



Parental Leave Policy 45

**Adoption Date:
Review Date: 6.10.20**

1. Introduction

Legally, parents of young children are entitled to take up to 18 weeks' unpaid leave to care for the child.

18 weeks can be taken in respect of each child and can be taken by each parent so if the Council has both parents in its employment, both employees will be potentially entitled to take 18 weeks' parental leave.

Parental leave can be taken at any time up to child's 5th birthday or, in the case of a child who suffers from a disability, any time up to their 18th birthday.

In the case of an adopted child, leave can be taken at any time in the first five years after the child is placed with the adoptive parents however, it must be taken before the child reaches 18 years of age, even if that is before the five years are up.

Leave can only be taken in blocks of weeks unless the child has a disability, in which case shorter periods are permissible. No more than 4 weeks' parental leave in respect of each qualifying child can be taken in any one year.

A week is considered the length of time an employee usual works over a period of 7 days.

2. Entitlement

In order to be eligible to take parental leave, an employee must meet each of the following requirements:

- a. Be an employee not a casual worker or self-employed contractor
- b. Have continuous service with the Council for at least one year
- c. Either, have parental responsibility for the child or is registered as the child's father/mother on its birth certificate

3. Notification

An employee must give 21 days' notice of the start and finish dates of the leave.

Unless the request is for days commencing with the date the child is born, the Council can refuse to grant a request for parental leave for up to six months if it considers that taking leave at the employee's requested time would unduly disrupt its business.

The Council is entitled to request proof of an employee's entitlement to parental leave and failure to provide such evidence entitles the Council to refuse to grant the leave.

4. Postponement

The Council will make every attempt to avoid postponement. In any event postponement will not be for longer than six months from the requested start date and would only be done in accordance with current legislation.

The Council will discuss with the employee a suitable alternative date for the leave to start; the leave will be of the same duration as requested by the employee.

The Council will confirm all arrangements in writing within 7 days of the initial request.

5. Employment Rights

All employment rights are protected and the employee shall suffer no detriment from taking parental leave.

Where an employee has taken four weeks or less parental leave, they are entitled to return to the same job on the same terms and conditions had they not taken the leave. All contractual terms and conditions of employment shall continue throughout the any periods of leave, with the exception of remuneration.

If the parental leave is taken in a consecutive period with additional maternity or additional adoption leave, the employee is entitled to return to the job that they were employed in before their absence or if that is not reasonably practicable, to another job that is suitable and appropriate in the circumstances.