



Parental Leave Policy

Human Resources
March 2003

1 Introduction

The Maternity and Parental Leave (Amendment) Regulations 2001 came into force on 10 January 2002. All parents with 1 year's continuous service or more **will be entitled to take up to 13 weeks unpaid parental leave** (18 weeks in the case of a disabled child) to care for any child born or adopted after 15 December 1994, subject to the criteria detailed below. A maximum of 4 weeks parental leave may be taken in any qualifying year.

2 Eligibility

2.1 To be eligible for the benefits that exist under this policy, employees

- Must have been permanently employed by the Council for one year or more
- Must be able to prove formal parental responsibility for a child born or adopted after 15th December 1994 by
 - Being named as the natural parents on the birth certificate
 - Be the adoptive parents
 - Have a court order to look after the child(ren) in their care

3 Timescales

3.1 Parental leave must be taken no later than the child's fifth birthday, except:

- In the cases of adoption, leave can be taken up to the fifth anniversary of the adoption date for a child under 18 or the child's 18th birthday, whichever is the earlier
- In respect of a disabled child, parental leave can be taken up to the date of the child's 18th birthday, as long as the child was born or adopted after 15th December 1994
- Parents of children born or adopted between 15th December 1994 and 14 December 1999 can take leave up to 31st March 2005 due to transitional arrangements

4 Leave Periods and Notification Requirements

4.1 Any parent meeting the eligibility requirements will be able to take up to 13 weeks unpaid parental leave per child (18 weeks for a disabled child)

4.2 Employees wishing to take parental leave must give at least 21 days notice of their request, in writing to their Head of Service.

- 4.3 The leave must be taken in blocks of at least one week. If a period shorter than a week is taken, it will be counted as one week, (except for parents of a disabled child who may take parental leave in blocks or multiples of a single day).
- 4.4 The Council reserves the right to postpone the leave for up to six months, due to operational needs, except when notice has been given to take it immediately after a child is born or placed for adoption or immediately after maternity leave. The employee will be advised, in writing, of the reason for postponement within 7 days of the request for leave. Employees who wish to dispute the reasons given should use the Council's Grievance Procedure.
- 4.5 Employees may only take four weeks parental leave for each child during any leave year, beginning on the date upon which the employee becomes entitled to the leave.
- 4.6 New employees will be asked to declare any parental leave taken in previous employment.

5 Contractual Compliance

- 5.1 Employees who take parental leave will be entitled to return to the same job on the same Terms and Conditions
- 5.2 Parental leave does not affect annual leave entitlement
- 5.3 Employees are permitted to cease pension contributions for up to thirty days without breaking their pensionable service, however, should employees wish to continue to make contributions they should liaise with the Payroll Manager. Advice regarding pension contributions should be sought from Staffordshire County Council Pensions Section
- 5.4 The Council is committed to protecting employees from detriment, including victimisation as a result of taking parental leave
- 5.5 Any abuse of the parental leave policy is likely to result in disciplinary action

6 Records

- 6.1 Any records taken during this process will be kept confidential, and retained in accordance with the Data Protection Act 1998.