|  |
| --- |
| **Document Control Sheet** |

|  |  |
| --- | --- |
| **Document Reference** | SCC 113 |
| **Document Title** | Guidance on Parental Leave |
| **Description** | Guidance |
| **Version Number** | V2.0 |
| **Version Date** | October 2024 |
| **Last Review Date** | October 2024 |
| **Next Review** | October 2028 |
| **Reviewed By** | Chloe Jones |
| **Document History**  | V1- 01/11/2017V2 – October 2024  |

Table of Contents

[1. Introduction 3](#_Toc180674005)

[2. Entitlement 3](#_Toc180674006)

[3. Procedure to apply 3](#_Toc180674007)

[4. Postponement of Parental leave 3](#_Toc180674008)

[5. Further Advice 4](#_Toc180674009)

[Frequently Asked Questions 5](#_Toc180674010)

[Is parental leave per child? 5](#_Toc180674011)

[Under what circumstances can an employer postpone leave? 5](#_Toc180674012)

[Can I return to the same job? 5](#_Toc180674013)

[Can I return to the same job if my parental leave follows on from maternity, adoption, or shared parental leave? 5](#_Toc180674014)

[What other rights are available for working parents? 5](#_Toc180674015)

 [Is parental leave transferrable between employers? 5](#_Toc180674016)

[Appendix 1: Application for Parental Leave 6](#_Toc180674017)

# Introduction

**What is parental leave?**

Parental leave is a statutory right which entitles all eligible employees to take time off work to look after a child or make arrangements for the welfare of the child.

This is a period of unpaid leave.

# Entitlement

An employee is entitled to up to 18 weeks unpaid parental leave per child if they have one year's continuous service and meet one of the following criteria:

* Is the parent of a child who is under 18 years of age.
* they’re named on the child’s birth or adoption certificate or they have or expect to have [parental responsibility](https://www.gov.uk/parental-rights-responsibilities/what-is-parental-responsibility)
* Has acquired formal parental responsibility for a child who is under 18 years of age.

This entitlement is in addition to any rights to maternity/adoption and/or paternity leave or shared parental leave.

# Procedure to apply

An employee who meets the eligibility criteria must give at least 21 days’ notice before the date on which the leave is to start and must specify the dates on which the leave is due to start and end, using the form in Appendix 1.

An employee applying for parental leave may be required to produce evidence of responsibility or expected responsibility for the child; the child’s date of birth (or placement in the case of adoption); and, in the case of a disabled child, evidence of entitlement to a disability living allowance.

Parental leave does not need to be taken in one block for each eligible year. However, the employee may only take parental leave in blocks of at least a week at a time, and not individual days, unless the child is disabled, in which case it may be taken as individual days.

Employees cannot take any more than four weeks in respect of any individual child per year. For these purposes a year is the period of 12 months beginning when the employee first becomes entitled to parental leave in respect of the child in question, and each successive period of 12 months beginning on the anniversary of that date.

One weeks’ parental leave is based on the employees’ usual working pattern each week.  For example, if an employee works 3 days a week, one week of parental leave would be 3 days. If an employee works irregular weeks the number of days in a week, is the total number of days they work a year divided by 52.

# Postponement of Parental leave

The school may postpone a period of parental leave for up to six months (other than where parental leave has been requested immediately after childbirth/maternity leave or immediately after placement for adoption), where it considers the operation of the school would be unduly disrupted if the employee took leave.

Where the school decides to postpone the parental leave, it must give notice in writing of postponement within seven days of receiving the request. The school will need to explain why the leave has been postponed, suggest a new start date within 6 months of the requested start date, which is equivalent to the amount of leave being requested.

# 5. Further Advice

For more information visit GOV.uk, link [here](https://www.gov.uk/parental-leave)

You can contact your HR provider for further information.

## **Frequently Asked Questions**

### Is parental leave per child?

Yes – you will be entitled to 18 weeks parental leave per child up to each child’s 18th birthday if you meet the criteria.

### Under what circumstances can an employer postpone leave?

Employers may be justified in postponing leave when, for example, the work is at a seasonal peak; where a significant proportion of the workforce applies for parental leave at the same time; or, when the employee’s absence at a particular time would unduly harm the school.

### Can I return to the same job?

Yes – if you take a block of up to 4 weeks parental leave, you are entitled to return to the same job.

### Can I return to the same job if my parental leave follows on from maternity, adoption, or shared parental leave?

If the employee takes a period of unpaid parental leave of 4 weeks or less this will have no effect on the employee’s right to return and the employee will still be entitled to return to the same job as they occupied before taking the last period of leave if the aggregate weeks of maternity/paternity/adoption and shared parental leave do not exceed 26 weeks.

If a parent takes a period of 5 weeks of unpaid parental leave, even if the total aggregate weeks of maternity/paternity/adoption and shared parental leave do not exceed 26 weeks, the employee will be entitled to return to the same job they held before commencing the last period of leave or, if this is not reasonably practicable, to another job which is suitable and appropriate and on terms and conditions no less favourable.

### What other rights are available for working parents?

For further information, please see the following policies:

* Maternity Policy
* Paternity Policy
* Adoption Policy
* Shared Parental Leave
* Flexible working policy
* Leave of absence policy

# Is parental leave transferrable between employers?

You must have completed one years’ service with your new employer before you can request to take parental leave.  In the case of continuous service, then the requirement for 1 years’ service may be waivered by the new employer.

## **Appendix 1: Application for Parental Leave**

|  |  |  |
| --- | --- | --- |
| **Name of employee**  | **Job title**  |   |
|  | **Payroll Number** |  |
| **Date of commencement of employment** |   |
| **Amount of parental leave taken previously in respect of relevant child** |   |
| 1. I would like to apply for [ ] [week(s)/day(s)] unpaid parental leave from[date] to [date]. **(applications for parental leave in periods of a day or multiples of a day, may be made only where the child in question is disabled)**2. The leave requested relates to my child,  [due on [ ] / who was born on [ ] / who was adopted on [ ]] **(delete as appropriate)**3. I attach a copy of [child's name]'s [birth certificate/adoption papers] **(delete if not applicable)** |
| I recognise that the school is entitled to make enquiries of all or any of my previous employers in relation to any previous periods of parental leave taken.I also recognise that the school may postpone the period of leave requested by up to six months where the leave requested does not coincide with the expected week of my child's birth/end of maternity leave or adoption and the business would otherwise be unduly disrupted by my absence. |
| **Signed** |   | **Date** |   |
| **Please return this form to your manager at least 21 days prior to the date on which your requested period of parental leave is due to commence** |

**Summary of changes**

|  |
| --- |
| **Document control** |
| **Date** | **Section(s)** | **Update(s)** |
| October 2024 | Page 2 | Clarity on 4 weeks per child per year |
| October 2024 | Entitlement | Clarifying what employees are entitled  |
| October 2024 | Further advice section | Added contact info for casework team |
| October 2024 | FAQ | Added FAQ section |
| October 2024 | Application | Added application form |
|  |  |  |
|  |  |  |
|  |  |  |