

Parental Leave policy

1 Introduction

- 1.1 The following outlines employees' entitlement to parental leave. This is **unpaid** leave available to parents of children and is subject to the eligibility criteria laid out in section 4.
- 1.2 Please note that a separate provision for Paternity Leave may be used at or around the child's birth or adoption (see separate policy). Employees may also wish to refer to the Adoption Leave policy.

2 Aim

- 2.1 This policy is to enable employees to take a period of time off work to look after their child or make arrangements for the child's welfare. Parents can use it to spend more time with children and strike a better balance between their work and family commitments.
- 2.2 For urgent or unforeseen situations (of less than a week) employees may apply for leave under the short-term special leave provisions.

3 Legal / statutory position

- 3.1 The policy takes into account the provisions of the Maternity and Parental Leave Regulations (1999) and Amendment Regulations (2001). It is also in line with the Agenda for Change: NHS Terms and Conditions Handbook.

4 Procedure

- 4.1 What is the leave entitlement?
- 4.2 13 weeks for children to be taken up to the child's 14th birthday.
- 4.3 18 weeks for parents of disabled children to be taken up to the child's 18th birthday. Please note that for the purpose of this policy a disabled child is one for whom disability living allowance has been awarded.
- 4.4 13 weeks for parents of adopted children to be taken up to the date of the child's 18th birthday.
- 4.5 Please note that 'week' means the employee's contractual week i.e 37.5 hours for all staff on AfC terms and conditions.

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The time taken off work must be one continuous period of not less than a week (except in cases of a disabled child – see paragraph 4.7).

- 4.6 Leave should be taken in one week blocks with a maximum of 4 weeks in any one year (for each child). A year will be a rolling year from the date that the employee first takes parental leave.
- 4.7 Parents of disabled children may take leave for one day or in multiples of one day to a maximum of 4 weeks per year.
- 4.8 Leave will be pro-rata for those who work part-time.
- 4.9 What happens if an employee has twins?
- 4.10 Parental leave is for each child, so if twins are born each parent will be entitled to 13 weeks' leave for each child (18 weeks for disabled children).
- 4.11 Who is eligible for the leave?
- 4.12 The parents, or somebody with parental responsibility for the child (as conferred under the Children Act 1989).
- 4.13 Employees should have completed one year's continuous service with the LAS (or previous recognised service) prior to taking the leave.
- 4.14 How to apply
- 4.15 Applications for leave must be made in writing to the immediate line manager and state the date on which the period of leave requested begins and ends. This should be done on a 'Request for Special Leave Form (LA 51a).
- 4.16 Applications should generally be made a minimum of 21 days prior to the first day of leave requested. If this is not reasonably practicable then the application should be made as soon as possible after this date.
- 4.17 Although every effort will be made to accommodate a request for Parental Leave, the LAS has the right to postpone it for up to six months if the needs of the service make this necessary. In this event, the applicant will receive written notification of the postponement and the reason for it.
- 4.18 This notification will propose an alternative leave period which best fits the needs of the Service and the needs of the employee. It will be provided within 7 days of receipt of the application.

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- 4.19 Employees who wish to appeal against the deferral of a Parental Leave period should do so, in writing, to the Senior Line Manager.
- 4.20 The employee must produce evidence of their entitlement on making their first application. This may include birth certificates, papers confirming a child's adoption or a record of disability allowance payments.
- 4.21 Managers are responsible for checking the validity of requests and to forward the Request for Special Leave form (together with attached documents) to their HR Officer.
- 4.22 Human Resources (HR) will confirm receipt of the application (see appendix 1) including the proposed dates to be taken as Parental Leave. This will be done within 14 days of receipt.
- 4.23 The HR officer will complete the pay variation form (LA 231) for payroll.
- 4.24 The parental leave must also be recorded on the Weekly absence return form (LA187/191).
- 4.25 Does this affect employees' terms and conditions of service?
- 4.26 All other terms and conditions of employment remain unchanged other than those relating directly to pay.
- 4.27 Pension contributions
- 4.28 The LAS will continue to pay the employer's contributions during the period of parental leave. Employees' contributions will be deducted on their return to work. This deduction will be over an agreed period (depending on the length of parental leave taken).
- 4.29 False claims
- 4.30 Parental leave will be granted within the above provisions. Any alleged false claims for parental leave will be investigated under the Disciplinary Procedure and may result in action up to and including dismissal.
- 4.31 References
- 4.32 References, provided for employees planning to leave the LAS, should state the number of Parental Leave days that have been taken.

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4.33 Childcare voucher scheme

4.34 The LAS operates a childcare voucher scheme. Staff should contact their HR Advisor for further information.

5 Retrospective rights

5.1 Parents of a disabled child born on or after 15 December 1994 are eligible to take Parental Leave in relation to this child up until that child's 18th birthday.

6 Further information

6.1 Employees should contact their HR Advisor for clarification or further information.

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Appendix 1

HR response to parental leave request

Dear...

Application for parental leave

I am pleased to confirm that your application for parental leave has been approved.

Your parental leave period is planned to take place between... and You will be expected to return to work on...

Please note that the LAS will continue to make pension payments during the period of your leave, your contributions will be deducted following your return to work.

I enclose a copy of the parental leave scheme. If you have any questions please contact me.

Yours sincerely,

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