COLWICH PARISH COUNCIL

PD114
PARENTAL LEAVE

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Parish Centre, St. Mary's Road, Little Haywood, Staffordshire, ST18 0TX
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Parental Leave – PD114

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1 POLICY STATEMENT

1.1 Colwich Parish Council (the Council) is committed to family friendly initiatives. The policy of the Council is to provide parental leave benefits, which comply with both the letter and spirit of the law on parental leave rights. This policy applies to all officials regardless of whether they work on a full-time, part-time, permanent or fixed term basis. The Council shall be sympathetic to flexible parental leave taking arrangements as requested by officials. Parental Leave may be taken as a maximum of four weeks in any one year.

2 INTRODUCTION

2.1 On 6th April 2003 new family friendly employment rights came into force. These new rights, together with a number of improvements to the existing maternity scheme, were introduced by the Employment Act 2002, which made numerous amendments to the Employment Rights Act 1996 and to the Social Security Contributions and Benefits Act 1992.

2.1.1 The right to statutory paternity leave and pay.
2.1.2 The right to statutory adoption leave and pay.
2.1.3 The right to request flexible working.

3 PARENTAL LEAVE

3.1 Parental leave was first introduced on 15 December 1999 to give parents of children born or adopted on or after that date, the right to take a period of planned time off work to look after a child or make arrangements for the child's welfare. Parents can use it to spend more time with children and strike a better balance between their work and family commitments. The leave is paid.

3.2 Entitlement to Parental Leave

An official shall have the right to parental leave if they have one years' continuous service with the Council and one of the following apply:

3.2.1 They are the parent of a child who is under five years old (or under eighteen years in the case of a child entitled to a disability allowance).
3.2.2 They have adopted a child under the age of eighteen (this right shall then last for five years from the date on which the child is placed for adoption or until the child's eighteenth birthday).
3.2.3 They have acquired formal parental responsibility for a child who is under five years old.

3.3 Where there is a multiple birth, the right exists for each child.

3.4 If an official changes their employer, they shall need one years' service with the new employer before they can exercise a right to further parental leave. The limit of 13 weeks (18 weeks in the case of a disabled child) is aggregated across all employments.

3.5 Leave shall be taken in blocks of one week or more, subject to a limit of four weeks per year. Parents of a disabled child however may take their leave in periods of a day if necessary.

4 PROCEDURE

4.1 Officials shall notify the Chief Officer in writing, or in the case of the Chief Officer he/she shall notify the Chairman of the Council, as soon as possible of their intention to take parental leave.

4.2 Where possible the official shall give 21 days' notice in writing before the day on which they propose to take the leave.

4.3 Parental Leave may be granted to officials who have not given the required notice in special circumstances at the discretion of the Council. Such discretion shall not be unreasonably withheld.

5 POSTPONEMENT

5.1 The Council shall make every attempt to avoid postponement. In any event, leave shall not be postponed for more than six months except in exceptional circumstances.

5.2 The Council shall consult with the official with a view to coming to some reasonable agreement over alternatives. Including:

5.2.1 A different pattern of leave, e.g., part-time rather than full-time.

5.2.2 A shorter/longer period of time.

5.2.3 Alternative dates within the three-month period.

5.3 The Council may permit the official to take a period of leave of the same duration and beginning on a date determined in consultation with the official no later than the three months after the originally notified start date.

5.4 Following consultation, and not more than 21 days after the officials notice, the Council shall inform the official in writing of the postponement which states the reason(s) for postponement and specifies the date on which the agreed period of leave shall begin and end.

5.5 Postponement may not be used where officials in the particular circumstances outlined below have requested parental leave:

5.5.1 Following maternity support leave – the unpredictability of the timing of childbirth shall have implications for notice. It is recommended that officials expecting to take maternity support leave shall discuss their likely requirements for parental leave with the Chief Officer or Chairman of the Council as appropriate.

5.5.2 Following maternity leave – where a mother takes a period of parental leave following on from a period of maternity leave. Where parental leave is taken as a full-time block of leave following maternity leave, an official shall not be required to refund maternity monies paid under this section unless she does not return to local authority employment for a period of at least three months after the end of the parental leave period.

5.5.3 At the time of the adoption – at times prior to adoption where the parent is required to be at home by the adoption process, or following adoption leave.

6 RETURN

6.1 Officials on Parental Leave shall have the same rights to return to their job as provided to those on maternity leave.

6.2 The Council shall try its utmost to meet individual requirements for training and a flexible return to work following parental leave.

7 TERMS AND CONDITIONS DURING PARENTAL LEAVE

7.1 Time taken as parental leave shall be treated as continuous service.

7.2 Officials who fall sick during a period of parental leave and who give the Council the relevant notification shall be entitled to pay under the Sickness Scheme and this period shall not count towards their parental leave entitlement.

SIGNED	
COUNCILLOR WENDY PLANT, PARISH COUNCIL CHAIRMAN	