



**EMPLOYEE
FRIENDLY
PARENTAL POLICIES**



**partnership
information network**
for the service by the service

PARENTAL POLICIES

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NHS HIGHLAND

1. MATERNITY AND RETURN TO WORK POLICY

1.1. **Pay and Leave**

Within the NHS in Scotland the entitlements to leave and pay as laid down in Whitley exceed statutory minimums by a significant margin. This being the case this guideline does not seek to increase the pay and leave entitlements of employees, but does, however, seek to implement best practice in the processing of applications, management of pregnant workers and return to work arrangements.

1.2. **Processing Applications**

When an employee notifies their employer that they are pregnant they will be issued with an information pack which explains in full their entitlement to pay and leave together with details of any forms to be completed and time scales to be adhered to.

An employee should be written to upon receipt of their application form, detailing what they require to do (if anything) and their entitlements to pay and leave together with dates (where these can be confirmed).

Managers will keep in contact with the employee throughout the period of their confinement and maternity leave, providing information and support where agreed and a link to the workplace.

1.3. **Management of Pregnant Workers**

The Pregnant Workers Directive 1992 introduced measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding.

Where types of activity pose a specific risk of exposure to dangerous agents, processes or working conditions these must be assessed and the result of the assessment communicated to the female workers and their representatives. Where a risk exists provision must be made to protect the worker.

Examples of risk

- chemical exposure
- physical and biological agents
- industrial processes
- movements and postures
- mental and physical fatigue

- other types of physical and mental stress connected with the work done

Examples of provisions to reduce risk

- temporarily adjusting the working conditions or hours
- move the worker to another job
- grant special leave
- transfer to daytime working

Night working is also covered in the directive, which, states that provision must be made for workers not to have to work at night where such a provision is necessary from the point of view of their safety and health.

1.4. Return to Work Arrangements

The most recent legislation to affect return to work arrangements is the Employment Rights Act 1999. This act repealed the requirement on the employee to inform the employer 7 weeks after the birth of their baby of their intention to return to work. The legal requirement is now that a woman must give her employer 21 days notice of her return to work if she wishes to return before the end of ordinary (first 18 weeks) or additional (extended 29 weeks) maternity leave. Where a woman is entitled to additional maternity leave she should let her employer know when the baby is born whether she intends to access this entitlement. An employer may write out to a woman no earlier than 21 days before the end of ordinary maternity leave to ask whether she is still intending to return to work after her additional maternity leave. The letter must explain to the employee how she works out when her additional maternity leave period will end and that she may be penalised for failing to respond to the letter. The woman must reply within 21 days of receiving the letter. If she does not, her employer may take disciplinary action against her.

General Whitley Council conditions state that “ An employee who has notified her intention to return to work has the right to return to her job under her original contract and on no less favourable conditions. However, she may return to work on any basis agreed with the employing authority, including part-time working and job sharing, and the General Whitley Council believes that authorities should wherever possible meet the expectation of women wanting to return under more flexible working arrangements. Authorities should ensure that, following maternity leave, women returning part-time or as a job share return at a grade commensurate with their leaving grade and to work of similar status.”

In cases where requested changes to working pattern cannot be agreed, the member of staff will be entitled to reasons as to why changes have not been possible.

NHS HIGHLAND

2. BREASTFEEDING AND RETURNING TO WORK POLICY

NHS Highland will take positive and supportive attitudes to employees returning to work and breastfeeding.

2.1. **General Principles**

In order to encourage and support mothers returning to work who wish to continue breastfeeding NHS Highland will provide the following:

2.1.1. Support for Breastfeeding

Human resources policies and procedures will encourage an understanding of the value of breastfeeding and a positive attitude to breastfeeding amongst all staff.

2.1.2. Information to Pregnant Employees

Information sent to pregnant employees will include a brief summary of the benefits of breastfeeding, as well as an explanation of the support mothers can expect upon their return to work. Details of publications, which may be purchased, on breastfeeding after returning to work will also be included.

2.1.3. Working Patterns

Managers will be flexible, with respect to working patterns when a breastfeeding mother returns to work. This may mean temporarily changing working conditions or hours of work. Employees will not be required to work shifts, or to attend training courses or meetings that would involve excessively long working days, which might be detrimental to breastfeeding. HR input and support should be sought as appropriate.

2.1.4. Breastfeeding or Expressing Breast Milk During Working Hours

Where practicable employees will be allowed time off during working hours to breastfeed if their baby is cared for nearby, or to express breast milk.

2.1.5. Facilities available to Breastfeeding Mothers

Facilities available to breastfeeding mothers will include:

- Areas for Rest / Expressing Breast Milk
- These will be clean and warm with a low comfortable chair, and where necessary, the facility to lie down.
- The area will have a lock or have an arrangement for ensuring privacy.

- There will be hand-washing facilities nearby.
- There will be an electric point for an electric pump if necessary.

Facilities for Storing Breast Milk

- There should be a clean area where sterilizing equipment may be stored.
- A dedicated refrigerator should be available for storing expressed breast milk at 2°-4°C until it is taken home.

NHS Highland

3. PATERNITY AND ANTE-NATAL LEAVE POLICY

NHS Highland recognises that partners have a need and desire to spend time at home for the birth or adoption of a child. This policy is intended to be flexible in its application to meet the needs of the individual.

Employees with more than one years continuous service in the NHS are entitled to 10 days paid Paternity Leave. Employees with less than one year's continuous service in the NHS will be entitled to 10 days unpaid leave.

3.1. Birth of a Child

Fathers may take a maximum of 10 days paid leave which can be utilised with the prior approval of their manager for attendance at ante-natal classes, the birth itself or any period within six weeks of the birth of the child.

- Stillbirths

If a stillbirth occurs the provisions of the compassionate leave policy should apply, this entitlement will not be affected in any way by any paternity leave previously taken.

3.2. Adoption

When a child is adopted, the provisions for Paternity Leave will also be available to the parent who is not the primary carer. The leave may be taken at any time after the adoptive parents have been informed that a child is available for placement and up to the granting of the adoption order.

3.3. Notification

Employees must complete an application form (Appendix 1) at least three weeks in advance where possible. Actual leave dates should be mutually agreed with the manager as soon as possible.

- Ante-Natal Clinics

There may be circumstances where a member of staff wishes to accompany their partner to an appointment at an ante-natal clinic. In these circumstances applications for leave will be via the Special Leave policy.

NHS HIGHLAND

4. ADOPTION AND FOSTERING POLICY

NHS Highland wishes to deal sensitively and sympathetically with staff who are considering being the main carer in adopting or fostering a child and are looking for time off to support them in the initial stages of this process.

There is recognition that the needs of the adoptive or foster parent(s) are at least as great as those of natural parent(s) in establishing a relationship with the child and in developing new routines. The Adoption & Foster Leave Policy is, therefore, to enable an employee who wishes to adopt or foster a child to take a period of leave to help the child settle into the family and adjust to new circumstances. Where both parents are employees leave may be shared or taken in entirety by the primary carer. However, in certain circumstances, e.g. the adoption or foster of a child with special needs, leave may be requested by both parents. The policy also recognises that a single person may foster or adopt a child.

4.1. **Fostering**

As fostering can be for varying lengths of time, from very short term to long term fostering; the NHS organisation will adopt a flexible approach to this. Staff should therefore discuss their intention to foster with their manager as soon as possible to ascertain the support they will need.

For very short term fostering it would be more appropriate to process time off under the Special Leave Policy in existence. For very long term fostering the manager can consider providing time off in line with the arrangements for Adoption Leave/Pay detailed below.

4.2. **Adoption**

4.2.1. Pre-adoption Leave

The manager should be advised in writing as soon as the employer is notified by the Adoption Agency that their application for adoption has been accepted. Proof of appointment will be required when requesting leave to attend court sessions, interviews and other meetings required as part of the adoption process. A maximum of 5 days paid leave will be available for this purpose.

4.2.2. Adoption Leave - Returning to Work

An appropriate application form and Certificate of Adoption must be submitted when requesting adoption leave. Leave should be requested as soon as practicable as the manager will already be aware of the intention to adopt. Leave and pay entitlements will be calculated as follows:

- Employees with one or more years service will be entitled to 18 weeks paid leave plus up to 34 weeks unpaid leave. The paid leave is calculated as follows:-
 - **Weeks 1 - 8 (inc) - Full Pay**
 - **Weeks 9 - 18 (inc) - Half Pay**
- Employees with less than one year's service will be entitled to 18 weeks unpaid leave.
- Adoption leave is calculated in whole weeks beginning on a Sunday and ending at midnight the following Sunday.
- On receipt of the completed application, the appropriate personnel adviser will calculate the entitlement to leave/pay and forward a letter to the applicant confirming these details.
- The employee should advise the manager of their intention to return at least 3 weeks prior to the date of return. If the employee returns to work after 18 weeks, i.e. the end of the paid period of leave, any further leave required for court hearings, social work visits etc will be unpaid.
- The employee will retain the right to return to work on no less favourable terms and conditions of employment than prior to taking the adoption leave.
- If the employee fails to return to work for at least a period of three months, having originally indicated that they will return, they will require to repay their adoption pay.
- Employees who are not certain whether they will return to work may opt to defer payment until they can make a more informed decision.

4.2.3. Employees Not Intending to Return to Work

Employees who do not intend to return to work after adoption, may be entitled to six weeks paid leave plus a further eight weeks unpaid leave if they have more than two years full time service or five years part time service with the NHS organisation. This paid leave shall be regarded as service therefore the date of resignation will be fourteen weeks after the beginning of the period of Adoption Leave.

4.2.4. Annual Leave/Public Holidays

Annual leave will accrue only while on paid adoption leave and where possible, leave should be taken before a period of adoption leave commences. There will be no entitlement to public holidays and no payment or time off in lieu will be granted for public holidays falling during a period of adoption leave.

4.2.5 Superannuation

The employee will still be required to maintain payment of superannuation contributions (if appropriate) for the period of unpaid leave. Therefore on return to work, superannuation contributions will be deducted. Dependent on the amount to be repaid, the Pay Unit will issue a mandate asking for a preferred method of payment.

4.2.6. Incremental Date

Absence on Adoption Leave, whether paid or unpaid, shall count towards the normal increment and will not defer the normal incremental date.

4.2.7. Contractual Rights

During a period of Adoption Leave, the employee will retain all contractual rights, except remuneration.

4.2.8. Fixed Term Contracts

An employee on a fixed term contract, satisfying the conditions for paid entitlement to leave, and whose contract expires between 11 weeks before and 6 weeks after the date of adoption, will have their contracts extended to enable them to receive 18 weeks paid leave. If the right to return to work cannot be exercised because of the termination of the contract, pay cannot be reclaimed.

4.2.9. Paternity Leave

The adopting parent who is not the primary carer may apply for paternity leave in accordance with the provisions of the NHS Highland's Paternity Leave Policy.

**NOTIFICATION OF ADOPTION / FOSTERING
ABSENCE AND / OR APPLICATION FOR
ADOPTION / FOSTER LEAVE PAY**



SECTION A (TO BE COMPLETED BY ALL APPLICANTS)

FULL
NAME.....

HOME ADDRESS.....
.....
.....
.....

STAFF PAY NO

PLACE OF WORK.....

JOB
TITLE.....

GRADE.....

DATE OF SERVICE

TYPE OF CONTRACT

EXPECTED DATE OF ADOPTION/ FOSTERING.....

Signed Date

SECTION B (TO BE COMPLETED BY STAFF WHO INTEND OR MAY INTEND TO RETURN TO WORK)

I am aware that my application for Adoption/Foster Leave will be considered in accordance with the conditions of service, which have been explained to me. I enclose a copy of the Certificate of Adoption/Fostering and declare that I shall return to work for an

NHS employer for at least a period of three months: -
(please tick appropriate box)

- Not later than 12 weeks from the commencement of my period of Adoption/Fostering
- Not later than 18 weeks from the commencement of my period of Adoption/Fostering
- I am uncertain at this time as to whether I will return to work.

I understand that if I do not return to work for a period of at least three months, I will be required to repay any payments made to me as set out in the Conditions of Service.

Signed Date

SECTION C (TO BE COMPLETED BY STAFF WHO DO NOT INTEND TO RETURN TO WORK)

I intend to resign and my last working day will be
I have read and understood the Terms and Conditions set out and enclose a copy of the Certificate of Fostering / Adoption.

Signed Date

SECTION D (TO BE COMPLETED BY HEAD OF DEPARTMENT)

I am aware that the applicant intends to return to work following a period of adoption/foster leave:

No later than 12 weeks from the commencement of the Adoption/Foster Leave

or

No later than 18 weeks from the commencement of the period of Adoption / Foster Leave

or

I am aware the applicant does not intend to return to work

or

Is not sure whether they will return to work

I acknowledge receipt of the application and confirm that the information contained in all Sections is accurate.

Signed Date

Designation

SECTION E (TO BE COMPLETED BY THE PERSONNEL DEPARTMENT)

Qualifying Week for Adoption/Foster Pay

The applicant intends to return to work/may return to work following the adoption / foster leave and is entitled to leave as detailed in the enclosed copy letter.

The applicant intends to resign following the adoption and is entitled to pay as detailed in the enclosed copy letter.

Signed Date

Designation

NHS HIGHLAND

5. CHILDCARE OPTIONS

The Working Group considered the provisions contained within the Guidelines for Childcare and commend the information contained therein.

The group recommends that the Partnership Forum establishes a NHS Highland-wide group to ensure adequate childcare options for staff across the Highlands.

The group believes that positive action is required and doing nothing is not an option if we are to meet our Employee Friendly responsibilities as an exemplar employer.

5.1. **Benefits to Employees and Employers**

5.1.1. Employee:

- Feels valued by the organisation
- Receives help/peace of mind in locating childcare
- Financial benefits advised and available

5.1.2. Employer:

- Ideal recruitment and retention tool
- Strong visible commitment to staff
- Induces loyalty

5.2. **Options**

There are a number of options available to an employer to assist employees in obtaining quality childcare at competitive rates whilst also ensuring any benefits available are known and accessed with assistance.

5.3. **Childcare Support**

To act as an incentive for recruitment and retention, childcare support needs to be more affordable and attractive for staff than other locally available options. The cost to staff must make childcare a reasonable proposition when set against earnings.

What a reasonable cost would be and therefore the amount of subsidy from the employer will vary from area to area. This level of subsidy will have to be compared with the business case so that costs can be balanced against savings in terms of staff recruitment and retention.

Some help with start up costs may be available - particularly with out-of-school schemes - contact the New Opportunities Fund and local Early Years Development and Childcare Partnership for details. Also all four-year-olds and some three-year-olds are entitled to a Government sponsored free part-time education nursery place (worth £1160 p.a. in 1999/00) in any OFSTED approved provision. This may include workplace nurseries.

The first step is to assess what demand for childcare support exists among staff and which childcare options are preferred. A questionnaire distributed to all staff will produce some indications. It will be useful to back this up by holding discussions with groups of parents in the workforce and inviting comment from union/professional organisation representatives. A staff profile indicating numbers with children, ages of children and where they live will also help to inform policy. For example, if most parents have school age children a holiday playscheme may be the priority. If staff are well scattered, a geographically distributed partnership nursery scheme may be preferable to an on-site nursery.

To be successful the project is going to take time, a range of skills and continuing contact with staff. The composition of a steering group that acknowledges these factors will stand the best chance of developing the right policy.

Explore the options. Look outside the organisation at existing childcare services in the locality. Make contact with providers and the local Early Years Development and Childcare Partnership. Their knowledge and expertise will be useful.

In the interests of everyone in the organisation, a clear business strategy should be developed and discussed. This will include projected costs, projected savings in terms of recruitment and retention, and the impact on absenteeism/sickness, staff morale and commitment and the reasons for the type of provision selected. Staff with no childcare concerns have as much right to this information as those with young or school-age children.

Where the provision is finite in terms of places available, pressure on places will build up. Therefore, criteria for allocating places are a vital concern. Typically, these will use some of the following to decide priority:

- "first come, first served"
- business need
- area of skill shortage
- returnees from maternity leave
- returnees from career break
- lone parent
- low pay / household income
- parent or child with disability

- siblings in the nursery
- length of service

Gender or marital status cannot be used as grounds for allocation. The Equal Opportunities Commission advises that this breaks the terms of the Sex Discrimination Act.

5.4. Employer / provider partnerships

- Partnerships between employers and childcare providers can have a number of advantages in setting up and running a project:
- capital costs for a new initiative can be shared at the outset - for example; a hospital could provide the site for a nursery while the childcare provider pays for construction or conversion
- the employer can buy into an existing childcare resource, making a capital contribution in return for places for employees' children
- there's more flexibility, especially for employers with dispersed sites, they can select places in a variety of locations so staff have the option of childcare near home or near work
- the onus on a single employer to fill all the places in a new provision is reduced
- the project benefits from the existing expertise of providers in setting up and managing childcare services.

5.5. Out of School and Holiday Play schemes

Out of school schemes provide facilities for schoolchildren in periods before and after the normal schoolday. Partnerships with schools and other providers usually prove the most successful and effective, as children of staff may attend a number of different schools.

Various organisations provide on-site holiday playschemes for children of staff, although again partnerships with other providers may provide more options for staff. All schemes need to be registered with the Local Council, and the facilities officially inspected.

A £452 million National Lottery fund - the New Opportunities Fund - has been established to start-up new schemes and expand existing schemes for 3 - 14 year olds. Contact your local authority for more information and scheme requirements.

5.6. Childcare vouchers

The Childcare Voucher scheme operates in the same way as Luncheon Vouchers (the scheme is run by the same company). Vouchers are purchased by the employer for distribution to employees who use them to pay towards childcare costs. Vouchers are taxed as a benefit by Inland Revenue.

- Childcare vouchers
- Both parents must be in employment
- One parent must be employed by the organisation
- The child/children must be living with the parent/guardian claiming the allowance, be under 5 years of age and not yet attending school
- Assistance will be provided for payments made to a nursery, registered child-minder or close relative
- Childcare Solutions
- All employees who receive child care vouchers have free and unlimited use of Childcare Solutions
- It is a UK wide childcare helpline which enables employees to find child care provision
- It also provides information and advice on a wide range of childcare and parenting issues

5.7. On-site nursery

A workplace nursery is an option where large numbers of staff are employed on one site and live in the vicinity. Employers can set up their own nurseries or work in partnership with providers (see above). As a pattern of provision it can be combined with off-site facilities for staff, nearer to home.

Specific standards exist for nurseries, with space requirements for each age group set under the terms of the Children Act 1989. An outdoor play space will be needed. Quality inspection for nurseries is due to be transferred to OFSTED (Office for Standards in Education). Contact the local authority Early Years Education or Social Services Department for registration requirements.

Parents must: -

- Hold a permanent organisation contract
- Be based within one of the organisation workplaces
- Be the main child provider in their household where the ability to begin or continue employment in the organisation is dependant on obtaining suitable day care for the child(ren).
- Places will be allocated on a priority basis meeting the following criteria in order of importance: -
- Parent is commencing or returning to a post that has been designated as hard to recruit

- Parent has difficult domestic circumstances such as being a single parent
- Parent has been asked by the department to change or extend their working hours to meet the needs of the department
- Termination of employment automatically terminates right to a day care place

5.8. Childminding network

A child-minding network can be set up by appointing a coordinator to help staff find a local child-minder. Child-minders, who have to be registered with the local authority, take children into their own homes to care for them (in contrast to nannies who work in the child's home). See "Sources" for National Child-minding Association who can advise on starting up a local network.

5.9. Childcare information service

Every local authority provides free information about childcare services in the area, but this is sometimes patchy or difficult to access. With Government backing, more user-friendly information services are being developed in many areas. Some have websites or one-stop-shops where information about local providers is available. A national telephone number is planned which will signpost local services. Meanwhile, call The Daycare Trust for contact details.

5.10. Working Families Tax Credit

Employers should produce and make available to staff information in relation to Working Families Tax Credit. This can be issued to staff who access maternity, paternity, and parental or adoption/fostering leave as a matter of course and good practice. A named individual within the Pay Department should be named who is kept knowledgeable and is a contact for both staff and managers to seek advice and assistance.

Some employees, especially lone parents, may be eligible for childcare tax credit, part of the Working Families' Tax Credit scheme, which started in October 1999. The childcare tax credit takes into account a maximum of 70% of the costs of registered or approved childcare when calculating the total tax credit, depending on overall household. This credit can be worth up to £70 a week for one child, or up to £105 a week for two or more children.

Subsidy by an employer of childcare costs to the employee can be seen as a taxable benefit by the Inland Revenue. However, exemption applies where the employer is "wholly or partly responsible for financing and managing the provision" or where care is provided on premises made available by the employer.

The Childcare tax credit became effective in October 1999 as part of the Working Families Tax Credit help for working parents. Employees can benefit from maximum childcare tax credit if their total household earnings are less than:

- £14,000 a year with one child

- £17,000 a year with two or more children - depending on the ages of the children and hours worked.

Families earning up to £22,000 with one child and £30,000 with two or more children may be eligible for some help.

The credit can be worth up to:

- £70 a week for one child
- £105 a week for two or more children - to a maximum of 70% of the actual costs or registered or approved childcare.

The scheme covers children up to the age of 15 (or 16 if they are receiving Disability Living Allowance or are registered blind). Claim packs are available from the Inland Revenue.

The credit is paid directly into employees' wages. Parents using workplace nurseries and out-of-school schemes are exempt from taxation on the value of any employer subsidy, provided that the employer is wholly or partly responsible for financing and managing the provision or that the childcare is provided on premises made available by the employer (Tax and Childcare, Inland Revenue Personal Taxpayer series IR115).

This leaves open areas of interpretation. Advice from the Inland Revenue suggests that "responsible for managing" requires continued involvement by the employer in such areas as appointing and monitoring staff, maintaining the conditions under which care is provided and supervising the allocation of places.

Consult with your local Tax office about the eligibility of your scheme for tax exemption.

The WFTC has a wider reach than many people realise, and may modify their views on the affordability of childcare. One NHS Trust discovered that 20% of applicants for nursery places were eligible for WFTC. Single parents with earnings up to £30,000 per year or more could benefit in some measure from the scheme.

5.11. Notes for employers

To derive maximum benefit from the scheme on behalf of staff, employers should:

- ensure staff are given relevant information about WFTC
- be clear about changes in circumstances, e.g. increasing or reducing hours, which may affect entitlement to WFTC.
- typical channels for communicating this information include employment & appraisal interviews.

Information for employers is available from a range of sources. The scheme is administered by the Inland Revenue who operate an Employers' Helpline: 0845 7143143.

5.12. Notes for employees

You may be eligible for WFTC if:

- you (or a partner, if you have one) works at least 16 hours a week
- you have one or more dependent children living with you
- you have less than £8,000 in savings
- you are resident in the UK.

If you live with a partner, your entitlement to WFTC will be worked out on joint income. The component parts of WFTC comprise four elements:

- a basic tax credit per family
- a 30 hour tax credit when one earner works at least 30 hours per week
- a tax credit for each child in the family, with rates according to the child's age
- a childcare tax credit worth up to 70% of eligible childcare costs, with a ceiling on costs of £100 per week for one child, and £150 for two children or more.

WFTC is awarded for a period of 26 weeks at a time. Any change in circumstances during this period will not be taken into account until you re-claim for the next 26 weeks period.

Information about WFTC is available from the:
Inland Revenue Tax Credit Helpline: 0845 609 5000.

The Inland Revenue also produce leaflets with further information including:

- Your Guide to Working Families Tax Credit (WFTC/BK1)
- Working Families Tax Credit and Disabled Person's Tax Credit: Help with the cost of childcare (CTC/BK1)

Other useful information sources:

- New Deal for Lone Parents Information Line 0800 868 868
- National Minimum Wage Helpline 0845 600 0678

NHS HIGHLAND

6. PARENTAL LEAVE POLICY

6.1. Introduction

It is recognised by NHS Highland that work and parenthood can create conflicting pressures. Parents need time with their children and time to create a supportive home in which their children can thrive. Parental leave is therefore aimed at encouraging a culture of flexible working practices to allow all employees to balance family and work commitments, thus improving their participation within the work place.

6.2. Eligibility

The scheme applies to all employees whether they are full time or part time, who have a child aged 14 (fourteen) years and under.

6.3. Entitlement

To be entitled to parental leave employees have to: -

- be a parent (named on the birth certificate) of a child who is aged fourteen and under, or
- have formal parental responsibility for a child who is aged fourteen and under, or
- in adoption cases, for eight years after the child is first placed with the family for adoption (or until the child's 18th birthday if that comes sooner) , or
- in the case of a child with a disability, up until the child's 18th birthday (for the purposes of parental leave, a disabled child is one for whom disability living allowances is paid).

Employees who meet the above requirements will be entitled to thirteen weeks parental leave, for each child. For the first four weeks of this leave the employee will receive pay, at their basic rate of pay. The remaining weeks will be unpaid.

This parental leave may be taken as either: -

- a single block of 13 weeks; or
- as an annual allowance; or
- under any other individual arrangements agreed between an employee and their manager e.g. reduce working hours.

6.4. Notification of Intention to Take Parental Leave

An employee who intends to exercise their right to Parental Leave must apply by notifying

their immediate manager, before they intend to commence parental leave. Employees must complete an application form. (See Appendix 1) In order to assist with service provision employees are required to give 21 days notice. Employees who are requesting more than four weeks leave, at any one period of time, are required to give a minimum of 2 months notice of their intention to take parental leave. However there will be rare cases, where shorter periods of notice may be considered. In these cases parents should give the notice as soon as reasonably practicable.

The immediate manager and the employee must discuss the terms on which the employee will exercise their right to parental leave (e.g. is it to be taken as a single block, as an annual allowance or under any other individual arrangement).

The employee must also provide appropriate documentation e.g. copy of the Birth Certificate of the child for whom they are applying for parental leave or copies of adoption papers. The employee only has to provide this information on the first occasion of applying for parental leave.

If a father is applying for parental leave around the time of the birth of their child, they may be required to produce a copy of the MAT B1 certificate.

In exceptional circumstances, due to the needs of the service the employee may be asked to postpone their parental leave, until a later date. Postponement would only take place after discussion with the employee.

The leave will not be postponed for more than six months from the date on which the employee wanted to start Parental Leave. The manager and the employee should try to agree a suitable time but if they cannot the manager becomes responsible for guaranteeing that the employee can take the leave at a time, no more than six months ahead, which best fits the needs of the service and the employee. If this means that leave is postponed beyond the fourteen-year limit the parent still has a right to take it.

The manager should confirm the postponement arrangements in writing no later than 7 days after the employee's notice to take leave is given. The manager should clearly state the reasons for the postponement. In addition to this the new dates when the employee may take parental leave should be given, ensuring that the length of this leave is equivalent to the employee's original request. The manager will be required to keep records of parental leave taken.

6.5. Right to Return

In applying for parental leave, employees are entitled to return to their existing jobs. In exceptional circumstances e.g. reorganisation, they are entitled to return to an equivalent or similar job which is consistent with their contract of employment.

Absence on parental leave will not break continuity of service. An employee's contract of employment will continue during the whole period of parental leave, unless either party expressly terminates it by dismissal or resignation.

The employee will not be bound by any contractual terms whilst on unpaid leave except terms relating to good faith and confidentiality, which will also bind the employer.

6.6. Employees Who Change Jobs

In some circumstances, employees who commence employment, may previously have been entitled to receive and have taken their full entitlement to parental leave, with another employer. In these cases, employees cannot receive any further entitlement to parental leave, unless they have another child for whom they have not previously received parental leave. In these cases, the organisation will write to the employee's previous employer to confirm records of parental leave taken.

If an employee leaves employment the organisation will provide, if requested, a record of the employee's parental leave.

6.7. Sick Leave

Parental leave will not be treated as sick leave and will not therefore be taken into account for the calculation of sick leave entitlement in accordance with the occupational and statutory sick pay schemes.

If an employee fails to return to work on the notified date and submits the appropriate medical certificate, the provisions of the occupational and statutory sick pay schemes will apply.

6.8. Increments

Absence on parental leave shall count towards the normal annual increment on an employee's scale in accordance with the General Whitley Council Terms and Conditions of Service. Normal increment dates will not be deferred.

6.9. Annual Leave

A period of unpaid parental leave shall count towards the calculation of annual leave entitlement, in accordance with General Whitley Council Terms and Conditions of Service and their contract of employment.

6.10. Superannuation

Employees who are contributing to the superannuation scheme, will, on return to work have to pay the superannuation owed for the weeks of unpaid parental leave. This may be paid in a lump sum or installments by agreement with the Pay Unit

It is strongly recommended that the employee raises this matter with the Pay Unit before they commence parental leave since significant underpayments of superannuation can accrue.

6.11. Compliance

Employees who exercise their right to their entitlement to parental leave will be protected against dismissal or any other action, which is in connection with the fact, that they have exercised their right to take up their entitlement to parental leave. This does not negate an employee's responsibility for ensuring that they notify their manager of their intention to take parental leave.

Employee Friendly Policies
 Parental/Paternity/Carer/Special/Compassionate
Leave Application Form / Recording Form



PART 1 (to be completed by employee)

Name	Staff Pay No
Job Title	Dept/Ward
Work Location	Section

Type of Leave	Carer Leave	Compassionate Leave
Special Leave	Paternity Leave	Parental Leave

Reason for Leave

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Number of days required	(a) Paid
Date/s:	(b) Unpaid

..... Employee's Signature Date
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PART 2 (to be completed by Manager)

Manager's Name	Job Title
Dept/Ward	Section

Number of days agreed	(a) Paid
Date/s:	(b) Unpaid

Replacement arrangements and costs (where applicable)

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Comments (include reason why not granted/deferred where appropriate)

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..... Manager's Signature Date
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***Manager to record on Pay Return and pass copy to : Employee / Personal File**

NB. COPY TO EMPLOYEE / ORIGINAL TO PERSONAL FILE