



PARENTAL LEAVE POLICY

Supporting Parenthood

Division: Trust-Wide Corporate (People)
Document No: PEO-29

Specific staff groups to whom this policy <u>directly</u> applies	Likely frequency of use	Other staff who may need to be familiar with policy
All Staff	As Required	N/A

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Consultation:	Trade Union Reps, People Team
Ratifying Committee:	NBT Joint Consultative Negotiation Committee
Executive Lead:	Jacqui Marshall, Chief People Officer
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Summary of changes since the previous version	Policy updated into the new NBT policy template. Content reviewed to ensure accessibility and clarity.

COMMITTEE DECISION FORM

To be completed as appropriate and returned to author after the Committee meeting

Committee:	JCNC
Committee Chair and title:	Jacqui Marshall - Chief People Officer
Document name:	Parental Leave Policy
Lead Author/ Clinician:	Maisy Berger
Specialty/ Division/ Trust-wide:	Trust-Wide Corporate (People)
Committee meeting date at which the document was discussed:	June 2023

DECISION (please tick appropriate box)

Approved

Approved subject to following minor amendments being made:

Not approved, Amendments required by the author – Chair to be sent amended document – approval will be given when changes are made

Not approved, Amendments or rewrite required by the author before resubmission to the next Committee meeting

The Committee made the following comments and required these amendments:

For further discussion please contact:

The People Team

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1. Executive Summary

- 1.1. Whether you are a first-time parent or growing your family, we understand that having a child is a transformational part of your life journey. As an organisation, we are committed to supporting you so that you can make the most of this special time. The Trust supports the use of Parental Leave to enable staff to take unpaid time off work to look after a child or make arrangements for a child's welfare. Parents and those with parental responsibility can use it to spend more time with their children to create a better balance between their work and family commitments.

2. What this Policy Covers

- 2.1. The policy seeks to ensure that you understand your entitlements relating to Parental Leave.
- 2.2. Other information, which may be useful, can be found on LINK:
- [Maternity & Adoption Policy](#)
 - [Paternity & Partner Leave Policy](#)
 - [Shared Parental Leave \(SPL\) Policy](#)
 - [Leave Policy](#)
 - [Flexible Working Policy](#)
 - [TOIL Guidance](#)

3. Principles

- 3.1. Parental Leave is unpaid, and each parent has their own entitlement to 18 weeks leave.
- 3.2. The leave is not transferable between those with parental responsibility.
- 3.3. Parental Leave can be taken up to the child's 18th birthday.
- 3.4. Parental Leave can only be taken to care for a child.
- 3.5. Parental Leave increases proportionately for multiple births, although it is not transferable between children. Such that 18 weeks Parental Leave is applicable for each child.
- 3.6. During periods of Parental Leave, you retain all your contractual rights, except remuneration.
- 3.7. You continue to accrue annual leave during Parental Leave.
- 3.8. Periods of Parental Leave will be regarded as continuous service.
- 3.9. You are entitled to return to the same job following a period of Parental Leave.

4. Eligibility

- 4.1. Parents may start taking Parental Leave when the child is born, or when they have adopted, or as soon as they have completed 12 months service with the NHS, whichever is later.
- 4.2. Staff requesting Parental Leave must have parental responsibility for a child aged under 18 years.
- 4.3. All requests for Parental Leave should be made in writing directly to your line manager using the **Parental Leave Application Form**.
- 4.4. If requested, parents (or carers) must be able to verify that they have responsibility for the named child / children. This can be achieved through the provision of for example, the birth certificate or adoption certificate, as appropriate, however, step-parents also have the right to Parental Leave.
- 4.5. If someone is separated from the other parent or does not live with their child, they still have the right to Parental Leave if they have parental responsibility for their child.
- 4.6. Employees must give the appropriate notice to their manager as required under this policy (see section 6 for more details on applying for Parental Leave).
- 4.7. NHS staff transferring to the Trust and those transferring under TUPE regulations where there is continuity of service, will not be required to work a complete year before being able to commence or resume their leave.

5. Entitlements

- 5.1. Staff have a right of up to **18 weeks unpaid leave** per child up to the age of 18 years.
- 5.2. Staff can take a maximum of 4 weeks Parental Leave (for each qualifying child) per year. However, this can be increased at the manager's discretion. This leave will be deducted from the total (maximum) of 18 weeks Parental Leave (per child).
- 5.3. A week is equal to your normal contracted weekly hours.
- 5.4. Entitlement to Parental Leave is pro-rata for part-time staff. For example, if working two days a week, the staff member would be eligible to a total of 18 weeks which amounts to 36 days (2 days x 18 weeks = 36).
- 5.5. A full time staff member's entitlement would be 90 days (5 days x 18 weeks = 90).
- 5.6. Parental Leave should be taken to care for the welfare of a child, for example,
 - Spend more time with your children
 - Look at new schools
 - Settle children into new childcare arrangements
 - Accompany the child during a planned stay in hospital
 - Enabling a family to spend more time together, for example, taking the child to stay with grandparents

**Please note that the above list is not exhaustive*

- 5.7. Subject to agreement with your manager, leave arrangements should be taken in blocks of one week. However, it is at your manager's discretion whether to allow single days of leave to be taken.
- 5.8. Parents taking Parental Leave for a disabled child (who is entitled to Disability Living Allowance or Personal Independence Payment) can take it in blocks of a day.
- 5.9. Parental Leave entitlement is unaffected by leave taken under other provisions such as Maternity & Adoption, Paternity & Partner Leave, and Shared Parental Leave (SPL).
- 5.10. Parental Leave can be added to the end of maternity leave, adoption leave, or Shared Parental Leave (SPL). This should be discussed with your manager.
- 5.11. If you are a member of the NHS Pensions Scheme, you need to consider whether you wish to keep up your pension contributions during the period of unpaid Parental Leave. Contributions due during the period may be deferred until you return to work. For more information, please contact the Pensions Team.

6. Applying for Parental Leave

- 6.1. Applications for Parental Leave should be submitted to your manager using the **Parental Leave Application Form** available on LINK.
- 6.2. The date should be agreed with your manager and will need to be booked in advance to ensure that adequate staffing can be maintained.
- 6.3. You must give at least 21 days' notice when requesting a period of Parental Leave. In cases where this may not be possible, staff should give notice at the earliest opportunity. Managers will seek to be flexible and support requests for Parental Leave (wherever possible).
- 6.4. In cases of a family emergency which requires immediate leave, please see the Emergency Leave provisions which are set out in the **Leave Policy**.
- 6.5. If you are planning to take an extended period of unpaid Parental Leave, you and your manager should discuss and agree voluntary arrangements for remaining in contact during your leave. This may include the following:
 - Any voluntary arrangements that you may find helpful to remain up-to-date with developments at work
 - Keeping the Trust up-to-date with any developments that may affect your intended date of return
- 6.6. Managers are expected, in most circumstances, to agree to the dates on which a staff member requests to take their Parental Leave.
- 6.7. Your manager does however have the right to postpone the leave in circumstances where it would unduly disrupt the operation of the service, such as a request coinciding with a particularly busy period or where several staff already have leave booked.
- 6.8. If postponement is being considered, your manager must discuss their concerns with you in an attempt to resolve the problem to the mutual benefit of both parties and, if appropriate, alternative dates should be agreed.
- 6.9. If your manager wishes to postpone leave, they must put it in writing to you within 7 days of the date of your request for Parental Leave.
- 6.10. Your manager must include the reasons for the postponement and alternative dates when the leave can be taken. Managers are encouraged to make every effort to offer the earliest possible dates available. Managers will use a compassionate and sensitive approach to best support you.
- 6.11. Parental Leave cannot be postponed if you request to take the leave immediately after the maternity or adoption leave period.
- 6.12. In circumstances where you would have taken leave within the timescales set out above, but the leave is postponed by the employer, there may be a continuing entitlement beyond the child's 18th birthday.
- 6.13. Staff may also postpone or cancel leave that has been booked with local agreement.

7. Recording and Monitoring Parental Leave

- 7.1. Managers are responsible for the authorising and monitoring of requests for Parental Leave within their team in a timely manner.
- 7.2. If the leave is approved, managers need to complete a Change of Conditions Form for the Payroll Department.
- 7.3. Managers should use the **Parental Leave Monitoring Form** (available via LINK) to record Parental Leave episodes and dates.
- 7.4. If you have just joined the Trust and request Parental Leave, you will be asked to provide details of Parental Leave already taken with your previous employer.
- 7.5. Your Parental Leave record will be passed on, if requested by your new employer in the event that you leave the Trust and take up employment with another organisation.
- 7.6. Records of Parental Leave taken should be retained on local personnel files, as appropriate.

8. Raising Concerns

- 8.1. If you wish to raise a matter of concern related to the application of the Parental Leave Policy, you should approach your manager at the earliest opportunity. Alternatively, you may contact your manager's manager. Every effort will be made to resolve matters informally and efficiently in line with the Trust's commitment to **Just Culture**.

9. Laws Relevant to this Policy

- 9.1. The Trust fully supports its obligations under the law relating to Equality, Discrimination, Health and Safety, and Unfair Dismissal, and also follows best practice as recommended by ACAS. Relevant legislation is as follows:
 - The Equality Act 2010
 - The Data Protection Act 2018
 - Health and Safety at Work Act 1974
 - The Employment Rights Act 1996
 - Maternity & Parental Leave Regs 2002
 - Work and Families Act 2006
 - Agenda for Change Handbook

10. Roles and Responsibilities

Employee	Manager	People Team	DoD	Trade Unions
<p>Employees should request any periods of Parental Leave using the Parental Leave Application Form</p> <p style="text-align: center;">↓</p> <p>Staff must give at least 21 days' notice when requesting a period of Parental Leave. In cases where this may not be possible, staff should give notice at the earliest opportunity</p>	<p>All managers are responsible for complying with the guidance as set out in this policy</p> <p>Managers are responsible for the authorising and monitoring of requests for Parental Leave within their team in a timely manner</p> <p style="text-align: center;">↓</p> <p>If the leave is approved, managers need to complete a Change of Conditions Form for the Payroll Department</p>	<p>The People Team will advise staff and managers on the application of this policy</p> <p>The People Team will undertake regular reviews of the Parental Leave Policy and supporting resources to ensure these documents are suitable and fit for purpose</p>	<p>Divisional Operational Directors are responsible for making sure that the Parental Leave Policy is applied fairly and consistently within their Divisions</p> <p>Divisional Operational Directors to ensure managers within their Divisions are aware of their responsibilities in relation to the Parental Leave Policy</p>	<p>Trade Union involvement at any point required to provide support to colleagues with concerns about the fair and consistent application of the Parental Leave Policy</p> <p>Trade Unions are also responsible for the review of the Parental Leave Policy and supporting resources to ensure these documents are suitable and fit for purpose</p>

11. Monitoring Effectiveness

11.1. The below table details the monitoring procedures in order that NBT can be assured that compliance with a policy is being met. It identifies both the processes for monitoring compliance and the actions to be taken where deficiencies and non-compliance are identified. This table must be completed in all policies

11.2. This section describes how the implementation of the policy will be monitored. Audit activity should form part of all policy monitoring; therefore an audit tool/checklist must be appended (or reference made to a national audit the Trust participates in on a regular basis). The below table should be populated with the key areas currently being monitored in addition to any monitoring criteria as required by regulators such as the CQC. This table can be extended as required.

What will be monitored	Monitoring/ Audit method	Monitoring responsibility (individual/group/ committee)	Frequency of monitoring	Reporting arrangements (committee/group the monitoring results are presented to)	How will actions be taken to ensure improvements and learning where the monitoring has identified deficiencies
Parental Leave usage rates across the Trust to ensure that colleagues understand Parental Leave as an option to support their work-life balance when growing their family	ESR data checked Manager Advice Sessions / feedback received via the People Team and other channels of communication	People Team People Partners	Annually	People Committee	Regular promotion of the Parental Leave Policy - targeted promotion if certain areas or staff demographics are shown to be unaware of this option
The usefulness and ease of access of the Parental Leave policy to ensure that colleagues and managers can correctly interpret and understand content	Manager Advice Sessions / feedback received via the People Team and other channels of communication	People Team People Partners Managers within the Divisions	Ongoing; with reviews of the Parental Leave policy as legislation / Agenda for Change Terms & Conditions change. Additionally, Parental Leave policy review due every three years	People Committee	Use feedback / insights to further develop and clarify the Parental Leave policy and supporting resources

Grievances and disciplinaries related to the application of the Parental Leave policy	Assure HR Case Tracker - Opening case reasons for the Grievances and Disciplinaries	People Team People Partners	Annually	People Committee	Use the Assure HR Case Tracker data to identify hot spot areas which need further support
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12. Associated Policies / Documents

12.1. Policies

- [Maternity & Adoption Policy](#)
- [Paternity & Partner Leave Policy](#)
- [Shared Parental Leave \(SPL\) Policy](#)
- [Leave Policy](#)
- [Flexible Working Policy](#)
- [TOIL Guidance](#)

12.2. Documents

- [Parental Leave Application Form](#)