

ORDINARY PARENTAL LEAVE POLICY

Date of issue: 01/05/2020

1. Purpose

- 1.1 This policy sets out the rights, responsibilities and procedures whereby employees can apply to take Ordinary Parental Leave.

2. Scope

- 2.1 This policy applies to employees who have at least one year's continuous service immediately prior to the date the leave is to commence and who are the parent of a child under the age of 18, have assumed formal parental responsibility for a child under the age of 18, or have adopted a child under the age of 18.
- 2.3 Ordinary Parental Leave may only be used in order to care for the child or to make arrangements for the child's welfare.
- 2.2 An employee may not exercise any entitlement to Ordinary Parental Leave unless they can comply with a request to produce evidence of parenthood or parental responsibility, for example a birth certificate or adoption papers.

Note: Ordinary Parental Leave should not be confused with Shared Parental Leave. The Trust has a separate procedure for Shared Parental Leave.

3. Entitlement

- 3.1 Eligible employees have the right to 18 weeks' unpaid Ordinary Parental Leave (pro rata for part-time employees) for each child to be taken up to the child's eighteenth birthday.
- 3.2 For multiple births, eighteen weeks may be taken for each child.
- 3.3 Ordinary parental leave periods cannot be interchanged between children.
- 3.4 The minimum period of Ordinary Parental Leave that can be taken is one week, except if the employee is a parent of a child with a disability and in such cases employees may take parental leave in blocks of one day at a time.
- 3.5 The maximum period of Ordinary Parental Leave is four weeks in any 12 month period per child. For these purposes, 12 months is the period of time beginning when the employee first becomes entitled to parental leave in respect of the child in question and each successive period of 12 months beginning on the anniversary of that date.
- 3.6 Ordinary parental leave is a maximum statutory entitlement and cannot be transferred from employer to employer.

4. Requesting Ordinary Parental Leave

- 4.1 Taking Ordinary Parental Leave is subject to prior approval of the Headteacher who will pay due regard to the impact on the School / Academy and the wishes of the employee. However, approval will not be unreasonably withheld.
- 4.2 A request to take Ordinary Parental Leave must be made in writing to the Headteacher, normally providing at least 21 days' notice before the leave is due to commence and must specify when the leave is requested to start and the duration requested. A form is available for this purpose.
- 4.3 Where an employee is unable to provide 21 days' notice for good reason, the notification period may be reduced at the discretion of the Headteacher after paying due regard to operational needs.

5. Postponing leave

- 5.1 Ordinary Parental Leave will not be postponed when it is to be taken immediately after a period of maternity, paternity or adoption leave.
- 5.2 If the Headteacher has to postpone a request for Ordinary Parental Leave, the employee will be notified in writing of the postponement within 5 working days of receiving the original request, together with the reason for the postponement.
- 5.3 There may be occasions when the Headteacher needs to postpone an existing request to take Ordinary Parental Leave due to unforeseen operational requirements. Should this be necessary, the Ordinary Parental Leave will not be postponed for more than 3 months.



- 5.4 Ordinary Parental Leave will not be unreasonably postponed, and in any event the Headteacher will discuss the situation with the employee before postponing an existing request.

6. The contract of employment during parental leave

- 6.1 Ordinary Parental Leave is unpaid.
- 6.2 Employees who take Ordinary Parental Leave will remain in the employment of The Trust. Although pay will be suspended, continuity of service will not be broken.
- 6.3 Pension rights and contributions shall be dealt with in accordance with the prevailing regulations of the relevant scheme.
- 6.4 During Ordinary Parental Leave employees will be entitled to the implied obligation of trust and confidence, and any terms and conditions of employment relating to:
- Notice of termination.
 - Redundancy; and
 - Disciplinary or grievance procedures.
- 6.5 Employees taking Ordinary Parental Leave will be bound by the implied obligation of good faith, and terms and conditions of employment relating to:
- Notice of termination.
 - Disclosure of confidential information.
 - Acceptance of gifts.
 - Participation in any other business.
- 6.6 If the employee falls ill during a period of Ordinary Parental Leave and notifies their place of work in accordance with established procedures, and provides documentation, they will be entitled to sick pay in accordance with the sick pay scheme (where applicable) and this period will not count as Ordinary Parental Leave.

7. Returning to work following Ordinary Parental Leave

- 7.1 At the end of the leave period, the employee will be entitled to return to the same job, provided that the leave was for a period of four weeks or less and did not follow on immediately from a period of additional maternity, paternity or adoption leave.
- 7.2 If the period of Ordinary Parental Leave was longer than four weeks or followed on immediately from a period of additional maternity, paternity or adoption leave, then the employee will be entitled to return to the same job or, if that is not practicable, to a similar job in terms of status, terms and conditions as the previous job.
- 7.3 In cases where a redundancy situation arises during a period of Ordinary Parental Leave, employees will be treated as if they were working normally.

8. General Data Protection Regulation

- 8.1 All data within this policy will be processed in line with the requirements and protections set out in the General Data Protection Regulation.

