

Tauheedul Education Trust

This policy is in line with the Mission Statement of the Trust

To create outstanding organisations that promote educational excellence, character development and service to communities.

PARENTAL LEAVE POLICY



Tauheedul
Education Trust

Document control

This policy has been approved for operation within all Tauheedul Education Trust Establishments.

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Contents

1	Scope and Purpose	1
2	Who is Covered by the Policy?.....	1
3	Who is Responsible for the Policy?	1
4	Entitlement to Parental Leave	1
5	Timing of Parental Leave	2
6	Notification Requirements.....	2
7	Evidential Requirements.....	2
8	The Right to Postpone Parental Leave	3
9	Terms and Conditions during Parental Leave	3
10	Pensions.....	3
11	Returning to Work.....	4
12	Abuse of this Policy	4
13	Monitoring, Evaluation and Review	4

1 Scope and Purpose

- 1.1 The law recognises and the Trust respects that there will be occasions when working parents wish to take time off to care for or spend time with their child or children.
- 1.2 This policy reflects that statutory right of employees who meet the eligibility criteria set out in paragraph 4.1 to take up to 18 weeks' unpaid parental leave in respect of each child.
- 1.3 No employee will be subject to a detriment for taking or seeking to take parental leave in accordance with this policy.
- 1.4 This policy does not form part of any employee's contract of employment and it may be amended by the Trust at any time after consultation with our recognised Trade Unions.

2 Who is Covered by the Policy?

- 2.1 This policy covers all employees at all levels and grades including senior managers, employees, trainees, part-time and fixed term employees (referred to as employees in this policy).
- 2.2 It does not apply to agency staff, volunteers and self-employed contractors.

3 Who is Responsible for the Policy?

- 3.1 The Trust has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. The Trust has delegated day-to-day responsibility for operating the policy to the Trust Central Team and Head of each establishment.
- 3.2 All members of employees are responsible for supporting colleagues and ensuring the success of this policy.
- 3.1 The Chief Executive of the Trust will be responsible for administering the policy in relation to the Head of Establishment (where the policy is applied to the Head of Establishment, all references to Head of Establishment should be replaced with Chief Executive of the Trust).
- 3.2 The Board of Trustees will be responsible for administering the policy in relation to the Chief Executive of the Trust (where the policy is applied to the Chief Executive of the Trust, all references to Head of Establishment should be replaced with Board of Trustees).

4 Entitlement to Parental Leave

- 4.1 To take a period of parental leave in relation to a child, an employee must:
 - 4.1.1 have at least one year's continuous employment;
 - 4.1.2 have or expect to have responsibility for the child; and
 - 4.1.3 be taking the leave to spend time with or otherwise care for the child.
- 4.2 An employee has responsibility for a child for the purposes of 4.1.2 if he/she:
 - 4.2.1 is the child's biological mother or father (whether or not he/she is living with the child);
 - 4.2.2 is the child's adoptive parent; or
 - 4.2.3 otherwise have legal parental responsibility for the child, e.g. is the child's guardian.

- 4.3 Any parental leave that employees take in relation to a child while working for another employer counts towards their 18 week entitlement in accordance with paragraph 1.2. If an employee has taken parental leave in relation to a child during previous or concurrent employment, he/she should provide details to the Head of Establishment.

5 Timing of Parental Leave

An employee can take parental leave before the child's 18th birthday.

- 5.1 Unless the leave is to be taken in respect of a child entitled to a disability living allowance, an employee:
- 5.1.1 can only take parental leave in blocks of a week's leave or a multiple of complete week's leave;
 - 5.1.2 is only entitled to take four weeks' parental leave each year in relation to each child. A year for this purpose begins on the date when an employee became entitled to take parental leave in relation to the child in question.

6 Notification Requirements

- 6.1 An employee must give the Head of Establishment notice of his/her intention to take parental leave. This notice must be given in writing.
- 6.2 The notice requirements are as follows:
- 6.2.1 if an employee wishes to take parental leave commencing immediately on the birth of a child, he/she must give notice of this intention at least 21 days before the start of the Expected Week of Childbirth (EWC). The notice must specify the EWC and the duration of the period of leave required.
 - 6.2.2 if an employee wishes to take parental leave commencing immediately on the adoption of a child, he/she should give notice of this intention at least 21 days before the start of the Expected Week of Placement (EWP). If this is not possible, an employee must give as much notice as possible. The notice must specify the EWP in any event and state the duration of the period of leave required.
 - 6.2.3 in all other circumstances, an employee must give notice of the intention to take parental leave at least 21 days before he/she intends for the leave to start.
- 6.3 The notice must specify the dates on which the period of leave is to begin and end.

7 Evidential Requirements

- 7.1 Before an employee takes a period of parental leave under this policy, he/she must provide the Head of Establishment with evidence of;
- 7.1.1 his/her responsibility or expected responsibility for the child;
 - 7.1.2 the child's date of birth or date of adoption placement; and
 - 7.1.3 if applicable, the child's entitlement to a disability living allowance.

8 The Right to Postpone Parental Leave

- 8.1 Where an employee gives notice in accordance with paragraph 6.2.1 or 6.2.2 of his/her intention to take parental leave on the birth or adoption of a child, the Head of Establishment shall not postpone that leave.
- 8.2 The Head of Establishment shall not postpone parental leave if, in the case of an adopted or disabled child, the postponement would result in the leave being taken after the child's 18th birthday.
- 8.3 However, in any other circumstances, the Head of Establishment might postpone a proposed period of parental leave for up to six months where the leave as planned would unduly disrupt the establishment at which an employee is based or the wider Trust. Postponement might apply for example, where:
 - 8.3.1 an employee wishes to take parental leave during a peak period;
 - 8.3.2 a number of employees wish to take parental leave at the same time;
 - 8.3.3 an employee's work is of importance to a time-critical project; or
 - 8.3.4 cover for an employee's work cannot be found before the date on which the parental leave is due to start.
- 8.4 If the Head of Establishment decides to postpone the parental leave, she/he shall:
 - 8.4.1 consult with an employee about the date to which the leave might be postponed; and
 - 8.4.2 no more than seven days after an employee has given notice of his/her intention to take the leave, give written notice stating the reason for the postponement and the new beginning and end dates of the leave which the Head of Establishment will allow an employee to take.
- 8.5 An employee will not lose his/her parental leave entitlement if, because of a postponement of such leave, the leave remains untaken on the child's fifth birthday (or on the fifth anniversary of the child's adoption placement, if applicable).

9 Terms and Conditions during Parental Leave

- 9.1 Parental leave under this policy is unpaid leave. An employee's contractual provisions relating to pay and benefits are suspended during parental leave.
- 9.2 An employee is entitled to benefit from any contractual terms he/she has in relation to being given notice, redundancy compensation and disciplinary and grievance procedures, whilst on parental leave.
- 9.3 During parental leave, an employee will remain bound by the obligation of good faith towards the Trust. An employee will also remain bound by any contractual terms relating to the giving of notice, the disclosure of confidential information, the acceptance of gifts and benefits.

10 Pensions

- 10.1 For details of the implication of Parental Leave on an employee's pension, employees should contact the Establishment's finance team who will provide further advice.

11 Returning to Work

- 11.1 An employee is normally entitled to return to work in the same position he/she held before commencing a period of parental leave. An employee's terms of employment will be the same as they would have been had an employee not been absent.
- 11.2 However, a return to an employee's previous position may not be possible where the period of leave has been longer than 4 weeks, or has been combined with a period of additional maternity, paternity or adoption leave. If this is the case, the Trust will offer an employee a suitable and appropriate alternative position.
- 11.3 The Head of Establishment will deal with any requests by employees to change an employee's working patterns (such as working part-time) after parental leave on a case by case basis and in accordance with the Trust's Flexible Working Policy.

12 Abuse of this Policy

- 12.1 Parental leave must be taken in respect of caring for a child. Where an employee takes a period of parental leave under this policy for purposes other than spending time with or otherwise caring for their child, this will be dealt with as a disciplinary issue. Employees are referred to the Trust's Disciplinary Policy in this respect.

13 Monitoring, Evaluation and Review

- 13.1 The policy will be promoted and implemented throughout all Trust establishments.
- 13.2 The Trust will monitor the operation and effectiveness of arrangements referred to in this policy at each Trust establishment.
- 13.3 The Trust will review this policy every two years in consultation with each Trust establishment.