

Harrow Council

Parental Leave Policy

1. Eligibility for Parental Leave

- 1.1 An employee who is a parent with 1 year of continuous service with the Council has a statutory right to Parental Leave. This entitles them to 18 weeks unpaid leave. Employees working part-time will be entitled to 18 weeks unpaid Parental Leave based on their actual hours of work.
- 1.2 An employee must declare how much (if any) Parental Leave they have already taken with previous employers and this can be checked.
- 1.3 Parental leave must be taken by the child's 18th birthday. If the child has been adopted the right will last until five years after their placement for adoption or until he or she reaches the age of eighteen, whichever is the earliest

2. Entitlements to Parental Leave

- 2.1 An employee can take up to four weeks of Parental Leave for each child during each year of entitlement. The leave can be taken straight after the birth or adoption or following a period of maternity leave and is unpaid.
- 2.2 **Parental Leave must be taken in blocks of one week** - if a part week is taken it will count as a full week (e.g. 8 days would count as two weeks), unless the child is disabled in which case the leave can also be taken in single days.
- 2.3 In exceptional circumstances an employee may be allowed to take in excess of four weeks' Parental Leave in one year subject to approval by their Head of Service.
- 2.4 The purpose of taking Parental Leave is to care for a child and can include time off to make arrangements for the child.

3. Notification Process

- 3.1 The employee must fill in the parental leave application form and have it countersigned by their manager. The employee must also provide a copy of the child's birth certificate. If this does not show parental responsibility they must also produce further evidence, e.g. adoption papers.
- 3.2 If the employee has a disabled child they should produce a copy of the evidence of the child's entitlement to Disability Living Allowance but this should only be requested the first time Parental Leave is requested for each child.
- 3.3 If an employee who becomes a father wishes to take leave immediately following the birth of his child he must give a minimum of 21 days notice in writing before the expected week of childbirth (with dates – within reason).

- 3.4 When an employee wishes to take Parental Leave immediately after the placement of an adopted child he/she should, where possible, give a minimum of 21 days notice in writing before the expected date of placement.
- 3.5 Mothers can apply for Parental Leave immediately following their maternity leave but must give a minimum of 21 days notice, in writing, and meet the other conditions.
- 3.6 In exceptional circumstances, where an employee is unable to give 21 day's notice, the notice requirement may be waived.

4. Post phoning Parental Leave

- 4.1 Parental Leave cannot be refused but may be postponed, (except where it immediately follows the birth of the baby or the adoption placement), by an employee's manager in the following circumstances:-
- Where more time is needed to make arrangements for covering the individual's work
 - Where there is a peak in the workload
 - Where the particular individual's skills are needed at a particular time and the work cannot be easily covered

- 4.2 If a Manager wishes to post phone Parental Leave they must write to the employee giving their reasons. Leave should be postponed for no longer than necessary and cannot be postponed for more than 6 months.

An employee may appeal against this decision through the Grievance Procedure.

- 4.3 Parental Leave cannot be postponed if the leave immediately follows childbirth (for the father) or placement for adoption.
- 4.4 If Parental Leave is post phoned and this takes the employee into their next year for Parental Leave purposes, the employee will still be allowed to take their entitlement to the Parental Leave in that year.
- 4.5 Where both partners are eligible for parental leave and are employees of Harrow Council, each partner must make a separate request for Parental Leave to their Manager. Their requests will be considered separately. There can be no guarantee that Parental Leave requests will be approved to enable both employees to take Parental Leave at the same time.

5. Non Pay Benefits during Parental Leave

- 5.1 All benefits, excluding pay, will continue during Parental Leave and an employee will return to their same post.

6. Local Authority Pension Scheme

- 6.1 If an employee is on Parental Leave for less than 31 days they must make contributions at the standard rate on the pay they would have received during that period but for the absence.
- 6.2 Where a period of Parental Leave exceeds 30 days, the employee can decide to pay contributions. They must let the Pensions section know their decision within 30 days of returning from leave.

The Pension Office can be contacted at the HR Service Centre on:

Tel: 020 8901 2655 Ext 5955

Email: AskHR@harrow.gov.uk or use our [e-Contact Form](#)

- 6.3 An employee must send a decision to the Pensions Office, in writing, every time they return from parental leave. An election form can be obtained from the website: <http://www.lgps2014.org/content/how-do-i-buy-extra-or-lost-pension>.
- 6.4 If an employee wishes to discuss the implications of not paying contributions during this period they should contact the HR Service Centre on:
Tel: 020 8901 2655 Ext 5955
Email: AskHR@harrow.gov.uk or use our [e-Contact Form](#)

7. NHS Pension Scheme

- 7.1 If an employee is a member of the NHS Pension scheme they will be asked to pay pension contributions based on the actual amount of pay they would have received immediately before their unpaid leave started.
Further information can be found on the NHS Pensions site at: http://www.nhsbsa.nhs.uk/Documents/Pensions/Maternity_Paternity_Parental_and_Adoption_Leave_Factsheet_V1.0_07.2013.pdf
- 7.2 If an employee cannot afford to pay pension contributions during their parental leave these can be paid when they return to work. This must be done over a reasonable period of time agreed between the individual and the Council.

8. Public and Bank Holidays

- 8.1 If a public or bank holiday falls during Parental Leave, normal pay for that day will be paid provided the employee has said that they do not wish to take that day as Parental Leave. The employee will need to consider, however, whether they will be required to work on that public or bank holiday if not taking Parental Leave. Employees on NHS terms and conditions will not be entitled to accrue bank holidays unless they would normally work them.

9. **Sickness during Parental Leave**

- 9.1 If an employee is sick during the period they have booked Parental Leave, they will receive sick pay for the period they have reported as sickness absence, provided they have fulfilled the reporting requirements in line with the **Sickness Absence Policy**.
- 9.2 If an employee wishes to claim back part of their entitlement to Parental Leave they must submit a Medical Certificate to cover the whole period of sickness which they wish to claim back.
- 9.3 Parental Leave will be re-instated in complete weeks only, (except to parents of disabled children when single days may be re-instated).