Policy for parental leave for doctoral researchers

1. Introduction

This policy is designed to ensure that individuals with caring responsibilities for young children are treated fairly and consistently and are not treated less favourably than other students as a result of their parental responsibilities. Following the birth or placement of a child, eligible doctoral researchers can take maternity, adoption, or paternity leave as appropriate.

2. Definition of terms used

2.1. Doctoral researchers – this refers to those students on MPhil/PhD, EngD/Professional Doctorate, or 1+3 funded programmes. The term ‘student’ refers to this category of student throughout.

2.2. Maternity leave – a period of up to 52 weeks of leave that may be taken by research students following the birth of a child.

2.3. Adoption leave – a period of up to 52 weeks of leave that may be taken by research students following the placement of a child with an adoptive parent.

2.4. Paternity leave – ordinary paternity leave refers to a period of up to two weeks leave available to the partner of the person giving birth, the partner of the primary adopter or an intended parent (for those having a baby through a surrogacy agreement), regardless of gender.

2.5. Shared parental leave – this is no longer included in this policy because it is not possible under government regulations where one partner is employed and the other partner is being paid through a studentship scheme; where both partners are students on similar studentships scheme, an informal arrangement in order to share leave may be possible.

2.6. Unpaid parental leave – a period of up to 50 weeks of unpaid leave that may be taken by research students following the birth of a partner’s child, regardless of gender.

3. Terms and Conditions

3.1. SUSPENSION OF STUDY

3.1.1. Any student applying for maternity, adoption, paternity, and unpaid leave should apply for an interruption of studies via the Research Degrees Office for the relevant period.

* Students who are supported by a student (Tier 4) visa should seek advice from the Student Immigration Advice and Compliance Team to discuss how an interruption of study affects the Student visa.
3.2. PAYMENTS TO STUDENTS

3.2.1. UKRI-funded students will be entitled to payment for maternity, adoption, and paternity leave as outlined in this policy.

3.2.2. Students who are funded by University College London (central or department) will be entitled to payment for maternity, adoption, and paternity leave as outlined in this policy.

3.2.3. For students who receive external funding administered through UCL, the department must check the funder Terms and Conditions found in the grant or the contract whether they will cover these costs. If parental leave is not mentioned, the department must write to the funder to ask whether these costs can be covered or not. If not, we strongly recommend that departments endeavour to cover these costs from departmental/faculty funds in keeping with the Equality, Diversity, and Inclusion aims of the university, although we are not under legal obligation to do so.

3.2.4. Students who are self-funded and those funded directly from an external organisation (and those entitled to tuition fee only awards), are entitled to the periods of leave detailed within this policy but will not be eligible for any financial support from the University.

3.2.5. Payments made to university-funded students who are part-time will be subject to a pro-rata adjustment in line with the percentage of funding received.

3.3. STUDENTS WITH PGTA CONTRACTS

3.3.1. In the case of students who hold a PGTA contract, advice should be sought from HR about eligibility for Maternity Pay via their employment contract.

3.4. STUDENTS WITH UKVI STUDENT (TIER 4) VISAS

3.4.1. In the case of students sponsored by the University under UKVI Student (Tier 4) visa, suspension as a result of parental leave may require the University to withdraw sponsorship and for the student to return to their home country for the duration of the leave. In such cases, students will thereafter need to apply to the University for a new CAS number to apply for a new visa to resume their studies.

3.4.2. All requests for parental leave must be made in good time to permit time for approval of the request and to ensure travel home can be made following the report of the suspension to the UKVI.

3.4.3. In all cases, advice should be sought from the Student Immigration Advice and Compliance Team as early as possible (especially in the case of a pregnancy) to ensure compliance with the Student (Tier 4) visa can be maintained.

3.5. REPAYMENT OF STIPEND PAYMENTS

3.5.1. Should a student not return to their studies after the temporary withdrawal, any stipend paid above the prevailing reduced SMP rate during that period will normally be recovered by the University.

3.5.2. Students should return to studies at the University in a full or part-time capacity, for at least 13 weeks full-time (or part-time equivalent) following maternity or adoption leave. Should a student not return to their studies after the period of suspension, any stipend paid during that period for Maternity or shared parental pay will normally be recovered by the University. This requirement could be waived in exceptional circumstances, which would be approved on a case-by-case basis. There is no minimum period of return required after paternity leave.
4. Maternity Leave

4.1. STIPEND PAYMENTS DURING MATERNITY LEAVE

4.1.1. Students are only eligible if the expected week of birth is within their studentship period. The earliest start date allowed is 11 weeks before expected week of birth.

4.1.2. In cases of still birth (which is defined here as a miscarriage after 24th week of pregnancy) or baby death, the student is still entitled to maternity leave as described below. For cases of miscarriage prior to 24th week of pregnancy, the sick leave policy should be used.

4.1.3. The following table outlines a students’ entitlement to stipend payments during maternity leave which is dependent upon the source of funding:

<table>
<thead>
<tr>
<th>Funding source</th>
<th>Leave Entitlement</th>
<th>Stipend Payments</th>
</tr>
</thead>
<tbody>
<tr>
<td>UKRI-funded</td>
<td>52 weeks</td>
<td>26 weeks full stipend followed by 13 weeks at reduced SMP rate and 13 weeks unpaid. To be paid in advance in 9 monthly instalments as follows: 6 months at full stipend 3 months at SMP rate</td>
</tr>
<tr>
<td>University-funded (department or central)</td>
<td>52 weeks</td>
<td>26 weeks full stipend capped at UKRI rates followed by 13 weeks at reduced SMP rate and 13 weeks unpaid. To be paid in advance in 9 monthly instalments as follows: 6 months at full stipend 3 months at SMP rate</td>
</tr>
<tr>
<td>Externally funded (award administered by UCL)</td>
<td>52 weeks</td>
<td>Payments at the discretion of the funder, to be requested by the department; strongly recommend department/faculty to cover if not covered by the funder.</td>
</tr>
<tr>
<td>Self-funded / fees only award / externally funded directly to student</td>
<td>52 weeks</td>
<td>No payment from university</td>
</tr>
</tbody>
</table>

4.1.4. The reduced rate refers to an equivalent payment that is available to staff who are entitled to statutory maternity pay. The lower level of statutory maternity pay is set by the government each year.

4.1.5. Students who are unsure about the source of their funding should contact their Department Postgraduate Administrator for clarification.

4.1.6. Students who are registered at less than 100% will receive their standard pro-rata stipend payments (for the initial 26-week period as above) followed by 13 weeks the reduced SMP payment, capped to a maximum of 100% of their normal stipend rate.

4.1.7. Students do not have to take the full 52 weeks maternity leave and can opt for a shorter period of maternity leave; however, in line with guidance for staff, students should take at least two weeks leave following the birth of the child. Less than 4 weeks leave should be discussed in detail with the supervisory team to ensure the student can safely return.

5. Adoption leave

5.1. Students who are planning to or who have become parents as a result of adoption are entitled to the same support and advice as other students who become parents during their studies, and the
processes, leave allowances and stipend payments outlined in the table above and elsewhere in this policy apply equally.

5.2. It is acknowledged that the timeframe for adoption arrangements may not allow as much time for planning in comparison with a pregnant student, and where this is the case, the student and the member of staff will follow the principles and processes as far as they are able.

5.3. Where two students are jointly adopting, only one member of the couple can be considered as the primary caregiver, who will be entitled to be considered for maternity related absence. The other partner will be afforded the same entitlements as is outlined for partners entitled to paternity leave.

5.4. All references to adoption and adoption leave include circumstances where individuals foster a child for adoption or are ‘Parental Order’ intended parents in a surrogacy arrangement.

6. Paternity leave

6.1. All students are eligible for paternity leave, if they are, regardless of gender:

• the partner of the person who will give birth or
• the partner of the primary adopter or
• the intended parent (if you are having a baby through surrogacy arrangement)

and

• also have or expect to have responsibility for the child’s upbringing.

6.2. In the case of couples who are adopting a child or having a child through a surrogacy arrangement, adoption leave, and pay are available to only one member of the couple. The other person can take paternity leave, regardless of gender.

6.3. Paternity leave permits the individual to take up to 2 weeks of leave on full stipend (the time is not pro-rata for part-time it should remain 2 calendar weeks). Paternity leave must be taken in a single block after the birth or placement of the child and within 56 days of this event. The funding end date should be extended to cover this period of absence. During this period the student’s normal stipend payments will continue.

7. Unpaid parental leave

7.1. Partners are entitled to an extended period of unpaid parental leave, up to a maximum of 50 weeks, with their studentship extended accordingly. Unpaid parental leave must be completed within 12 months of the birth of the child. This leave may be taken in up to three blocks of leave or all at once. Unpaid parental leave is available to those who meet the following eligibility criteria:

 i. They must share responsibility for the child
 ii. They must be taking the leave to look after the child
 iii. The terms and conditions of their grant must not specifically exclude the taking of such leave

8. Keeping in touch (KiT) days

The Research Organisation must ensure a consideration of how Keeping in Touch (KiT)-like days could be provided for students. KiT days are paid if they are in final 13 weeks, and get a top-up pay if they are in the statutory pay period. Such instances should be agreed in advance by the student and their supervisor and not add up to more than 10 days across the leave period. Payment for KiT days should be made at the student’s basic daily rate (regardless of the actual hours worked) less appropriate Maternity, Adoptive/Maternity Support Pay they are receiving.