



Parental Leave Policy

DOCUMENT CONTROL

Organisation(s)	Cherwell District Council (CDC)
Policy title	Parental Leave Policy
Owner	Human Resources
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Date of implementation	1 November 2022

DOCUMENT APPROVALS

This document requires the following committee approvals:

Committee	Date of meeting pending approval
CDC Personnel Committee	17 October 2022 (16:00)

DOCUMENT DISTRIBUTION

This document will be distributed to all employees of Cherwell District

DATE FOR REVIEW

No later than 1st November 2025 but sooner if impacted by legislative changes.

REVISION HISTORY

Version	Revision date	Summary of revision

This policy covers

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Appendix 1 - Parental Leave Application Form

1 Entitlement to parental leave

This policy does not form part of any employee's contract of employment and the Council may amend it at any time.

This policy applies to employees only. It does not apply to agency workers, consultants, self-employed contractors, volunteers or interns.

Parental leave is unpaid, and the principles are as follows:

- An employee must have a minimum of one year's continuous service.
- Employees are entitled to take up to 18 weeks' unpaid parental leave in respect of each child.
- The leave must be taken before the child's 18th birthday.
- The leave is in respect of each child for whom the employee has responsibility. An employee has responsibility for a child if they are the child's biological mother or father (whether or not they are living with the child); the child's adoptive parent; or otherwise have legal parental responsibility for the child, for example, if they are the child's guardian, or a step-parent who has a parental responsibility agreement or parental responsibility order.
- The leave can be for any purpose connected with spending time with or otherwise caring for the child.
- No more than four weeks parental leave can be taken in any one year in relation to each child. A year for this purpose begins on the date when the employee became entitled to take parental leave in relation to the child in question.
- In default of any agreement to the contrary parental leave may only be taken in blocks of one week or multiples of a week unless the leave is to be taken in respect of a disabled child.

Notification requirements

- You must give your line manager at least 21 days' notice of the intention to take parental leave, and of when the leave begins and ends by using the parental leave application form (Appendix A).
- If you wish to start parental leave immediately on the birth of a child, you must give notice at least 21 days before the expected week of childbirth.
- If you wish to start parental leave immediately on having a child placed with you for adoption, you should give notice at least 21 days before the expected week of placement, or if this is not possible, give as much notice as you can.

2 Exceptions to the parental leave provisions for parents with disabled children

Special rules apply to parents of disabled children (for these purposes disability means being entitled to disability living allowance, armed forces independence allowance or personal independence payment). They are not required to take leave in respect of that child in blocks of full weeks. However, there is still a limit of four weeks a year for each child and 18 weeks in total for each child.

3 Definition of a week

Where an employee's working pattern does not vary, under the contract of employment, a week is the period the employee normally works.

Where the working pattern normally varies from week to week or over a longer period, or if the employee is normally required to work in some weeks and not other weeks, then a week is the total of all periods worked over one year divided by 52.

4 Request for evidence

On applying for parental leave, the employee must provide evidence of the child's date of birth or date of adoption placement, the employee's responsibility or expected responsibility of the child (for example, a birth certificate, adoption or matching certificate parental responsibility agreement or court order), and if applicable the child's entitlement to a disability living allowance. This evidence should be attached to the parental leave application form.

5 Postponement of leave period

Although we will try to accommodate any request for parental leave, an employer can postpone leave if business operation would be unduly disrupted by the leave being taken. This postponement will be done, in writing, within seven days of receiving the request for parental leave, stating the reason for the postponement, and specifying the new dates the leave may be taken with the agreement of the employee.

If the employer and employee cannot agree on new dates then the employer must determine the most appropriate dates. Parental leave cannot be postponed if it is to be taken immediately after the child is born or placed for adoption. Parental leave also cannot be postponed for more than six months or beyond the child's 18th birthday (if sooner).

6 Rights during and after parental leave

Parental leave under this policy is unpaid. Your contractual provisions relating to pay and benefits are suspended during parental leave.

However, annual leave entitlement and continuous services are unaffected during parental leave. You will remain bound by your duties of good faith and confidentiality, and any contractual restrictions on accepting gifts and benefits, or working for another business.

7 Standby and on call duty

During the period of your parental leave you will not be required to undertake standby or on call duty and therefore you will not receive payment for these tasks.

8 Local government pension scheme

Any absence, which is unpaid, will be treated as a break in service for occupational pension purposes unless you choose to pay voluntary contributions.

You must write to Payroll and state your intention to pay voluntary contributions no later than 30 days after your return to work. You may pay these contributions as a lump sum or in instalments. For further advice, please contact Payroll.

9 Multiple Contracts

Where an employee works in more than one Department of the Council this will not affect the total leave entitlement. If the manager of one of the jobs wishes to postpone leave this will have the effect of postponing leave for both jobs. It is up to the line managers and the employee concerned to agree a convenient time for parental leave to be taken, as long as this is within six months of the original request.

**PARENTAL LEAVE
APPLICATION FORM**

Surname			
First Name(s)			
Job Title			
Department			
I have		Child(ren) who is/are under the age of eighteen years (enter number of children) in respect of whom you are applying for parental leave or	
I have		Disabled child(ren) who is/are under the age of eighteen years (enter number of children) in respect of whom you are applying for parental leave	
<p>Please attach a copy of the child's/children's birth certificate(s), adoption or matching certificate, parental responsibility agreement or court order to this form.</p> <p>If your child is in receipt of disability living allowance proof should also be attached.</p>			

Date parental leave requested to start from:		Date parental leave requested to end on:	
If your hours of work do not vary each week: total hours that would be worked each week			
If your hours of work vary each week: please specify the arrangement regarding your working hours			
I have taken		weeks parental leave with previous/current employers in relation to this child/children	

I confirm that my purpose in requesting unpaid parental leave is for caring for my child(ren) and I understand that any false information that I give on this form may result in disciplinary proceedings being taken against me.

Signed Employee:		Date:	
Signed Assistant Director:		Date:	
This form should be returned to Human Resources			