexibility was key
- Poor understanding of ShPL. OUAPPL will be easier to access and administer than ShPL

OUAPPL - outline

- Implementation date - 31 January 2025
- Transitional arrangements for babies born/children placed before scheme implementation date (pro-rata)
- Statutory Paternity Leave (SPL) unaltered – up to 2 weeks
- OUAPPL - up to 10 further weeks leave at the rate of full pay
- No statutory framework (employer scheme)
- Personal, non-transferrable, entitlements ('use it or lose it')
- Available as Day One entitlement
- Take as single block or up to 3 blocks
- Can be added to SPL to create 12 week block
- Min period = 1 week
- Leave must be booked and taken within 52 week period following birth/placement
- If taken in combination with SPL and ShPL no more than 26 weeks leave at rate of full pay is available

Eligibility

Available to all University employees, regardless of contract type, subject to:

- The baby being due, born or placed for adoption on or after 31/1/25 (transitional arrangements apply), and
- Having started work with University at least 1 day before birth/placement, and
- Sharing formal responsibility, with the mother, for care of the child and using the leave to care for the child, and
- Having a current contract of employment in place throughout the intended period of leave, and
- Giving appropriate notice, and
- Intending to return to work after the leave (for FTC staff this means meaningful engagement with redeployment, etc)

Notification and booking

- Paternity Leave Plan has been updated to cover both SPL and OUAPPL
- (Unless qualifying under Day One) Plan must be completed by Qualifying Week (15 weeks before EWC), including requested dates of leave (SPL and OUAPPL)
- If changes to dates are needed, minimum notice is:
 - 4 weeks for SPL
 - 8 weeks for OUAPPL
- Request for a single block of OUAPPL automatically approved
- Requests for multiple blocks subject to operational requirements (dept can suggest alternative dates)
- Staff with multiple University employment contracts must take the leave from all posts at the same time.
- NB college posts are subject to college-offered schemes: some will mirror OUAPPL

Further details

Although not a statutory scheme, OUAPPL mirrors many statutory provisions:

- In the event of multiple birth/adoption no further leave due
- Contractual benefits continue to apply (accrual of leave, etc)
- Arrangements for keeping in touch should be agreed
- If employee decides not to return, or does not return for minimum of 3 months, the costs are recoverable from the employee

But

- As the purpose of the leave is to care for the child, in the case of miscarriage or stillbirth compassionate or Parental Bereavement Leave apply, but OUAPPL is not available (but stat pat leave may be)
- Statutory Protection from Redundancy (pregnancy and family leave) Act 2023 provisions do not apply

Reminder: Protection from Redundancy (Pregnancy and Family Leave) Act 2023

- Provisions apply to those who :
 - Are pregnant
 - Are on maternity, adoption, or a period of shared parental leave
 - Have returned from one of these (for ShPL min 6 weeks) and is still within 18 months of the birth/placement date
 - Had a stillbirth and is within 18 months of this, or had a miscarriage and is within 2 weeks of this date
- Statutory enhanced protection from redundancy (priority over all other candidates)
- Cannot be applied to OUAPPL as it is an employer, and not statutory, scheme

Covering OUAPPL absences

- Guidance not prescriptive about cover arrangements which are subject to local circumstances
- Important not to overload colleagues
- Cover options include:
 - Temporary cover posts
 - Acting-up allowances
 - Postponing work
- External funders have varying response to additional family leave costs
- Divisions have been asked whether [Framework: family leave for researchers and academics | HR Support](#) should be extended to include OUAPPL

Transitional arrangements

- No retrospective entitlement
- But pro-rata entitlement may apply if:
 - parent was employed by University when child born/placed (and remains employed) and
 - It is less than 12 months since the child was born/placed and in remaining period there is time to book and take the leave and
 - The OUAPPL combined with SPL and ShPL booked or taken would not be more than the maximums of 52 weeks leave and 26 weeks full pay.
- Pro-rating methodology: 1 day/ 0.2FTE of paid leave for every complete week after 31/1/25 within the 52 week period since the child was born or placed
 - Eg child born 30 August 2024.
 - As at 31/1/25 30 weeks of the year to 1st birthday remain
 - OUAPPL entitlement (for full time employee) is 30 days (6 weeks) to be used by 29 August 2025
- Notice/booking period still applies (min 8 weeks)

'Converting' leave from other schemes

- Some parents booked leave dates pending new entitlement
- HR advice - notification requirements could be met by booking leave through existing schemes (eg Annual Leave, Statutory Unpaid Parental Leave, Shared Parental Leave)
- Departments are asked to be flexible in allowing staff to 'convert' such leave to OUAPPL (subject to eligibility and notification periods being met and operational requirements)

Recording OUAPPL and Payroll

- OUAPPL must be recorded separately from Statutory Paternity Leave in the system because:
 - No statutory pay element (or offset) for OUAPPL
 - PC need a report on take-up and costs after 12 months
- New codes
 - **Code: APPLS** - Description: ADDITIONAL PATERNITY/PTNER LEAVE (START)
 - **Code: APPLR** Description: ADDITIONAL PATERNITY/PTNER LEAVE (RTN)
- SPL and OUAPPL start and end dates must be recorded each time it is taken (if taken in multiple blocks)
- No action for Payroll as no statutory offset or change to pay – just a record of leave
- Payroll form updated. Also clarifies only used for SPL where statutory offset applies (ie not Day One)

Review

- Scheme to be reviewed after 12 months
- Please update PXD records regularly to enable reporting
- However, not all data will be available from PXD
- Look out for survey early next year covering part-year entitlements, arrangements for backfill, costs
- Other issues to be reviewed include:
 - Returning Carers Fund
 - Possible amendments to Shared Parental Leave

Where to find more information



- Website - [Paternity leave | HR Support](#)
- URL unchanged but now:
 - Overview pay
 - Separate pages for SPL and OUAPPL
- Related schemes, guidance and documentation has been updated
- If you find gaps, please email hr.policy@admin.ox.ac.uk

Questions?