

Parental Leave Policy

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1. Definitions

- 1.1 **DEMAT** means the Diocese of Ely Multi-Academy Trust.
- 1.2 **Trust** means the Diocese of Ely Multi-Academy Trust.
- 1.3 **Academy** means a constituent academy of DEMAT.
- 1.4 **Department** means function within the central team including but not limited to Human Resources, Finance and Governance.
- 1.5 **Central Team** means Staff who are not employed within an academy.
- 1.6 **Line Managers** refers to those with line management responsibilities including but not limited to Hub Directors, Head of Department and Headteachers.
- 1.7 **Staff** means any person employed by DEMAT, temporarily or permanently.
- 1.8 **Employee** means any person employed by DEMAT, temporarily or permanently.
- 1.9 **Support staff** means non-teaching staff within an academy.

2. Application of this Policy

The policy is applicable to all employees (permanent and temporary) of DEMAT.

The above definitions are included for reference purposes for both academy and central team staff to enable clarify and transparency when applying this policy.

3. Relationship with DEMAT Values

The application of this policy must be applied at all times in a way that reflects the values of DEMAT and our Christian Ethos:

Love – We engender love and tolerance between and for our staff, pupils and others to foster an inspiring atmosphere of mutual support.

Community – We are committed to ensuring our schools are a living part of the community and contribute positively to its needs.

Respect – We do everything to provide a caring, safe and secure place for our staff and pupils to be happy and respected in our schools so they may achieve their potential.

Trust – We acknowledge accountability and responsibility for our actions and ensure that we encourage each other to make brave decisions and then learn from any mistakes.

Ambition – We are determined that our schools offer a place for the joy of learning, enabling those of all abilities to thrive and go on to lead rewarding lives.

4. Associated Policies and Documents

This policy/procedure should be read in conjunction with the following DEMAT Policies/Procedures which can be found on the DEMAT website:

- Maternity Leave Policy.
- Paternity Leave Policy.
- Adoption Leave Policy.
- Shared Parental Leave Policy.
- Discretionary Leave Policy.

5. Version control

No.	Status of document/changes	Prepared by	Reviewed by	Approved by	Date of approval	Review Date
1.	New policy	Helen Fisher	Helen Rothwell	CEO	Jan 24	Jan 26
2.						
3.						

This document will be reviewed on a bi-annual basis.

For all questions in relation to this policy please contact the HR Team at hrteam@demat.co.uk

6. Purpose and Scope

- 6.1 This policy is part of our suite of family friendly policies that are in place to support staff who require time off to care for children. It is part of the Trust's commitment to family friendly working, and it seeks to benefit the welfare of individual members of staff; retain valued employees and improve morale and performance.
- 6.2 It sets out the statutory minimum required by regulation in respect of parental leave rights which are applicable to all employees. The rights are in respect of each parent and each child for whom they are responsible. It cannot be transferred from one parent to another.
- 6.3 This policy provides guidance on leave and pay entitlements in respect of parental leave.

7. Policy Statement

- 7.1 The Trust recognises that employees with parental responsibilities may find it difficult at times to balance work alongside caring responsibilities. It is also appreciated that parental responsibilities can be unpredictable, demanding and impact on the parent's health and wellbeing, and we aim to provide as much support as is reasonably practicable for individuals.
- 7.2 We are committed to developing a workplace culture that supports employees with parental and other caring responsibilities to help them balance their working and caring commitments and continue to be effective in their job and provide our children with high quality education.
- 7.3 If an employee is eligible and provides the required notice, they are entitled to take the leave; it cannot be refused but may, in certain circumstances, be deferred (see below for further information).

8. Who can take ordinary parental leave

- 8.1.1 Parental leave can be taken to care for your child if you:
- have a minimum of one year's continuous service with the organisation by the time you take the leave;
 - are named on the child's birth or adoption certificate; or
 - have, or expect to have, parental responsibility for the child.
 - are not a foster parent (unless they've secured parental responsibility through the courts)
 - The child is under 18.

9. The amount of ordinary parental leave you can take

- 9.1 You can take up to 18 weeks' unpaid leave for each child, subject to a maximum of four weeks' leave for each child in any one-year period.
- 9.2 The year begins on the date that the employee becomes entitled to the leave. This is either the date of the child's birth, the date of the child's placement or, in the case of a new employee, after completion of the one-year qualifying period.
- 9.2 You must take ordinary parental leave in blocks of at least one week. However, if your child has a disability, you can take the leave one day at a time. Please discuss this with your line manager in the first instance.
- 9.3 For part time employees who have a child with a disability (who is entitled to disability living allowance) and who can use their entitlement a day at a time, their parental leave must be in proportion to the hours and weeks that they work.
- 9.4 Entitlement to ordinary parental leave carries over from your previous employment. This means that if you have taken ordinary parental leave with a previous employer:

- you can take the balance with the Trust, but you must wait until you have worked for us for at least one year; and
- we will ask you about the amount of ordinary parental leave already taken for your child with your previous employer(s).

10. Notice

10.1 To take ordinary parental leave you need to give your line manager at least 21 days' notice, counting back from the date on which the leave is to start. You should set out the dates on which you wish to take ordinary parental leave. Please complete the 'Parental Leave Application and Consent Form' (Appendix 1) to request leave.

10.2 Fathers (or others who will have parental responsibility) requesting leave to begin when their child is born can:

- ask for the leave to begin when the child is born, whether this is earlier or later than expected. In these circumstances, you should give your line manager at least 21 days' notice, counting back from the beginning of the expected week of childbirth.
- Your notice should set out the expected week of childbirth and the length of leave you are requesting.

10.3 Adopters requesting leave to begin on the child's placement can:

- ask for the leave to begin when the child is placed with you for adoption, whether this is earlier or later than expected. In these circumstances, you should give your line manager at least 21 days' notice, counting back from the beginning of the week in which the placement is expected to occur. If 21 days' notice is not possible, please provide notice as soon as you can.
- Your notice should set out the week in which the placement is expected to occur and the length of leave you are requesting.

10.4 The Trust may request to see reasonable evidence of the child's date of birth, of the employee's responsibility or expected responsibility for the child and, if the child has a disability, to determine the child's entitlement to a disability living allowance.

11. Paternity leave

11.1 If you are considering taking ordinary parental leave on the birth of your child (or if you are an adopter, the placement of the child with you for adoption), you should bear in mind that you may also be entitled to paid paternity leave.

- 11.2 Paternity leave must normally be taken within 56 days of the child's birth or placement with you for adoption. Please see the DEMAT's Paternity Leave Policies for more information.

12. Terms and conditions during ordinary parental leave

- 12.1 During your leave, all the terms and conditions of your contract will continue and your continuity of employment is not affected.
- 12.2 Whilst staff may be eligible for parental leave the leave is unpaid.
- 12.3 This means that, while sums payable by way of salary will cease, all other benefits will remain in place. Annual leave will continue to accrue in the normal way.
- 12.4 During your leave, you continue to be bound by the terms and conditions of your employment. This means you remain bound by your obligations of good faith, as well as any contractual terms relating to the giving of notice, disclosure of confidential information, acceptance of gifts and benefits and freedom to participate in another business/work elsewhere.

13. Postponing ordinary parental leave

- 13.1 Whilst we will endeavour to agree to your request for ordinary parental leave, there are circumstances in which we may need to postpone the start date. We will do this only if the leave would cause undue disruption. Should this be the case, we will give you written notice of the postponement no more than seven days after we received your request.
- 13.2 However, we will never postpone your period of ordinary parental leave if the leave starts on the birth of your child or your child's placement for adoption.
- 13.3 If we postpone your period of ordinary parental leave, your line manager will discuss alternative dates with you to take that period of leave within six months of the first day the postponed leave was due to start.

14. Returning to work

- 14.1 If you take an isolated period of ordinary parental leave of four weeks or less, you are entitled to return to the same job you were doing before your absence.14.2 You can also return to your previous job if you take a period of ordinary parental leave of four weeks or less following on immediately from a period (or consecutive periods) of maternity, adoption, paternity and/or shared parental leave (taken in relation to the same child) that did not last more than 26 weeks.
- 14.3 You are entitled to return to your previous job or, if that is not practical, to another job that is both suitable and appropriate in the circumstances if you:

- take a period of ordinary parental leave of more than four weeks; or
- take a period of ordinary parental leave of four weeks or less following on immediately from a period (or consecutive periods) of maternity, adoption, paternity and/or shared parental leave (taken in relation to the same child) that lasted more than 26 weeks.

15. Record keeping

- 15.1 The entitlement is to take 18 weeks' leave in total in relation to each child and not 18 weeks with each separate employer. Employers are not required to keep statutory records of parental leave taken, but the academy/ department will do so as when an employee changes jobs, prospective employers may ask a current employer if any parental leave has been taken.

16. Taking less than a week off to look after a child

- 16.1 In an emergency or unexpected event you may be entitled to time off for dependants or another form of paid or unpaid leave. Please see the 'Discretionary Leave' policy for more information.

17. Data protection

- 17.1 When dealing with ordinary parental leave, we will process any personal data collected in accordance with our data protection policy. In particular, we will record only the personal information required and keep the information only for as long as necessary.

Parental Leave Application and Consent Form Please note that you should complete a separate form for each child		
Section A: Personal Details (to be completed by the employee)		
Employee Name		
Address for Correspondence		
Payroll Reference		
National Insurance No.		
Name of School/department		
Post Title/s		
Section B: Details of Previous Employment		
Previous Employer's Name and Address		
Start Date with Previous Employer		
Date Employment Ceased		
(If you have taken parental leave with more than one previous employer please provide their details on a separate sheet and attach. Thank you)		
I confirm that I have taken weeks or where the child has a disability days parental leave with previous employers in respect of this child.		
Section C: Details of Eligibility I confirm that I am an employee; and I have at least 1 year's continuous employment; and Have, or expect to have, responsibility for a child		
Details of Child leave is being requested for		
Name of Child		
DOB of Child		
Child Receives Disability Living Allowance (please tick)	Yes ☐	No ☐
If you are not named on the birth certificate, please confirm which of the categories set out below you fall into:		
Category	Please tick as appropriate	
A spouse who was married to the birthing parent at the time of birth	☐	

A parent who has acquired parental responsibility under the Children Act 1989	☐	
A parent who has not acquired parental responsibility but whose name appears on the birth certificate (Adoption and Children Act 2002)	☐	
A guardian appointed under section 5 of the Children Act	☐	
An adoptive parent	☐	
I attach copies of the following	Please tick as appropriate	
child's birth certificate	☐	
adoption papers	☐	
guardianship papers	☐	
court order	☐	
disability living allowance award (Benefits Agency Letter/Bank Statement)	☐	
child benefit allowance award (Benefits Agency Letter/Bank Statement) as evidence that child resides with me	☐	
Section D: Declaration		
My parental leave year starts on date. (Please see 'Amount of Ordinary Parental leave you can take')		
I confirm that all of the details I have provided are accurate. I understand that any false information that I give on this form may result in disciplinary proceedings being taken against me.		
Print name		
Signed		
Date		
Please return this form to the Headteacher/Department Manager		
Section E: Confirmation of eligibility by Headteacher/Department Manager		
Details in Section A verified as correct:	Yes ☐	No ☐
Child's birth certificate and other appropriate papers seen and verified	Yes ☐	No ☐
Signed		

Date	
This form should be sent to the HR Department and Payroll Department. Please also retain a copy on the employee's electronic file.	