



HR: Parental Leave Policy

REVIEW DUE: **SEPTEMBER 2020**

LAST REVIEW	September 2017
APPLICABLE TO:	All Trust Schools
REVIEWED BY:	
APPROVED BY	Trust Board

Contents

1. POLICY STATEMENT	2
2. PERSONNEL RESPONSIBLE FOR THIS POLICY	2
3. ENTITLEMENT TO PARENTAL LEAVE	2
4. TEACHERS	3
5. SUPPORT STAFF	3
6. WHEN THE LEAVE CAN BE TAKEN.....	3
7. WHAT THE EMPLOYEE MUST DO.....	3
8. WHAT THE EMPLOYER MUST DO.....	4
9. CONTINUOUS SERVICE	4
10. RETURN TO WORK.....	4

PLEASE NOTE THAT, SINCE CREATION OF THIS POLICY THE PARTNERSHIP TRUST HAS CHANGED ITS NAME TO THE BATH AND MENDIP PARTNERSHIP TRUST. ALL REFERENCES IN THIS POLICY TO THE PARTNERSHIP TRUST ARE TO BE READ AS THE BATH AND MENDIP PARTNERSHIP TRUST

1. POLICY STATEMENT

- 1.1 The law recognises and we respect that there will be occasions when working parents wish to take time off work to care for or spend time with their child or children. This policy outlines employees' entitlement to parental leave and sets out the arrangements for taking it.
- 1.2 This policy reflects the statutory right of employees with at least one year's continuous service to take up to 18 weeks' unpaid parental leave in respect of each child.
- 1.3 This policy applies to employees. It does not apply to agency workers or self-employed contractors.
- 1.4 This policy does not form part of any employee's contract of employment and we may amend it at any time ensuring the policy remains in line with statutory requirements.

2. PERSONNEL RESPONSIBLE FOR THIS POLICY

2.1 The Partnership Trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. Day-to-day responsibility for operating the policy and ensuring its maintenance and review has been delegated to designated senior member of staff..

3. ENTITLEMENT TO PARENTAL LEAVE

- 3.1 Employees who meet the criteria set out below are entitled to take up to 18 weeks' parental leave in relation to each child for whom they are responsible.
- 3.2 To take a period of parental leave in relation to a child, you must:
 - a) have at least one year's continuous employment;
 - b) have or expect to have responsibility for the child; and
 - c) be taking the leave to spend time with or otherwise care for the child.
- 3.3 You have responsibility for a child if you:
 - a) are the child's biological mother or father (whether or not you are living with the child);
 - b) are the child's adoptive parent; or

c) otherwise have legal parental responsibility for the child, for example, if you are the child's guardian, or a step-parent who has a parental responsibility agreement or parental responsibility order.

3.4 Any parental leave taken while working for another employer counts towards the 18-week entitlement. If you have taken parental leave during previous or concurrent employment, you should provide details to your line manager who will inform Human Resources.

4. TEACHERS

4.1 Teachers are entitled to 18 weeks unpaid leave in total for each child. The maximum amount of time that can be taken for each child is 4 weeks within each year.

4.2 In exceptional circumstances a request may be made to take a single 18 week block of leave. In such cases the decision in respect of this request will be made by the Governing body.

4.3 Leave must be taken in a single block or multiples of one week, the exception to this is that parents of disabled children can take leave in a single block or multiples of one day, depending on what has been agreed.

5. SUPPORT STAFF

5.1 Support staff are entitled to 18 weeks unpaid leave in total for each child. The maximum amount of time that can be taken for each child is 4 weeks within each year.

5.2 In exceptional circumstances a request may be made to take a single 18 week block of leave. In such cases the decision in respect of this request will be made by the Governing body.

5.3 Leave must be taken in a single block or multiples of one week, the exception to this is that parents of disabled children can take leave in a single block or multiples of one day, depending on what has been agreed.

6. WHEN THE LEAVE CAN BE TAKEN

Employees can choose to take parental leave at any time before the child's 18th birthday.

7. WHAT THE EMPLOYEE MUST DO

7.1 The employee must apply in writing to the designated senior member of staff giving 21 days' notice. The notice requirements are as follows:

a) If you wish to take parental leave commencing immediately on the birth of a child, you must give notice of this intention at least 21 days before the start of the expected week of childbirth (EWC). The notice must specify the EWC and the duration of the period of leave required.

b) If you wish to take parental leave commencing immediately on the adoption of a child, you should give notice of this intention at least 21 days before the start of the expected week of placement (EWP). If this is not possible, you must give as much notice as you can. The notice must specify the EWP and the duration of the period of leave required.

c) In all other circumstances, you must give notice of your intention to take parental leave at least 21 days before you intend the leave to start. The notice must specify the dates on which the period of leave is to begin and end.

8. WHAT THE EMPLOYER MUST DO

8.1 Every attempt will be made to avoid postponement. However should the designated senior member of staff believe that the notified absence would cause undue disruption to the work of the school the matter should be discussed with the employee and alternative dates should be notified to the employee in writing no later than seven days of the designated senior member of staff having received the request. Parental Leave cannot be denied and must be granted within 6 months. Once alternative dates have been given they cannot be changed.

8.2 There can be no postponement where the request is to take leave immediately after a child is born or placed for adoption.

8.3 There will be no postponement of parental leave if the postponement would result in the leave being taken after the child's 18th birthday.

9. CONTINUOUS SERVICE

9.1 All periods of Parental Leave will be treated as continuous service.

10. RETURN TO WORK

10.1 The employee has a right to return to the same job if the period of leave is less than 4 weeks.

10.2 However, although unusual, where the employee's period of parental leave has been longer than four weeks, or has been combined with a period of additional maternity, paternity or adoption leave, it might not be possible in some cases for the employee to return to the same job. In such circumstances, the Trust will offer the employee a suitable and appropriate alternative position on no less favourable terms.