

Parental Leave Policy

Transformation & Human Resources

Issued by HR Policy Team

Effective from 5 April 2015

## **PARENTAL LEAVE**

**1 Introduction**

* 1. Parental leave is a statutory entitlement to take up to a maximum of 18 weeks’ **unpaid leave** for childcare reasons.
  2. Parental leave taken with a previous employer forms part of the 18 weeks’ parental leave allowance.

**2 Eligibility**

2.1 To be eligible to take parental leave an employee must:-

* 1. Be the natural, adoptive, foster, step-parent or grandparent with a significant parenting role of a child aged under 18
  2. Be taking leave to care for or to spend some time with their child.
  3. Have at least one year’s continuous service with the London Borough of Hounslow.

2.2 Provided the above eligibility criteria are met, an employee can take up to 18 weeks’ parental leave up until the child’s 18th birthday.

2.3 An employee can take parental leave for each of their children, for example, if an employee has two children under the age of 18 they may take 18 weeks’ unpaid parental leave in respect of each child.

.

**3 Notice Requirements**

3.1 An employee must make a written request to take parental leave, giving notice of at least 21 days before they wish to take the leave, stating how long they expect the leave to last.

3.2 An employee may be required to produce documentary evidence of parenthood or adoption.

3.3 Parental leave will not be unreasonably withheld from employees who

have not been able to provide the required notice.

3.4 The employee’s line manager will agree to the employee’s request to take parental leave wherever possible. However, where they feel that the employee’s absence from work will cause substantial disruption they may postpone the leave for up to 3 months.

**4 Timing of Parental Leave**

4.1 Parental leave must be taken in blocks of one week. The statutory position is that no more than 4 weeks in respect of any individual child may be taken during a year.

4.2 Where possible the Council may be able to allow staff to take the full 18 weeks in one block but this will be at management discretion, taking into account the needs of the service.

4.3 Parental leave cannot be taken as a single day, unless the child has been awarded a disability living allowance.

4.4 Employees who would like to vary their working pattern (e.g. part-time / reduced hours) should make a flexible working request under the Council’s Flexible Working Arrangements.

**5 Postponing Parental Leave**

5.1 Before postponing a requested period of parental leave a manager must first discuss the situation with the employee, agree with them an alternative date for taking the leave and confirm the arrangements in writing within 7 days of the date of the employee’s initial request.

5.2 An employee taking a period of postponed parental leave can take the leave in full even if it falls outside the timescale for taking the leave.

5.3 Parental leave **cannot be postponed** where an employee is taking the leave immediately following maternity leave, adoption leave, surrogacy adoption leave or paternity leave.

**6 Effect on terms and conditions of employment**

Contract continues

6.1 The employment contract continues during an employee’s parental leave period. Employees will accrue annual leave during periods of parental leave and be able to take day(s) in lieu (pro-rata) for part timers) for any Bank Holidays that occur during the parental leave.

Maternity Pay

6.2 Where an employee takes a period of parental leave immediately following their maternity, adoption, or surrogacy adoption leave they will retain their occupational maternity/adoption/surrogacy adoption pay provided they return to work from their parental leave for a period of at least 12 weeks.

Sickness

6.3 Employees who fall sick during a period of parental leave shall be regarded as being on sick leave if they follow the sickness absence notification procedure. They will be entitled to pay under the Council’s sickness scheme and this period will not count towards their parental leave entitlement provided that a doctor’s certificate is produced and the employee has followed the correct procedure for reporting sickness.

Right to Return to Work

6.4 An employee who takes 4 or fewer weeks’ parental leave is entitled to return to the job in which they were employed before that period of leave began and on the same terms and conditions of employment.

6.5 Where an employee takes more than 4 weeks’ parental leave they are entitled to return to their original job or, if this is not reasonably practicable, to a suitable job on terms and conditions of employment at least as favourable as those of the original job.

Pension Implications

* 1. Where an employee takes parental leave for 30 days or less pension contributions continue to be made. As a result, there is no break in pensionable service and the employee’s pension remains unaffected. Where an employee takes parental leave for more than 30 continuous days, pension contributions will be affected. The individual has the right to repay the contributions, relating to the missing period of service, when they return to work. This can be done by making a payment to the pension fund, either in a lump sum or by monthly instalments.
  2. An employee who is intending to take a period of parental leave should consult the Council’s pension administrator, for advice about the possible effects on their pension. Further information is available on the intranet under ‘p’ pensions.