

Ordinary Parental Leave and Time Off for Dependants

April 2015

1. Introduction

Parents and other employees who combine work with caring for dependants, have a number of statutory rights to apply for leave.

This includes ordinary parental leave and time off to support dependants. The provisions that the Highland Council offers enhances the statutory ones.

2. Ordinary Parental Leave

2.1 Definition

This leave is for those employees responsible for caring for a child and is available for that purpose only. In order to qualify for this leave the employee must be one of the following:

- The mother of the child.
- The father of the child if he is married to the mother at the time of the birth or he is registered as the child's father.
- The father (if not covered by the above) if he has acquired parental responsibility.
- A guardian of the child.
- An adoptive parent.

Parental leave is available to all employees irrespective of length of employment.

2.2

Provision

Eligible employees will be entitled to 18 weeks unpaid leave up until the child's 18th birthday.

Parental leave should be taken in blocks of a week or multiples of a week and should not be taken as "odd" days off, unless the child is disabled. **Employees cannot take off more than four weeks during a year per child.** A week is based on an employee's working pattern.

Employees will be entitled to return to the same job following ordinary parental leave.

In general, where possible, the employee will give the Service Director 21 days notice of his/her intention to take a period of leave, indicating the start and end dates, but it is recognised that this is not always possible. If the leave is to be taken by a father immediately after a child is born the notice must specify the expected week of childbirth. If the leave is to be taken immediately after a child is placed for adoption the notice must specify the expected week of placement.

The Service Director can postpone the period of leave for up to 6 months if the operation of the Service would be unduly disrupted. In this case the employee must be informed by the Service Director, in writing, within 7 days of the request for leave, stating his/her reasons for postponing the leave. However, leave cannot be postponed where it is to be taken immediately after a child is born or placed for adoption.

In the interests of good management practice employees will be asked to provide proof of the child's age, and a record of parental leave taken will be kept and monitored by Services.

3.

Time off for Support of Dependants

3.1

Definition

This is leave for employees who require time off work to take action that is necessary, for example:

- To help when a dependant falls ill or is injured or assaulted.
- To make longer-term arrangements for the care of a sick

or injured dependant.

- To cope when there is an unexpected breakdown in the arrangements for caring for a dependant.
- To deal with an unexpected incident involving a dependant child at school.

In all cases the provision is limited to the amount of time that is reasonable in the circumstances of the particular case.

In cases of bereavement and serious illness please refer to the Council's Special Leave Policy.

A dependant is the partner, child or parent of the employee or other member of the household. They may also be somebody who reasonably relies on the employee for assistance e.g. where the employee is the primary carer.

The length of time off work in the above circumstances is not expected to be long, as it is available only to enable the employee to cope with a crisis, e.g. if a child falls ill, time off to deal with the immediate care of the child. Therefore, for example expecting to take 5 days off to look after the sick child would normally be outwith these provisions.

2.2

Provision

In the circumstances detailed above an employee, on application to the Service Director, will be granted up to 5 days time off with pay, (although this length of time is expected to be exceptional and a maximum of 1 day's leave would in most cases be the norm) providing that they inform the Service Director as soon as is reasonably practicable of the reasons for the absence and how long they expect to be away from work.

It is emphasised that this provision is intended to cover unforeseen matters. If employees know in advance that they are going to need time off they should utilise annual leave, flexi-time or in appropriate cases, parental leave.