



## Ordinary Parental Leave Policy and Procedure

<b>Policy lead:</b>	<b>Janet Robinson</b>
<b>Last review date:</b>	1 June 2021
<b>Next review date:</b>	1 June 2024
<b>Approval needed by:</b>	<b>Finance and Staffing Committee</b>

### **What Is Ordinary Parental Leave?**

Ordinary Parental Leave is for employees to take time off work to look after a child's welfare. This leave is normally unpaid.

Leave can be taken up to the child's 18th birthday.

Ordinary Parental Leave should not be confused with Shared Parental Leave which is a new entitlement coming into force from 1st December 2014 for eligible parents of children due to be born or adopted on or after 5th April 2015.

### **Who Is Eligible?**

- Employees must have completed 1 year's local authority service to qualify.
- They must be named on the child's birth or adoption certificate or have acquired parental responsibility under the Children's Act 1989.
- They have or expect to have parental responsibility.
- They're not self-employed or a worker e.g. an agency worker or contractor.
- They're not a foster parent (unless they have secured parental responsibility through the courts).

Head Teachers/Managers can ask for proof as long as it's reasonable to do so e.g. birth certificate or adoption certificate.

If there are compassionate grounds for requesting Ordinary Parental Leave in the first year of service, this could be considered by the Head Teacher/Manager who would have discretion to agree it under the existing unpaid leave provisions. The terms of this should be no more generous than those applying to staff who have a direct entitlement to Ordinary Parental Leave.

### **Entitlement**

Eligible employees are entitled to 18 weeks unpaid Ordinary Parental Leave for each child born or adopted. The leave can start once the child is born or placed for adoption, or as soon as the employee has completed a years' service, whichever is later. Employees can take it at any time up to the child's 18th birthday.

Ordinary Parental Leave applies to each parent for each child.

Leave may be taken straight after the birth or adoption or following a period of maternity leave.

### **Notice Period**

A request should be made to the Head Teacher/Manager giving 21 days' notice of the start date of the Ordinary Parental Leave. As long as the employee qualifies for Ordinary Parental Leave and gives the correct notice the employee should be able to take the leave at any time.

To take the Ordinary Parental Leave straight after the birth or adoption of a child an employee should give notice 21 days before the beginning of the expected week of childbirth or placement. In cases where this may not be possible they should give notice as soon as possible.

For example, if a child is born prematurely or where less than 21 days' notice is given that a child is to be placed with you for adoption.

Ordinary 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 Head Teacher/Manager agrees otherwise or the child is disabled. Parents of a child with a disability can take leave in blocks of a day or multiples of a day. Employees cannot take off more than 4 weeks per child during a year unless the Head Teacher/Manager agrees otherwise. A week is based on an

employee's working pattern.

An employee will remain employed while on ordinary parental leave and some terms of the contractual notice and redundancy terms still apply.

### **Keeping Records**

The entitlement is not job specific (it follows the employee around) so records will need to be kept by Head Teachers/Managers and checks can be done to see if the employee has taken the entitlement previously elsewhere. If a Head Teacher/Manager wishes to check whether an employee has taken Ordinary Parental Leave with a previous employer they should contact the previous employer.

(There is no requirement for employers to keep records of Ordinary Parental Leave so such information will not necessarily be available).

Again requests on compassionate grounds for leave outside these parameters would be discretionary and considered under existing unpaid leave provisions.

### **Delaying Leave**

The Head Teacher/manager may not refuse to grant the leave but may defer the start date for genuine business reasons. Leave cannot be delayed if:

- The Head Teacher/Manager doesn't have a significant reason e.g. serious disruption to the school.
- If it's being taken by the father or partner immediately after the birth or adoption of a child.
- It means that an employee would no longer qualify for Ordinary Parental Leave e.g. postponing it until
- after the child's 18th birthday.
- If it is postponed, the Head Teacher/Manager:
- Must write explaining why, within 7 days of the original request.
- Suggest a new start date, this must be within 6 months of the requested start date.
- Can't change the amount of leave being requested.

### **Right To Return**

The employee will return to the job in which they were previously employed. The potential exceptions to this are where the period of Ordinary Parental Leave taken is more than 4 weeks or where the Ordinary Parental Leave immediately follows additional Maternity Leave. The right is then that the employee will return to the job in which they were employed, unless that would not have been practical in which case they return to a job which is suitable and appropriate to their circumstances.

### **Equality**

Knutsford Multi-Academy Trust will ensure that, when implementing the Ordinary Parental Leave policy, no employee will be disadvantaged on the basis of their gender or transgender, marital status or civil partnership, racial group, religion or belief, sexual orientation, age, disability, pregnancy or maternity, social or economic status or caring responsibility. This means that the Policy may need to be adjusted to cater for the specific needs of an individual including the provision of information in alternative formats where necessary.

### **Review**

The policy will be reviewed in the light of operating experience and/or changes in legislation.