

Information on University HR policy changes coming into force on 6 April 2024

New and amended legislation is being introduced on 6 April 2024. As a result, a number of the University's policies and procedures will be amended.

Listed below is a more detailed breakdown of the legislation and corresponding policy and procedural changes that will go live on 6 April 2024.

1 Flexible working

1.1 Legislative change

There are new rights under The Flexible Working (Amendment) Regulations 2023 and the Employment Relations (Flexible Working) Act 2023, which include:

1. A new **day one statutory right to request** flexible working.
2. **Introduction of mandatory consultation** with employees before refusing a request, with a view to identifying **alternatives or modifications** if possible.
3. An increase to **two statutory flexible working requests** in any 12-month period but only one live request allowed at a time.
4. **A reduction to the decision time**, so decisions must be made in **two months** (including appeal) unless an extension is mutually agreed.
5. Removal of the existing responsibility for employees to **explain the impact of their request and any possible mitigation**.
6. An updated statutory **Code of Practice** from Acas.

1.2 Changes to the [Flexible Working Policy](#)

1. **All requests, including temporary requests of less than three months, will follow the statutory process within the Policy.**
2. Content added on the **new mandatory consultation meeting that must take place** where the request is not approved in full or more detail is required. This replaces the formal meeting originally in the policy.
3. As part of mandatory consultation, an **increased emphasis on identifying alternatives or modifications** to secure some of the benefit of the original request if it cannot be agreed.
4. **Statutory requests increased to two in any 12 month period**, with information around "live" requests to ensure that only one request is underway at a time.
5. **Decision time now two months**, unless mutually extended, **with Faculty Board approval and appeals included in that time**.
6. Policy and form amended to reflect that applicants are **no longer required to explain the impact of their request and suggest mitigation**.
7. Permitted representatives attending consultation now include **trade union officials** in line with the new Code's best practice.
8. Requests relating to **reasonable adjustments now handled within the flexible working application procedure** with reference to the University's obligations under the Equality Act 2010.
9. Amended [application forms](#) and [template letters](#).

2 Carer's Leave

2.1 Legislative change

1. The Carer's leave Act 2023 provides a new statutory **day one** entitlement to unpaid leave for supporting a dependant with a long-term care need.
2. Up to **five days** entitlement of **unpaid leave** can be taken in a 12-month rolling period.
3. The leave can be taken in **half day blocks** up to five days.
4. If the leave is not permitted for the date requested, the **postponed date of leave must be within one month** of the original requested date.
5. Employees should provide **notice** of the leave - **either twice the length of time being requested OR three days** (whichever is the longest).
6. **Written confirmation** from the relevant department **must be provided to employees as soon as practicable** but no later than seven days after the request OR before the earliest day requested (whichever is the earlier).
7. No proof is required for the caring entitlement, but employees need to sign a **declaration of entitlement**.

2.2 Changes to the [Special Leave Policy](#)

1. **New category of leave** in the Special Leave Policy, following Emergency Leave.
2. Amended **CHRIS/68 form** to provide a '**declaration of entitlement**' and a **new category of leave**.
3. CHRIS/68 also includes **new area to provide record of alternative date(s)** if leave is not permitted for the date requested.

3 Protection from Redundancy

Currently parents taking a period of maternity, adoption or shared parental leave are entitled to be offered any suitable alternative employment in a redundancy situation.

3.1 Legislative change

1. The Protection from Redundancy (Family and Leave) Act 2023 **extends the current period of protection to include:**
 - all **pregnant employees** from the moment they provide **notice of the pregnancy**;
 - those taking **maternity** or **adoption leave** for a period of **18 months from the date of birth** (or the EWC if date of birth not provided) or placement for adoption; and
 - those taking **shared parental leave** of six consecutive weeks or more during the period of **18 months** from the date of birth or placement for adoption. For those taking less than 6 weeks of shared parental leave the protection ends at the end of the leave period.
2. Employees suffering a **miscarriage** after 24 weeks of pregnancy are protected for the full period of 18 months (they remain entitled to maternity leave). Employees suffering a miscarriage before 24 weeks are protected for two weeks after the end of their pregnancy.
3. The protection applies even if the employee **does not take their full statutory entitlement**.

3.2 Changes to University policies

The following policies will be amended to reflect the additional protection:

1. Redeployment Framework and Organisational Change Policy

- Amended Family Leave section in the Redeployment Framework and Pregnancy and Maternity Leave section in the Organisational Change Policy. Timeframes amended to include an extended period of protection from redundancy for pregnant employees and those on maternity, paternity and shared parental leave for a period of up to 18 months from the date of the child's birth or equivalent.
- As per our current approach, during this period individuals should continue to be offered a suitable alternative vacancy where one exists before it is offered to other employees (including those who are also at risk of redundancy).

2. Other policies amended with information about how the additional protection relates to the relevant leave type.

- Maternity Policy
- Adoption Policy
- Shared Parental Leave Policy

4 Paternity Leave

N.B. The term "Co-Parent" was recently added to more accurately reflect who can take leave under this policy.

4.1 Legislative changes

1. The **rules on the timing and notice of statutory paternity leave** have been changed but there is no increase to the overall entitlement (which remains at two weeks).
2. Employees are now able to **choose** to take either **two non-consecutive week's** paternity leave or a **single period of either one or two weeks**.
3. The period in which paternity leave must be taken is **extended to 52 weeks** after the birth or adoption placement.
4. A **notice of entitlement** to take paternity leave must now be given in or before the **15th week before the expected week of birth**, followed by at **least 28 days' notice of each period of leave**.
5. The new rules apply where the expected week of birth, expected date of placement for adoption, or the expected date of entry into Great Britain for adoption, is on or after 6 April 2024.

4.2 Changes to Paternity / Co-Parent Policy

1. The **Paternity / Co-Parent Policy** will be amended to reflect the **new timings and notice requirements**.
2. The **CHRIS/65 form** will be amended and will now be **submitted up to three times with the following information**:
 - with the statutory declaration of entitlement and intention to take paternity leave no less than 15 weeks before expected week of birth, and
 - with the dates of each period of leave, with no less than 28 days' notice.

For questions and further information: hrpolicy@admin.cam.ac.uk