

PARENTAL LEAVE POLICY

1.0 Policy

This policy sets out the Council's stance on providing parental leave to its employees who are both natural parents and adoptive parents. Parental leave is available to eligible employees who wish to take time off work to spend with their child, for example, to accompany a child during a planned stay in hospital, or to go on holiday with the child.

Statutory parental leave is unpaid leave.

2.0 Entitlement

2.1 An employee must meet certain eligibility criteria in order to take statutory parental leave, as follows:

- they must have at least one year's continuous employment with the Council counted from the date that parental leave would start
- they have or expect to have parental responsibility for the child
- their child is under 18 years of age
- they take the leave before your child's 18th birthday
- they provide the Council with evidence of eligibility when requested.

2.2 The following evidence may be requested from you in order to assess your eligibility for parental leave:

- that they have or expect to have parental responsibility for the child, in relation to whom, leave will be taken
- the child's date of birth (in respect of natural parents)
- the date of adoption placement (in respect of adoptive parents)
- the child's entitlement to Disability Living Allowance (if appropriate) to permit them to take leave in blocks of one day rather than one week.

3.0 Length of leave

3.1 Eligible employees will be entitled to take a total of 18 weeks' leave in relation to each child until the child is 18 years of age. No more than four weeks can be taken in relation to each child in one year.

3.2 A year is defined as a period of 12 months beginning on the date on which the employee first, or more recently, became entitled to take parental leave in respect of the child in question and each successive period of 12 months beginning on the anniversary of that date.

3.3 Save for in relation to a disabled child, in which case leave may be taken in blocks of one day, part of a week counts as a week so that if a full-time employee takes three days' parental leave and then returns to work, one week is taken away from the 18 weeks.

4.0 Procedure

4.1 An employee must give a minimum notice period of 21 days before the leave is due to start and they must give notice of the exact day on which they wish leave to start and end. In the case of fathers who want to take parental leave straight after a baby is born, or prospective adoptive parents who want to take parental leave straight after a child is placed with them for adoption, 21 days' notice of the expected week of childbirth or the expected week of adoption must be given.

4.2 When the Council receives notice of intention to take parental leave, it may ask for evidence of eligibility as set out above.

4.3 The Council reserves the right to postpone a period of parental leave if it believes the operation of its business will be unduly disrupted by the employee's absence. Leave will not be postponed where it is to be taken on the birth of a child or on the placement of a child for adoption. Where leave is to be postponed, the Council will discuss the reasons for the postponement with the employee and confirm in writing the newly agreed dates of leave. Leave will not be postponed for a period longer than six months from the start date of the leave originally requested.

5.0 Before taking parental leave

5.1 Shortly after the Council has received a notification from an employee that they wish to take parental leave, a meeting will be arranged between them and the Clerk. The purpose of this meeting is to discuss:

- the entitlement to parental leave
- the requirements to give appropriate notice
- arrangements to cover the employee's duties in their absence
- the employee's right to return to work
- any opportunities for flexible working
- the nature of any appropriate contact during parental leave
- the fact that parental leave is unpaid.

6.0 During parental leave

6.1 An employee's normal terms and conditions will apply during parental leave except for in relation to pay. Specifically:

- the employee's implied obligation of good faith
- notice periods for termination of employment
- disclosure of confidential information
- acceptance of gifts
- whether the employee is participating in any other employment
- disciplinary and grievance procedures
- redundancy pay.

6.2 The Council will make arrangements for the employee's duties to be covered for the duration of their leave. The Council would like to be able to keep the employee up to date with any developments at work that may affect them.

7.0 Returning to work

7.1 Employees returning after an isolated period of parental leave lasting:

- four weeks or less

OR

- after a period of parental leave lasting four weeks or less which consecutively followed another period of statutory leave which did not include any period of additional maternity leave, or additional adoption leave

are entitled to return to the job in which they were employed before the absence.

7.2 Employees returning to work after a period of parental leave lasting:

- more than four weeks

OR

- after a period of parental leave lasting four weeks or less, which did consecutively follow a period of additional maternity leave or additional adoption leave

are entitled to return from leave to the job in which they were employed before the absence or, if that is not reasonably practicable, to another job which is both suitable and appropriate for them in the circumstances.

7.3 Return to the same job will mean that seniority, pension rights and similar rights are not affected. Terms and conditions will not less favourable than those which would have been applied if the employee had not been absent.