

HUMAN RESOURCES POLICY

PARENTAL LEAVE

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Formally Approved:	CCG Ratification Process

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Approval Given By:	n/a

Document History

Version	Date	Significant Changes
1.0	April 2013	n/a
2.0	May 2015	n/a

Equality Impact Assessment

Date	Issues
13.12.12	None

Policy Validity Statement

This policy is due for review on the latest date shown above. After this date, policy and process documents may become invalid. Policy users should ensure they are consulting the currently valid version of the documentation.

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1. POLICY STATEMENT

- 1.1 Parental Leave is provided to enable employees to take time off work to look after a child or make arrangements for a child's welfare. Parents or those who have formal parental responsibility can use it to spend more time with children and strike a better balance between their work and family commitments.
- 1.2 This Policy should also be seen as operating with the provisions on flexible working arrangements and employment breaks (see appropriate policies for more information). It should be noted that Parental Leave is unpaid.

2. PRINCIPLES

- 2.1 Employees who have nominated caring responsibility for a child under 14, or 18 in cases of adoption or a disabled child are eligible for Parental Leave
- 2.2 Training and support will be provided to all Line Managers in the implementation and application of this policy

Entitlement to Leave

- 2.3 The right to parental leave entitles all employees who have completed 12 months continuous NHS service to take a period of unpaid leave to care for each child *under 14, or 18 in cases of adoption or a disabled child*.
- 2.4 The entitlement is 18 weeks unpaid leave per child to be taken in periods of at least one week at a time and 18 weeks for each adopted child or child entitled to a disability living allowance. In the case of twins, each parent will be entitled to 18 weeks for each child (18 weeks for parents of each adopted or disabled child)
- 2.5 A maximum of four weeks can be taken in any one year. Both parents can take parental leave.

Timescales for Taking Parental Leave

- 2.6 Up to 18 weeks leave up until the child's 14th birthday; or if the child is disabled (defined as being eligible to receive Disability Living Allowance) or adopted, up to 18 weeks leave up until the child's 18th birthday.
- 2.7 Parents can start taking parental leave as soon as a child is born or placed for adoption, or as soon as they have completed one years continuous NHS service, whichever is later.

Requests for Parental Leave

- 2.8 All requests for parental leave must be made on the appropriate form attached to this policy, signed by a departmental manager and copied to Human Resources and Salaries for monitoring and recording and payment purposes.

3. EQUALITY

- 3.1 In applying this policy, the organisation will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

4. MONITORING & REVIEW

- 4.1 The policy and procedure will be reviewed periodically by Human Resources in conjunction with operational managers and Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

Part 2

1. PROCEDURE

Applying For Parental Leave

- 1.1 When applying for parental leave the employee must, where possible, complete and hand in the form PAR 1 (attached) and:
- specify the length of leave required;
 - give at least 21 days notice before the beginning of the period of leave.

Postponing Parental Leave

- 1.2 Parental Leave may be postponed in exceptional circumstances where the timing would cause significant operational problems.
- 1.3 If a request for leave is postponed:
- it will only be deferred once and alternative dates will be offered;
 - postponement will be for no longer than three months;
 - deferred leave offered will be for the same length of time as that requested, and the start and end dates of deferred leave will be mutually agreed;
 - an employee will be given reasonable written notice of a deferral together with the reasons. The minimum notice will be:
 - two weeks before the start of the requested leave where the leave is for two weeks or less;
 - where the leave is more than two weeks, the same length as the parental leave requested;

An employee who considers that his/her request for leave has been unreasonably postponed, may appeal through the Organisations Grievance Procedure.

Arrangements During Parental Leave

- 1.4 Whilst taking parental leave, employees are on unpaid leave.
- 1.5 During the period of parental leave, the employee will retain all contractual rights except remuneration, including entitlement to annual leave, eligibility for an annual incremental payment, and pension rights. Pension contributions will continue to be payable during periods of parental leave. Arrears of contributions will be deducted by the Salaries department over an agreed period of time.

Returning from Parental Leave

- 1.6 On resuming work after a period of parental leave, employees will return to their job on remuneration and other terms and conditions no less favourable than if they had not taken parental leave.
- 1.7 Where the employee's job has been changed in his/her absence, the employee must be notified in writing of this change prior to their return and allocated a similar job with no less favourable remuneration and terms and conditions.

Application form for Parental Leave

NAME:	
JOB TITLE:	
PAYROLL NO:	
DIVISION:	
DATE OF COMMENCEMENT WITH ORGANISATION:	
AMOUNT OF LEAVE REQUESTED:	
DATE LEAVE IS TO START: (you must endeavour to give at least 21 days notice)	
I request authority for the above parental leave and I accordingly authorise deduction from my pay. I understand that leave requested can be postponed in exceptional circumstances and a written explanation will be provided.	
Signature:	Date:
TO BE COMPLETED BY MANAGER	
I authorise this application for Parental Leave	
OR	
I wish to defer this application until _____ (new date) for the following exceptional reasons:	
I have discussed this with the applicant and the new date has been agreed.	
Signature:	Date:
Job Title:	

Equality Analysis Initial Assessment**Title of the change proposal or policy:**

Parental Leave

Brief description of the proposal:

To ensure that the policy amends are fit for purpose, that the policy is legally compliant, complies with NHS LA Standards, and takes account of best practice.

Name(s) and role(s) of staff completing this assessment:

Theresa Gavin – HR Management Trainee

Date of assessment: 13th December 2012

Please answer the following questions in relation to the proposed change:**Will it affect employees, customers, and/or the public? Please state which.**

Yes it will affect all employees with parental responsibilities

Is it a major change affecting how a service or policy is delivered or accessed?

No

Will it have an effect on how other organisations operate in terms of equality?

No

If you conclude that there will not be a detrimental impact on any equality group, caused by the proposed change, please state how you have reached that conclusion:

No anticipated detrimental impact on any equality group. The policy adheres to the NHS LA Standards, AFC terms and conditions. Makes all reasonable provision to ensure equity of access to all staff with parental responsibility. There are no statements, conditions or requirements that disadvantage any particular group of people with a protected characteristic.

Please return a copy of the completed form to the Equality & Diversity Manager