



# TRAFFORD COUNCIL

## PARENTAL LEAVE POLICY

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Date

TBC

Version

3.0

## Version Control

<b>Issue</b>	<b>Date</b>	<b>Author</b>	<b>Change History</b>
V1.0	May 2001	-	First version
V1.1	September 2002	-	Minor amendments
V2.0	March 2013	-	Revised version
V2.1	September 2015	Kate Sturman	Minor amendments
V3.0	TBC	Kate Sturman	Revised version

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## **TRAFFORD COUNCIL – PARENTAL LEAVE POLICY**

### **1. Introduction**

- 1.1 Trafford Council is committed to promoting flexible working in the context of our need to provide high quality services to the community, to retain a skilled workforce and reduce absence levels. We also recognise the importance of a healthy workforce and of the benefits that work-life balance brings.
- 1.2 Parental leave legislation enables parents and those with parental responsibility to take time off to look after a child's welfare. This policy sets out what parental leave is and who is eligible to take it and it outlines the steps an employee needs to take to request parental leave.

### **2. Scope**

- 2.1 This policy applies to all employees of Trafford Council, with the exception of employees within the Local Authority's schools, where separate arrangements are in place.

### **3. What is parental leave?**

- 3.1 Parental Leave is planned, unpaid time off work to look after, or make arrangements for a child's welfare. It can be used to spend more time with children and to balance work and family commitments. Examples of how parents might use it are: to spend more time with their children; to look at new schools; to settle children into new childcare arrangements; to spend more time with family, such as visiting grandparents.
- 3.2 There is a different type of leave available for taking time off for family emergencies under the Special Leave policy (dependants, emergencies, bereavement).
- 3.3 Parental leave is in addition to Annual Leave, Adoption Leave, Maternity Leave, Shared Parental Leave and Special Leave - Maternity and Adoption Support, which are detailed in the relevant policies.
- 3.4 You cannot work for another employer during a period of parental leave.

### **4. Eligibility**

- 4.1 You will qualify for parental leave if all of these apply to you:
- You've been a Trafford Council employee for one year or more without a break by the time you want to take the leave (the right doesn't apply to worker, agency workers or contractors).
  - You're named on the child's birth or adoption certificate or you have or expect to have parental responsibility.

- You're not a foster parent (unless you've secured parental responsibility through the courts).
- Your child is under 18.

4.2 Leave is available for all parents and those with parental responsibility for a child, but your right to leave cannot be transferred to anyone else.

4.3 You do not have to be living in the same household as the child to claim parental leave, but it must be taken to care for the child.

4.4 To understand more about Parental Responsibility visit the 'Gov.uk' website and search under this term.

## 5. **Entitlement**

5.1 You can take up to 18 weeks' unpaid leave for each child, with a maximum of four weeks' leave per year (up to the total of 18 weeks) up to the child's 18th birthday.

5.2 The unpaid leave must be taken as whole weeks (e.g. 1, 2, 3 or 4 weeks) rather than individual days. Even if you take less than one week's leave, a full week will be deducted from your entitlement. For part-time staff, a week is a normal working week, so for example, if you normally work 3 days per week and take those 3 days off as parental leave, you will have one week deducted from your entitlement. The only exception to this is where your child is disabled and you can take individual days off.

5.3 Parental leave applies to each child not to an individual's employment, so only the outstanding leave entitlement can be transferred when you move between employers. If you change your job, your new employer may ask us for information about any parental leave you have taken.

## 6. **Applying for parental leave**

### 6.1 **Process**

6.1.1 A flexible approach should be adopted by both managers and employees to agree suitable parental leave dates.

6.1.2 You must give your manager at least 21 days' notice of the dates when you would like to take parental leave. If you or your partner is having a baby or adopting you must give 21 days before the week the baby or child is expected.

6.1.3 If you use the MiTrent system, you should submit your request for parental leave to your line manager via MiTrent, at least 21 days before the day you wish to start your leave. You should add it as an 'other absence' and select 'parental leave'. See section 7.4 on page 45 of the MiTrent 'Training User

Guide – Induction to Employee Self-Service’, which details the process. The guide can be accessed through the following link:

<http://intranet.trafford.gov.uk/yourtrafford/hr/mitrent/helpyourself>

6.1.4 If you do not use MI Trent, you should get your manager to complete and submit the ‘Parental Leave’ form on the GMSS portal.

## 6.2 Postponing parental leave

6.2.1 Your line manager may postpone your parental leave, for up to 6 months from the date the original leave was due to begin, in certain circumstances where there is a significant reason. However it can’t be postponed if:

- Your manager doesn’t have a ‘significant reason’, e.g. it would cause serious disruption to the business.
- You are the father or partner and are taking it immediately after the birth or adoption of a child.
- You would no longer qualify for parental leave, e.g. postponing it until after the child’s 18<sup>th</sup> birthday.

6.2.2 If your leave is postponed, your line manager will write to you within 7 days of your original request explaining the reason why and suggesting a new start date within 6 months of the requested start date. The amount of leave requested cannot be changed.

## 6.3 More than 1 post

6.3.1 If you have more than one post with the Council, you will need to obtain the approval of each of your line managers to take parental leave and apply for each post. If one of your managers cannot agree the dates requested, then you will have to agree a later date with both managers.

## 7. **Employment and terms and conditions**

### 7.1 Continuing employment

7.1.1 You are entitled to return to the same role after a period of parental leave.

### 7.2 Annual leave and bank holidays

7.2.1 Your holiday entitlement will accrue as normal during parental leave. If you take parental leave over a public holiday you will be entitled to the bank holiday (if you work part-time you will be entitled to pro-rata hours). You should speak to your manager to ensure that an adjustment is done on MiTrent, or on your leave card, whichever is applicable to you.

### 7.3 Critical car user allowance

7.3.1 If you are eligible, you will receive your critical car user allowance in full, as normal during the period of parental leave.

### 7.4 Pension

7.4.1 When you return to work you can elect to make Additional Pension Contributions (APCs) to 'buy-back' the lost pension for the period. You should contact the Pensions Officer for advice.

### 7.5 Sickness absence

7.5.1 If you are ill during the period of parental leave and wouldn't have been fit to attend work, you can claim sickness. However you must follow the normal sickness reporting process and provide a fit note from your doctor from the first day of sickness.

## 8. Review

8.1 This policy will be periodically reviewed in order that that it remains appropriate to the Council's operation, is best practice and meets legal requirements.