



Parental Leave Policy

effective from May 2007

1) POLICY

- a) The purpose of Parental Leave is to care for a child. This means looking after the welfare of a child and can include making arrangements for the good of a child. Caring for a child does not necessarily mean being with the child 24 hours a day. The leave might be taken simply to enable the parents to spend more time with young children. Examples for the way leave might be used are:
 - i) To spend more time with the child in early years.
 - ii) To accompany a child during a stay in hospital.
 - iii) Checking out new schools.
 - iv) Settling a child into new childcare arrangements.
 - v) To enable a family to spend more time together, for example, taking the child to stay with grandparents.
- b) The Parental Leave Regulations will apply to employees:
 - i) Who have completed one year's continuous service and whose child has been born on or adopted on or after 15th December 1999.
- c) The right to Parental Leave applies to:
 - i) The parent of the child (either mother or father).
 - ii) Adoptive parents.
 - iii) Those who have acquired parental responsibility for a child, (as defined under the Children Act 1989).
- d) During Parental Leave, employees will continue with all of their contractual terms, (except for pay), just as if they were not absent from work.
- e) Leave entitlement is a maximum of 13 weeks' unpaid leave per child. For a disabled child this is increased to 18 weeks' unpaid leave per child.
- f) The length of time eligible to take Parental Leave is:
 - i) If the child has been born on or adopted on or after 15th December 1999, the employee can take leave until the child's fifth birthday or until five years has elapsed following the placement of the adoption.
 - ii) Parents of a child adopted between 15th December 1994 and 14th December 1999, the employee can take leave until the child's 18th birthday.
 - iii) Parents of a disabled child born on or after 15th December 1994 are entitled to take leave up to their child's 18th birthday.
- g) Parental Leave is an individual right and it cannot be transferred between parents.



2) PROCEDURES

a) How much leave can be taken each year?

- i) Up to 4 weeks' unpaid leave can be taken in each year until the total of 13 weeks has been reached.
- ii) Each parent is entitled to a total of 13 weeks' leave for each child, with the exception of parents of a disabled child, where leave entitlement is up to 18 weeks' leave for each child. This means, for example, that if there were two children, the employee would be entitled to 13 or 18 weeks for each of them.
- iii) Leave cannot normally be taken in blocks of less than one week. The only exception to this is if the child is disabled. In these cases, there is flexibility to take leave a day at a time.
- iv) Under the Regulations, part of a week counts as a full week. This means that if a full time employee takes two days Parental Leave and works the rest of the week, this will still count as a full week of the parental leave entitlement.
- v) For part time employees, the entitlement to Parental Leave will be pro rata. For example, where an employee's contract requires them to work two days per week, there will be entitlement to a maximum of 26 days' Parental Leave, (i.e. 2/5 of the full entitlement).

b) Notice Requirements

- i) Notice must be given, in writing, at least 21 days before the date on which the leave is due to begin. The notice should specify the dates on which the period of leave is to begin and end. See below:

A prospective father wanting to take leave when the baby is born must give notice at least 21 days before the Expected Week of Childbirth (EWC). The notice must specify:

- (a) The EWC
- (b) The duration of the period of leave

Where an employee wishes to take Parental Leave when an adoption takes place, notice must be given at least 21 days before the week in which the placement for adoption is expected to occur, (or as soon as reasonably practicable). The notice must specify:

- (a) The week in which the placement for adoption is expected to occur.
- (b) The duration of the period of leave.



c) **Leave taken immediately following Maternity Leave**

- i) Mothers can take Parental Leave immediately after a period of Maternity Leave, provided that notice requirements are met and they meet the qualifying conditions.

d) **Leave taken immediately following Paternity Leave**

- i) Fathers can take Parental Leave immediately before or after a period of Paternity Leave, provided that notice is provided and qualifying conditions are met for both Parental and Paternity Leave.

e) **Postponement of leave by the Company**

- i) Where the leave is for prospective fathers/adopters (as outlined in 2.2.1), then the Company cannot postpone the leave.
- ii) In other circumstances, the Company may give notice to postpone leave only if the business would be unduly disrupted if the employee took the leave at the time requested.
- iii) The Company may postpone the leave for up to six months and must state in writing the reason for postponement and the dates on which the postponed leave will begin and end. The postponed leave must be of the same length as requested originally.
- iv) Notice to postpone must be given to the employee within 7 days of receiving the employee's request for leave.
- v) An employee has the right to bring a claim in the employment tribunal if the Company has unreasonably postponed Parental Leave or has prevented or attempted to prevent the employee from taking Parental Leave.

f) **Returning to work**

- i) The employee can return to the same job as before on the same terms and conditions, if the leave was taken for a period of 4 weeks or less.
- ii) The employee can return to either the same job, or if it is not reasonably practicable, a similar job on terms and conditions no less favourable, if the leave was taken for a period greater than 4 weeks.
- iii) If the employee has taken Parental Leave following **Ordinary Maternity Leave**, the employee can return to the same job as before on the same terms and conditions, if the leave was taken for a period of 4 weeks or less.
- iv) If the employee has taken Parental Leave following **Ordinary Maternity Leave**, the employee can either return to the same job, or if it is not reasonably practicable, a similar job on terms and conditions no less favourable, if the leave was taken for a period greater than 4 weeks.



v) If the employee has taken Parental Leave following **Additional Maternity Leave**, the employee can return to the same job she would have been entitled to return to after her Additional Maternity Leave.

vi) If the employee has taken Parental Leave following **Additional Maternity Leave**, the employee can return to the same job she would have been entitled to return to after her Additional Maternity Leave. If it is not reasonably practicable, a similar job on terms and conditions no less favourable, if the leave was taken for a period greater than 4 weeks.

g) **Parental Leave and redundancy**

i) If the Company has undergone redundancies that impact on the employees' return to work following Parental Leave, then the Company will offer the employee a suitable alternative vacancy where one is available.

ii) If the employee unreasonably refuses the Company's offer of a suitable vacancy the employee may forfeit redundancy payments.