

HUMAN RESOURCES POLICY

PARENTAL LEAVE

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Policy Number:	HR20
Version Number:	4.0
Issued Date:	October 2020
Review Date:	October 2023

Sponsoring Director:	Michelle McGuigan
Prepared By:	Kirstin Brundle
Consultation Process:	Partnership Forum
Formally Approved:	October 2020

Policy Adopted From:	BSA HR20 Parental Leave Policy
Approval Given By:	n/a

Document History

Version	Date	Significant Changes
1.0	April 2013	n/a
2.0	May 2015	n/a
3.0	March 2017	n/a
4.0	September 2020	Updated in line with legislative changes to include children up to 18 th birthday.

Equality Impact Assessment

Date	Issues
13.12.12	None
September 2020	None

Policy Validity Statement

This policy is due for review on the latest date shown above. After this date, policy and process documents may become invalid. Policy users should ensure they are consulting the currently valid version of the documentation.

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1. POLICY STATEMENT

- 1.1 Parental Leave is provided to enable employees to take time off work to look after a child or make arrangements for a child's welfare. Parents or those who have formal parental responsibility can use it to spend more time with children and strike a better balance between their work and family commitments.
- 1.2 This Policy should also be seen as operating with the provisions on flexible working arrangements and employment breaks (see appropriate policies for more information). It should be noted that Parental Leave is unpaid.

2. PRINCIPLES

- 2.1 Employees who have nominated caring responsibility for a child, up to their 18th Birthday, are eligible for Parental Leave.
- 2.2 Training and support will be provided to all Line Managers in the implementation and application of this policy.

Entitlement to Leave

- 2.3 The right to parental leave entitles all employees who have completed 12 months continuous NHS service to take a period of unpaid leave to care for each child *aged up to 18*. Managers may agree to parental leave requests from employees who have less than 12 months continuous NHS service.
- 2.4 The entitlement is 18 weeks unpaid leave per child to be taken in periods of at least one week at a time. In the case of twins, each parent will be entitled to 18 weeks for each child (18 weeks for parents of each adopted or disabled child). In cases where the child is disabled, parental leave may be taken in days rather than in weeks.
- 2.5 A maximum of four weeks can be taken in any one year. Both parents can take parental leave.

Timescales for Taking Parental Leave

- 2.6 Up to 18 weeks leave up until the child's 18th birthday.
- 2.7 Parents can start taking parental leave as soon as a child is born or placed for adoption, or as soon as they have completed one years continuous NHS service, whichever is later.

Requests for Parental Leave

- 2.8 All requests for parental leave must be made on the appropriate form attached to this policy, signed by a departmental manager and copied to Human Resources and Salaries for monitoring and recording and payment purposes.

3. EQUALITY

- 3.1 In applying this policy, the CCG will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

4. DATA PROTECTION

- 4.1 In applying this policy, the Organisation will have due regard for the Data Protection Act 2018 and the requirement to process personal data fairly and lawfully and in accordance with the data protection principles. Data Subject Rights and freedoms will be respected and measures will be in place to enable employees to exercise those rights. Appropriate technical and organisational measures will be designed and implemented to ensure an appropriate level of security is applied to the processing of personal information. Employees will have access to a Data Protection Officer for advice in relation to the processing of their personal information and data protection issues.

4. MONITORING & REVIEW

- 4.1 The policy and procedure will be reviewed periodically by Human Resources in conjunction with operational managers and Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

Part 2

1. PROCEDURE

Applying For Parental Leave

- 1.1 When applying for parental leave the employee must, where possible, complete and hand in the form PAR 1 (attached) and:
- specify the length of leave required;
 - give at least 21 days notice before the beginning of the period of leave.

Postponing Parental Leave

- 1.2 Parental Leave may be postponed in exceptional circumstances where the timing would cause significant operational problems.
- 1.3 If a request for leave is postponed:
- it will only be deferred once and alternative dates will be offered;
 - postponement will be for no longer than three months;
 - deferred leave offered will be for the same length of time as that requested, and the start and end dates of deferred leave will be mutually agreed;
 - an employee will be given reasonable written notice of a deferral together with the reasons. The minimum notice will be:
 - two weeks before the start of the requested leave where the leave is for two weeks or less;
 - where the leave is more than two weeks, the same length as the parental leave requested;

An employee who considers that his/her request for leave has been unreasonably postponed, may appeal through the Organisations Grievance Procedure.

Arrangements During Parental Leave

- 1.4 Whilst taking parental leave, employees are on unpaid leave.
- 1.5 During the period of parental leave, the employee will retain all contractual rights except remuneration, including entitlement to annual leave, eligibility for an annual incremental payment, and pension rights. Pension contributions will continue to be payable during periods of parental leave. Arrears of contributions will be deducted by the Salaries department over an agreed period of time.

Returning from Parental Leave

- 1.6 On resuming work after a period of parental leave, employees will return to their job on remuneration and other terms and conditions no less favourable than if they had not taken parental leave.
- 1.7 Where the employee's job has been changed in his/her absence, the employee must be notified in writing of this change prior to their return and allocated a similar job with no less favourable remuneration and terms and conditions.

Application form for Parental Leave

NAME:	
JOB TITLE:	
PAYROLL NO:	
DIVISION:	
DATE OF COMMENCEMENT WITH ORGANISATION:	
DATE OF CONTINUOUS SERVICE:	
AMOUNT OF LEAVE REQUESTED:	
DATE LEAVE IS TO START: (you must endeavour to give at least 21 days notice)	
I request authority for the above parental leave and I accordingly authorise deduction from my pay. I understand that leave requested can be postponed in exceptional circumstances and a written explanation will be provided.	
Signature:	Date:
TO BE COMPLETED BY MANAGER	
I authorise this application for Parental Leave	
OR	
I wish to defer this application until _____ (new date) for the following exceptional reasons:	
I have discussed this with the applicant and the new date has been agreed.	
Signature:	Date:
Job Title:	

Equality Analysis Initial Assessment**Title of the change proposal or policy:**

Parental Leave

Brief description of the proposal:

To ensure that the policy amends are fit for purpose, that the policy is legally compliant, complies with NHS LA Standards, and takes account of best practice.

What impact will the new policy/system/process have on the following:**Age - Consider and detail age related evidence. This can include safeguarding, consent and welfare issues**

Appropriate methods of communication of the Policy have also been carefully considered to ensure they reach all ages of the workforce. Email and the internet can be accessed by all users in the workplace.

Disability - Consider and detail disability related evidence. This can include attitudinal, physical and social barriers as well as mental health/ learning disabilities

The disability status of the workforce across the region is unknown therefore relevant tools could be made available to staff that potentially do have a disability that the organisations are unaware of. The policy should be able to be communicated in alternative methods as required for those with a disability and/or visual impairment such as braille, large font, interpreters etc.

Gender reassignment (including transgender) - Consider and detail evidence on transgenderpeople. This can include issues such as privacy of data and harassment.

The policy does not include content or vocabulary that could cause offense or discriminate against any staff members who have undergone or are undergoing gender reassignment or that identify as transgender.

Marriage and civil partnership - Consider and detail evidence on marriage and civil partnership. This can include working arrangements, part-time working, caring responsibilities.

The content of this policy does not include content or vocabulary that discriminates against staff that may be married or in a civil partnership.

Pregnancy and Maternity - Consider and detail evidence on pregnancy and maternity. This can include working arrangements, part-time working, caring responsibilities.

The policy does not discriminate against staff that are currently pregnant or on maternity leave and can be accessed while on maternity leave or any other leave of absence via the organisation's website.

Race - Consider and detail race related evidence. This can include information on difference ethnic groups, Roma gypsies, Irish travellers, nationalities, cultures, and language barriers.

The policy does not include vocabulary or content that discriminates against staff on the grounds of race.

Religion or belief - Religion is defined as a particular system of faith and worship but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

The policy does not discriminate against staff that hold any particular religion or belief.

Sex/Gender - Consider and detail evidence on men and women. This could include access to services and employment.

The Policy does not discriminate between based on gender.

Sexual orientation - Consider and detail evidence on heterosexual people as well as lesbian, gay and bisexual people. This could include access to services and employment, attitudinal and social barriers.

The content of this policy and vocabulary used does not discriminate against staff based on their sexual orientation.

Carers - Consider and detail evidence on part-time working, shift-patterns, general caring responsibilities.

The content of this policy and vocabulary used does not discriminate against staff who have carer responsibilities.

Other Identified Groups and Health Inequalities - Consider and detail evidence on groups experiencing disadvantage and barriers to access and outcomes. This can include different socio-economic groups, geographical area inequality, income, resident status (migrants, asylum seekers). What is the potential impact of your work on health inequalities?

Other groups have been considered however as the policy is for staff there are no additional impacts on health inequalities.

Alternative formats of this policy will be provided on receipt of individual request.