

## Parental Leave Policy

### 1. Introduction

- 1.1 The College recognises the need for effective policies which play a key part in supporting an appropriate life – work balance. This policy will allow a more effective combination of home and work responsibilities; enhance equality of opportunity at work; help to retain skilled and valued employees.

### 2. Scope

- 2.1 This scheme describes entitlements to parental leave for all employees at the College and should not be confused with Shared Parental Leave. Employees are also encouraged to refer to other related policies such as Maternity, Staff Absence for Reasons other than Holidays, Sickness or Paternity/Maternity/Adoption Leave and Shared Parental Leave.

### 3. Purpose

- 3.1 This Policy recognises that parenthood brings additional responsibilities. The purpose of this Policy is to set out the initiative, which is intended to assist employees to combine their careers with parenthood and family responsibilities.

### 4. The Right to Parental Leave

- 4.1 Employees with at least one year's continuous service are entitled to take a total of up to 18 weeks' unpaid parental leave if they have, or expect to have, responsibility for a child.
- 4.2 Employees (both mothers and fathers) are entitled to parental leave in respect of each of their children either born or adopted and leave must be taken before the child's 18<sup>th</sup> birthday.
- 4.3 Separated or divorced parents are entitled to parental leave provided they have formal responsibility for the child.
- 4.4 Leave may be for a maximum of four weeks per child in any year (unless the child is disabled).

### 5. When Parental Leave may be taken

- 5.1 Employees and the College should agree how leave is taken to accommodate both party's circumstances. Normally, leave should be taken in blocks of not less than one week. However, consideration should be given to whether leave could be taken in blocks of less than one week and whether a maximum number of weeks in any one year is appropriate. If the child is disabled, the leave may be taken in single days.

Parental Leave may be taken after maternity or adoption leave and after Shared Parental Leave.

## **6. Notice/Evidentiary Requirements**

- 6.1 In order to be able to take parental leave, employees need to give appropriate notice to the College of intent to take leave and must comply with any request made by the College to produce any appropriate evidence.
- 6.2 The written notice required by the College from an employee intending to take parental leave needs to cover the following points and should:
- (a) specify the dates on which the period of leave is to begin and end; and
  - (b) be given to the College at least 21 days prior to taking the leave, unless there are exceptional circumstances which have been locally agreed.
- 6.3 In order to establish an employee's entitlement to parental leave, the College may request evidence of:
- (a) an employee's responsibility for the child in respect of which parental leave is to be taken, this may include, for example, a child's birth certificate, a parental responsibility order, an adoption order, a MATB1;
  - (b) the age of the child in respect of whom parental leave is to be taken. This may include, for example, a child's birth certificate;
  - (c) details of any parental leave that the employee has taken during any employment with another employer;
  - (d) the child's entitlement to disability living allowance where appropriate.

## **7. Postponing Parental Leave**

- 7.1 The College can postpone or reduce the length of parental leave where an employee has given the appropriate notice but the College considers that the operational needs would be unduly disrupted if the employee took parental leave as requested. For these purposes, 'unduly disrupted' means any circumstances in which the College's business, organisation or interest is/are likely to be seriously threatened, harmed or undermined.
- 7.2 It is preferable that postponement should not occur in any other than extreme circumstances. As a guide only, parental leave may be postponed in circumstances where: the College is expecting a significant pressure to deliver and all the College's employees, or a significant number of them, and/or key members of staff are needed to fill the requirements; the College is undergoing a management/business restructuring which requires significant employee involvement for success; the College will be in breach of a significant contractual obligation if the employee is granted the parental leave as requested.
- 7.3 If the College has to postpone or reduce parental leave, the employee will be able to take parental leave of the same length as originally requested, or the remaining period of parental leave in the case of reduced leave, within 6 months of the date of the postponement or reduction in leave.
- 7.4 The College will not be able to postpone an employee's parental leave in the circumstances where the employee has given 21 days' notice to the College of intent to take parental leave which commences on the day on which childbirth occurs, or the day on which the child is placed for adoption.

## **8. Contact with the College during Parental Leave**

8.1 An employee's line manager will seek to ensure that during the period that the employee is absent from work on parental leave, they will be communicated with on a regular basis. This may include:

- accessing notices on the Hub
- being sent relevant key minutes and/or agendas;
- being sent relevant training information;
- being included in invitations to relevant social events.

An employee's line manager will also seek to keep in regular contact with the employee during the period of parental leave and keep other relevant staff informed about the employee's return to work.

8.2 For periods of parental leave in excess of four weeks, prior to the commencement of the parental leave, line managers should discuss with the employee arrangements for covering work and also for providing opportunities to remain in contact with the College whilst on leave. As far as possible, such arrangements will be finalised in consultation with the employee. If the employee has staff reporting to him/her, he/she will be involved, as far as possible, in key decisions relating to the temporary reporting arrangements to cover parental leave.

8.3 Employees on parental leave should remain on relevant circulation lists and be included in invitations to work related social events as though they were still at work. Where the employee has managerial responsibilities, the College should try to ensure that he/she is given the opportunity to participate in or be consulted about key decisions taken in his/her absence. As far as reasonably practicable, the College should try to defer key decisions until the employee's return from parental leave.

8.4 Where suitable training opportunities arise during an employee's parental leave, they should be offered to the employee concerned if appropriate. The College does not want parental leave to prejudice employees in terms of training and self development.

8.5 For periods of parental leave in excess of 4 weeks, employees should be invited for a meeting with their line manager in order to provide an opportunity to discussion of any material points concerning the return to work. These may include:

- updating on developments at work;
- considering whether any retraining needs have arisen either because of the length of absence, or new technical, or other developments;
- organising any meetings/interviews which the College and the employee consider necessary to enable the employee to make an effective return to regular working.

The meeting will also provide an opportunity to discuss and explain any necessary and unavoidable changes to the employee's work.

## **9. Returning to Work**

9.1 If an employee has taken parental leave for a period of four weeks or less, at the end of the period of parental leave, the employee will be entitled to return to the job in which he/she was employed under his/her original contract of employment and on terms and conditions no less favourable than those to which he/she would have been entitled had he/she not been absent. This means he/she will be entitled to any pay awards and annual increments which he/she would have received if he/she had been at work.

- 9.2 In cases of parental leave in excess of 4 weeks, or less than 4 weeks' leave directly after additional maternity leave, the employee is entitled to return to the job in which he/she was employed under his/her original contract on terms and conditions no less favourable than those to which he/she would have been entitled had he/she not been absent unless this is not reasonably practicable for the College (and in the case of an employee who has taken less than 4 weeks' leave directly after a period of additional maternity leave, provided it would also not have been reasonably practicable to allow her to return to her original job at the end of her additional maternity leave) in which case she is entitled to return to a job which is suitable and appropriate for her.
- 9.3 If the College cannot offer the employee the right to return to his/her original job because of redundancy which would have occurred whether or not the employee had been absent, the College will offer the employee any suitable alternative employment which is available.

## **10. Terms and Conditions of Employment**

- 10.1 The employee's employment will continue whilst on parental leave. Leave will be unpaid, though the member of staff remains under contract.
- 10.2 During parental leave, the employee shall have the benefit of the Corporation's implied obligation of trust and confidence and terms of employment regarding notice of termination, compensation for redundancy and disciplinary and grievance procedure. The employee shall be bound during the parental leave period by the implied duty of good faith and terms of employment regarding notice of termination, disclosure of confidential information, acceptance of gifts and participation in other businesses.
- 10.3 Entitlement to other contractual terms and conditions during parental leave will be a matter for local agreement between the Corporation and employees. Employers and employees may wish to continue to make pension contributions during the period of absence on parental leave to maintain continuity of pensionable service. Periods of parental leave will be regarded as continuous service.

## **11. Records**

- 11.1 The College will keep detailed records of the parental leave requested and/or taken by each employee as well as details of any postponements or reductions in parental leave.
- 11.2 The College will comply with any reasonable requests to disclose relevant parental leave records to the employer of an individual who was previously employed by the College.

## **12. General Provisions**

- 12.1 Any attempt by an employee to act dishonestly in respect of any element of the College's parental leave policy will be regarded as serious misconduct and will result in the employee being subject to the College's disciplinary procedure.

## **13 Equality Considerations**

- 13.1 This policy applies to all employees who work for the College whether they work on a full time, part time or casual basis. It applies to same sex partnerships and recognises the care responsibilities for parents of children with disabilities.

## 14 Data Protection

When managing an employee’s parental leave and pay, the College processes personal data collected in accordance with its Data Protection Policy. Data collected from the point at which an employee informs the College that he/she plans to take parental leave is held securely and accessed by, and disclosed to, individuals only for the purposes of managing his/her leave and pay. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the College’s Data Protection Policy immediately.

### ***Related documents***

Adoption Leave and Pay Policy  
Maternity Policy  
Paternity Leave Policy  
Family Friendly Flexible Working  
Dependents Leave  
Shared Parental Leave  
Data Protection Policy

<b>Reviewed / Approved</b>	<b>By</b>	<b>Date</b>
Reviewed by	Rachael Charles (Data Protection)	June 2020
Consulted with	Staff Council	
Approved	CLT	
Review date	Rachael Charles	August 2022
Website	Yes / No	No
Next Review date		August 2024