

PARENTAL LEAVE SCHEME



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Reading
Borough Council
Working better with you

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Parental Leave Scheme

This Parental Leave Scheme applies to all Reading Borough Council employees.

1. Introduction

- 1.1. The right to parental leave is contained in the Maternity and Parental Leave Regulations 1999. The regulations give parental leave rights to parents of a child born or adopted on or after 15th December 1999.
- 1.2. The leave is intended to be an important means of reconciling work and family life, and promoting equal opportunities and treatment between men and women.
- 1.3. Examples of where parental leave may be requested could be as follows:
 - Spend more time with the child in the early years
 - To accompany a child during a stay in hospital
 - Check out new schools
 - Settling a child into new childcare arrangements

2. Entitlement

- 2.1. Parental leave of 18 weeks will be granted to employees who have or are expecting to have responsibility for a child as defined in the Maternity and Parental Leave Regulations 13 (2) 1999.
- 2.2. Parental leave is unpaid.
- 2.3. Parental leave is available to those with parental responsibilities; this includes parents, parents adopting children and foster parents.
- 2.4. In the case of foster parents this leave is available for one foster placement per year. There is no entitlement to retrospective parental leave if a foster arrangement has ceased.
- 2.5. Parental leave will be granted up to the child's 18th birthday for any child (previously only for children with a disability).
- 2.6. One week parental leave is defined as equal to the length of time that an employee is required to work in a week, e.g. pro-rata. When an employee's working week is variable, then an average working week is calculated.
- 2.7. Parental leave is an individual entitlement and as such cannot be transferred between parents.

3. Qualifying Conditions

- 3.1. An employee has the right to parental leave if they have the following:
- They must be the parent named on the child's birth certificate, born after 15th December 1999 and under 18 years old
 - Have at least one year's continuous service
 - They must have adopted or fostered a child on or after 15 December 1999.
 - They must have "parental responsibility" under the law (as defined in S.3 Children's Act 1989 and S.1 (3) Children (Scotland) Act 1995)
- 3.2. Under original legislation, parents of children born or adopted before 15th December 1999 were not entitled to parental leave. The Maternity and Parental (Amendment) Regulations 2001 extend the right to these parents, but leave has to be taken before 31st March 2005.

4. Notice Periods

- 4.1. Employees need to give at least 21 calendar days notice of their intention to take parental leave; they must give dates for the start and finish of the leave period.
- 4.2. Parental leave may be granted to employees who have not given the required notice in special circumstances at the discretion of their Head of Service. This discretion will not be unreasonably withheld.

5. Postponement

- 5.1. If it is considered that an employee's absence would unduly disrupt the service delivery or operation of the employee's work area, then the leave can be postponed for up to 3 months, or more than 3 months in exceptional circumstances.
- 5.2. Every attempt should be made to avoid postponement of parental leave. The postponement must be discussed with the employee with a view to coming to agreement over alternatives. These might include:
- A different pattern of leave - part-time rather than full-time.
 - Alternative dates within the 3 month period.
- 5.3. Following this consultation, and not more than 7 days after the employee's notice period was given to take leave, the employee will be given notice of the postponement, which states the reasons for it and specifies the date on which the agreed period of leave will begin and end.

5.4. Postponement cannot be used where employees have requested the following:

- Following Maternity Support Leave - the unpredictability of childbirth timing may have implications for notice. It is recommended that employees expecting to take maternity support leave should discuss likely requirements for parental leave.
- Following Maternity Leave - where a mother takes a period of parental leave following on from maternity leave, they will need to be informed that, where parental leave is taken as a block of leave, an employee does not have to refund the half-pay element of occupational maternity pay, unless she does not return to local authority employment for a period of at least three months after the end of the parental leave period.
- At the time of adoption - at times prior to adoption where the parent is required to be at home by the adoption process, or following adoption leave.

6. Flexibility

6.1. The council recognises an employee's entitlement to parental leave and will be sympathetic to leave arrangements requested by employees.

6.2. Parental leave may be taken:

- As a single block of up to 18 weeks
- As a minimum of 1 week's leave period unless your child is disabled in which case it can be taken in days
- In patterns which provide a part-time or reduced hours working arrangement for a period of time equivalent to taking 18 weeks leave as a single block

6.3. Parental leave should be documented for each requested employee.

6.4. An employee wishing to request parental leave should do so to their manager using the request form.

7. Return to work

7.1. An employee on parental leave shall have the same right to return to their job as provided to those on maternity leave under Part 2, Para 11.6 of the Green Book.

8. Terms and conditions during parental leave

- 8.1. Time treated as parental leave will be treated as continuous service for the purpose of Part 2, Para 14 of the Green Book, i.e. annual leave, sickness scheme and occupational maternity scheme.
- 8.2. The parental leave period is unpaid and, as such, an employee's contributions have ceased into the pension scheme. An employee should contact the Payments Section to see if contributions can be made up.
- 8.3. Employees who fall sick during a period of parental leave and who give the Council the relevant notification shall be entitled to pay under the sickness scheme for the period covered by a doctor's certificate. This period shall not count towards their parental leave entitlement.
- 8.4. Employees on parental leave will accrue annual leave and Bank Holidays. The employee and the manager will agree when accrued leave can be taken.



PARENTAL LEAVE REQUEST FORM

Directorate:

Name:

Payroll reference no.:

Position:

Location:

Parental leave dates: From: To:

Additional comments in support of your applications:

Signed:

Date:

Authorised by:

Signed:

Name:

Position:
(manager)

Dated:

Please forward to your Directorate HR Team