

Barking & Dagenham

Parental Leave Guidance for Schools

Barking & Dagenham



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School/Academy Name:	
Date of Adoption:	
Chair of Governors Signature	
Signature of Head Teacher:	

The Schools HR Advisory Service will automatically update this Guidance to comply with any changes to legislation or ACAS guidance, to make corrections or increase the understanding and notify schools of the amendments.

This Policy should not be amended by a School, with the exception of entering details above. Any changes will invalidate the policy.

Note: this Guidance refers to the rights that Employees have to unpaid Parental Leave **after** they have finished Maternity, Paternity, Adoption or Shared Parental Leave.

1. What Employee are entitled to

Employees can take up to 18 weeks of unpaid leave for each child and adopted child up to their 18th birthday.

The limit on how much Parental Leave each parent can take in a year is a maximum of 4 weeks for each child.

The purpose of the leave must be to look after your child's welfare, for example to:

- Spend more time with your child
- Look at new schools
- Settle your child into new childcare arrangements
- Spend more time with family, such as visiting grandparents

Employees must take Parental Leave as whole weeks, rather than individual days.

NB: a week is the amount of time that normally worked in a week (so a week is 2 days if you normally work on Mondays and Tuesdays only).

In an emergency or unexpected event, Employees may be required to take time off for dependants as outlined in the Schools Leave of Absence Policy) as opposed to unpaid Parental Leave or time off work.

Employees may be allocated more leave if their child is disabled, or for situations otherwise agreed.

2. Eligibility

Eligible Employees can take unpaid Parental Leave if the child is under 18 and they:

- Have been working at the School continuously for 1 year or more
- Are named on the child's birth or adoption certificate, or you have or are expected to have parental responsibility by way of parental order or legal guardianship
- Are not a foster parent (unless you have secured parental responsibility through the courts)

3. Who Can Make an Application

Those who have or expect to have parental responsibility for a child aged under 18. This includes:

- both birth parents
- adoptive parents
- parents under a surrogacy arrangement who have secured or expect to secure legal parental responsibility
- others who have legal parental responsibility for a child, such as a guardian.

4. Giving Notice

Employees must give the School at least 21 days' notice before the day they intend to start their leave. This must be in writing and include confirmation of the start and end dates.

5. Taking Unpaid Parental Leave immediately after Maternity, Paternity, Adoption, Shared Parental or Neonatal Care Leave

Employees need to speak with their Line Manager if they wish to take unpaid Parental Leave immediately following:

- Maternity Leave
- Adoption Leave
- Paternity Leave
- Shared Parental Leave
- Neonatal Care Leave

6. Postponing Leave

The School should grant requests for unpaid Parental Leave whenever possible and ask the Employee to postpone their requested leave only for significant reasons (e.g. if it would cause serious disruption to the running of the School). The School should **not** ask an Employee to postpone leave if:

- It is being taken by the father or partner immediately after the birth or adoption of a child
- It means an Employee would no longer qualify for parental leave, e.g. postponing it until after the child's 18th birthday

If the school postpones the leave, they should:

- ▶ Within 7 days of the original request, write to the Employee explaining why the leave has been postponed
 - Suggest a new start date within 6 months of the requested start date
 - Not change the amount of leave being requested

7. Employees Rights During Leave

Employment rights, such as the right to pay and annual holiday, are protected during unpaid Parental Leave.

Where you are on unpaid Parental Leave for:

- **4 weeks or less:** Employees are guaranteed the same job in which they were employed under their original contract, and on terms and conditions that are at least as favourable.
- **More than 4 weeks:** Employees are guaranteed the same job in which they were employed under their original contract, unless the School has a good reason to offer another job. If the job no longer exists or there have been changes to the organisation,

the School may offer a suitable alternative job that has the same or better terms or conditions, if available

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Parental Leave Application Form

School/Academy Name:	
Employee Name:	
Job Title:	
Department/Team:	
Line Manager:	

Leave Details

Child's Full Name:	
Date of Birth / Adoption:	

Relationship to Child

Birth Parent ✓	Adoptive Parent ✓	
Legal Guardian ✓	Other (please specify below): ✓	

Requested Leave Start Date:	
Requested Leave End Date:	
Total Number of Weeks Requested <i>(Leave must be taken in whole weeks)</i>	
Have you previously taken Parental Leave for this child?	
Yes ✓	No ✓
If yes, how many weeks have been taken to date?	

Eligibility Confirmation

Please confirm the following by ticking the boxes:	
	✓I have completed at least 1 year of continuous service at the school.
	✓I am named on the child's birth/adoption certificate or have legal parental responsibility.
	✓The child is under 18 years of age.
	✓I am not a foster parent (unless I have legal parental responsibility through the courts).

Notice and Declaration

	✓I confirm that I am giving at least 21 days' notice of my intention to take unpaid Parental Leave.
	✓I understand that the school may postpone my leave only for significant business reasons and will notify me in writing within 7 days if this is the case.
	✓I understand that my employment rights are protected during this leave.

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	✓I understand that my employment rights are protected during this leave.

Employee Signature:	
Date:	

For Line Manager / HR Use Only

Date Application Received:			
Leave Approved:	Yes✓		No✓
If No, Reason for Postponement:			
New Proposed Leave Dates (if applicable):			
Start:		End:	
Manager's Name:			
Signature:			
Date:			