



## **Dudley Mind Parental Leave Policy & Procedure**

### **1) Policy**

Parental leave is the right for parents to take time off from work to care for their child or make arrangements for the child's welfare. Parents can use it to spend more time with their children and strike a better balance between their work and family commitments.

Parental leave is unpaid.

#### **1.1 Eligibility**

Parental Leave applies to:

- male or female employees, and
- full-time or part-time employees
- who have one year's qualifying service
- and have responsibility for the care of a child under sixteen years of age (\*see parents of disabled children for exception)

#### **1.2 Entitlement**

1.2.1 In addition to the right to take maternity, paternity and adoption leave, Dudley Mind offers parental leave to all employees who meet the above criteria.

1.2.2 The following principles apply \*:

- Maximum overall leave - employees are entitled to take up to 13 weeks' unpaid leave.
- The leave must be taken before the child's sixteenth birthday or the fifth anniversary of the adoption of the child.
- The leave is in respect of each child for whom the employee has parental responsibility. For example, parents of triplets are entitled to 39 weeks (if they can afford to take the time off without payment).
- The leave can be for any purpose connected with the care of the child.
- No more than four weeks parental leave can be taken in any one year.
- Parental leave may only be taken in blocks of one week or multiples of a week.

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- 21 days notice must be given of the intention to take leave, and of when the leave begins and ends.

1.2.3 In the case of new employees, Dudley Mind will ask for a declaration from the employee about how much parental leave he/she has taken when they first request to take Parental leave.

\* Parents of disabled children have certain exceptions to these, see 'Parents of disabled children section'.

### **1.3 Parents of disabled children**

The following principles apply to parents of disabled children. Parents of disabled children:

- are not required to take leave in blocks of one week, instead leave can be taken in blocks or multiples of one day
- are given an extended period in which to take parental leave, up to the date of the child's 18th birthday
- the maximum annual leave entitlement of four weeks is not imposed
- the overall amount of leave available to parents of disabled children is increased from 13 to 18 weeks.

Disability is defined as being entitled to disability living allowance.

## **2) Scope**

This policy applies to all Dudley Mind employees who meet the eligibility criteria (1.1)

## **3) Procedure**

3.1 Employees who satisfy the criteria in section 1.1 and wish to take parental leave should write to their line manager or personnel officer with their request giving the appropriate notice and including the dates on which the parental leave would be taken.

Employees requesting parental leave should ensure they follow the entitlement guidelines (section 1.2).

### **3.2 Postponement of Parental Leave**

3.2.1 Dudley Mind reserves the right to postpone the parental leave for up to six months where the organisation would be particularly disrupted if the leave were taken at the time requested.

3.2.2 In this instance the postponement arrangements will be discussed with the employee and confirmed in writing within seven calendar days of the employee's notice to take leave. The confirmation will state the reason for

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postponement and set out the new date for parental leave which will be equivalent in length to the employee's original request.

3.2.3 However when an employee applies to take parental leave immediately following the birth or adoption of a child, then Dudley Mind cannot postpone the leave.

### **3.3 Evidence of Entitlement**

3.3.1 When an employee requests parental leave for the first time their line manager can ask to see evidence to confirm that the employee is the parent or the person legally responsible for the child.

3.3.2 Evidence may take the form of the child's birth certificate, adoption papers, or in the case of a disabled child, the award of disability living allowance for the child. This evidence will only be asked for on the first occasion parental leave is requested.

### **3.4 Rights When Returning From Parental Leave**

3.4.1 An employee who takes parental leave for a period of four weeks or less, unless the leave is added to the end of additional maternity leave, has the right to return to the same job on the same terms and conditions.

3.4.2 For employees whose leave is added to the end of additional maternity leave, the right is to return to the job they left before their leave commenced, unless it is not reasonably practicable to allow this. In such a case, the employee would have the right to return to a job which was suitable and appropriate in the circumstances.

## **4) Related Legislation**

- The Employment Rights Act 1996, as amended
- The Maternity and Parental Leave etc Regulations 1999 (SI 1999/3312)
- The Maternity and Parental Leave (Amendment) Regulations 2001 (SI 2001/4010).

## **5) Changes**

Dudley Mind reserves the right to change the provision of the Parental Leave Policy and Procedure by amendment, addition, deletion or substitution of new procedures from time to time at its discretion. Employees will be consulted and notified of any changes by appropriate means.