



Parental Leave Policy and Procedure

Date approved:	14 October 2015
Approved by:	Extended Executive
Review date:	August 2019
Responsible Manager:	Head of Human Resources
Executive Lead:	Group Director (HR and OD)
Accessible to Students:	No

1. Consultation

Consultation undertaken with:-

• Newcastle College	Yes
• Group Services	Yes
• Newcastle Sixth Form College	Yes
• West Lancashire College	Yes
• Kidderminster College	No
• Intraining	No
• Rathbone	No

2. Applicability of Policy to Organisation

This policy applies to:-

• Newcastle College	Yes
• Group Services	Yes
• Newcastle Sixth Form College	Yes
• West Lancashire College	Yes
• Kidderminster College	No
• Intraining	No
• Rathbone	No

3. Scope and Purpose of Policy

This policy and procedure does not form part of staff contracts of employment nor does it confer any contractual rights. It applies to any member of staff employed at Newcastle College, NCG Group Services, Newcastle Sixth Form College and West Lancashire College under a Contract of Employment. This policy and procedure does not apply to independent contractors working for NCG.

The aim of all NCG Policy frameworks is to give employees as much freedom as possible in how they deliver their work whilst recognising that to safeguard everyone's interest it is necessary to have in place rules that must be upheld in the workplace.

NCG aims to ensure that there will be a fair and systematic approach to the management of parental leave situations in the workplace.

The aim of this policy is to ensure that:

- Everyone is treated fairly and consistently and equally regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- Everyone knows what to do if a parental leave situation occurs, and how it will be managed.

4. Policy Statement

NCG is committed to supporting parents and those with responsibilities for caring for young or disabled children by providing parental leave in accordance with the relevant legislation.

5. Equality and Diversity Statement

In accordance with NCG procedures an equality impact assessment has been undertaken for this policy on 9 September 2015.

6. Linked Policies

- Maternity Leave Policy
- Adoption Leave Policy
- Shared Parental Leave Policy
- Paternity Leave Policy
- Flexible Working Policy
- Special Leave Policy

7. Linked Procedures

- Maternity Leave Policy
- Adoption Leave Policy
- Paternity Leave Policy
- Flexible Working Policy
- Special Leave Policy

8. Location and Access to the Policy

The Parental Leave Policy is located as follows:

- NCG Intranet: Group Services: Group Policies and Procedures
- NCG Website: Media Centre: Guide to Information: Our policies & procedures

If employees have no access to the Intranet site and wish to view the policy, they should contact their line manager or their Human Resources Department.

9. Person Responsible for the Policy

Group Director of HR & OD

10. Variations

No variations to this policy have been made in relation to any Division of NCG to which it applies. Intraining, Rathbone and Kidderminster College have separate arrangements in place which reflect their structures.

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1. Equality & Diversity

Where an employee has a disability or other specific requirement and reasonable adjustments are necessary, the employee should reach prior agreement about the nature of such adjustments with the manager responsible for the relevant part of the procedure.

It is NCG policy that no audio recordings are permitted to be made any meeting other than in exceptional circumstances and by prior agreement e.g. to accommodate visual/hearing impairment.

2. Right to be Accompanied

Throughout the formal stages of this procedure, the employee has the right to be accompanied by a work colleague or a trade union representative. Consideration will also be given to requests to be accompanied at the informal stage of this procedure.

The employee should notify the manager responsible for chairing the meeting, in advance of the meeting, if they wish to be accompanied and who their companion will be.

The companion may, at the employee's request:

- Assist the employee to prepare for the meeting.
- Put forward the employee's response.
- Sum up the employee's response.
- Confer during the meeting and/or request an adjournment.
- Take notes on the employee's behalf.

The companion cannot answer questions on the employee's behalf.

Where the chosen companion cannot attend on the date proposed, an employee can propose an alternative time and date so long as it is reasonable and falls within 5 working days of the original date.

3. Parental Leave Procedure

All employees have a legal right, to request a total of 18 weeks unpaid parental leave per child, providing the following conditions are met:

- They are the parent of a child who is under 18 years of age.
- They have adopted a child under the age of 18 years of age.
- They have acquired formal parental responsibility for a child who is under 18 years of age.
- They have completed at least one year's continuous service with NCG or any of its divisions.

An employee who is a parent of multiple birth children or several children of different ages under 18 will be entitled to 18 weeks in respect of each child.

The absence from work is for the purpose of caring for a child, or to make arrangements for their welfare.

Employees must take parental leave in blocks of one week minimum duration (except in relation to a child who is disabled).

Employees may not take more than 4 weeks' parental leave in respect of any individual child in any year. For these purposes a year is the period of 12 months 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.

Part time employees will be entitled to parental leave on a pro rata basis.

During parental leave the employee will remain employed, although pay and most contractual benefits will be suspended. The right to accrue statutory holiday entitlement will, however, remain in place.

An employee may not exercise any entitlement to parental leave unless they have complied with a request made by NCG to produce evidence as to their entitlement (e.g. parental responsibility or expected responsibility for the child in question; the child's date of birth or date on which placement for adoption began).

The employee must give correct notice for the period of leave that they propose to take by using the attached form Appendix A – Request for Parental Leave Form.

This notice must be given to their line manager at least 21 days, before the date on which leave is to start, and must specify the dates on which the period of leave is to begin and end.

Where the parental leave request is to begin immediately after the child is born (by the father or partner), the employee's notice must specify the expected week of childbirth and the duration of the period of leave. The employee must give this notice at least 21 days before the expected week of childbirth.

Where the parental leave is in respect of an adopted child and is to begin on the date of the placement (by the father or partner), the employee's notice must specify the week in which the placement is expected to occur and the duration of the period of parental leave requested. The employee must give this notice at least 21 days before the beginning of the week in which the child is to be placed for adoption, or as soon as is reasonably practicable thereafter.

4. Parental Leave Meeting

Where a line manager receives a parental leave request, if it can be accommodated then there is no need to have a meeting with the employee, although the request should still be discussed with the relevant Human Resources representative, before an outcome is confirmed. The line manager should:

- Write to the employee within 7 days of receiving the request, confirming the outcome.
- Send notification to the payroll department in order for the change to be processed.

Where a line manager is unsure about the request or a postponement of the period of parental leave (other than where parental leave has been requested immediately after childbirth or placement for adoption) is required, because the business would be unduly disrupted during that particular timescale, then they should:

- Write to the employee inviting them to a meeting within 7 days of receiving the request.

The relevant Human Resources representative may be present at this meeting.

The purpose of this meeting is for the line manager and the employee to discuss any concerns regarding the business impact during the requested period of parental leave. The line manager should also inform the employee that where their request cannot be accommodated, they have the right to take an equivalent period of parental leave, at an agreed time beginning no later than six months after the commencement of the period originally requested.

5. Parental Leave Outcome(s)

Where possible, within 7 days of the meeting, the line manager will endeavour to confirm the outcome in writing to the employee. The outcome may be:

- **Accept the original request**, as a result of the discussion / additional information received **or**;
- **Confirm the postponement**, stating the reason for it and specifying the new dates for the employee to take parental leave (within six months of the date originally requested).

Please note that in all cases the line manager must make the relevant Human Resources representative aware of a parental leave outcome, before the decision is communicated to an employee.

6. Return from Parental Leave

At the end of the period of parental leave, the employee will be entitled to return to the same job provided that the leave was for a period of 4 weeks or less (and did not follow on immediately from a period of additional maternity or adoption leave).

If the period of parental leave was longer than 4 weeks (or followed on immediately from a period of additional maternity 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 that has the same or better status, terms and conditions as the previous job.

If an employee does not return to work following the agreed period of parental leave for reasons of sickness, subject to a doctor's certificate, the additional period will be treated in line with the NCG Attendance Policy.

If an employee does not meet the criteria for parental leave, they may submit a request to their manager for annual leave or unpaid leave. The employee should refer to the Special Leave Policy and / or Flexible Working Policy.

Appendix A - Request for Parental Leave

Name of employee		Job title	
Date of commencement of employment			
Dates and amount of parental leave taken previously in respect of relevant child			
Name and address of previous employer(s) (if parental leave was taken with previous employer)			
<p>I would like to apply for [] [week(s) unpaid parental leave from [date] to [date]. (Applications for parental leave in periods of a day or multiples thereof may be made only where the child in question is disabled).</p> <p>The leave requested relates to my [baby/son/daughter] [name where applicable]</p> <p>[due on [] / who was born on [] / who was adopted on [] (delete as appropriate)</p> <p>I attach a copy of [child's name]'s [birth certificate/adoption papers]</p> <p>I recognise that NCG is entitled to make enquiries of all or any of my previous employers in relation to any previous periods of parental leave taken.</p> <p>I also recognise that NCG may postpone the period of leave requested by up to six months where the leave requested does not coincide with the expected week of my child's birth or adoption and the business would otherwise be unduly disrupted by my absence.</p>			
Signed		Date	
<p>Please return this form to Human Resources at least 21 days prior to the date on which your requested period of parental leave is due to commence.</p>			
<p>Authorised/Not Authorised (Please provide reason)</p>			

