



## Parental Leave Policy

This Policy applies will apply to all schools and employees within the Lighthouse Trust Partnership.

Policy approved by the Trust Board

Signed:

Date: 16 March 2020

Name: Adele Haysom  
Chair of the Board of Trustees

Authorised for issue

Signed:

Name: Gary Lewis  
Chief Executive Officer (CEO)

Date: 16 March 2020

### Document History

Version	Author/Owner	Drafted	Comments
1.0	Amy Sutton	07.08.2018	Separated from Maternity, Paternity, Adoption, Parental & Shared Parental Leave Policy.
1.1	Amy Sutton	01.01.2020	Updated as a policy on its own.

Date Policy Adopted	
Review cycle	Every 3 years
Review date	Autumn Term 2022

## Parental Leave

### 1.0 Introduction

1.1 Unpaid Parental Leave is available for staff to look after a child or make arrangements for a child's welfare. The Lighthouse School's Partnership Policy on Parental Leave meets the requirements of the Maternity and Parental Leave (Amendment) Regulations 2001, which came into force on 10 January 2002 and operates in addition to existing maternity, paternity and adoption leave schemes. This policy also reflects the provisions of The Civil Partnership Bill, which came into force on 5th December 2005, as well as the changes that came into force on 6 April 2015.

1.2 This section of the policy reflects the statutory right of employees with at least one Year of continuous service to take up to 18 weeks' unpaid parental leave in respect of each child and adopted child, up to their 18th birthday.

1.3 The limit on how much parental leave each parent can take in a year is 4 weeks for each child (unless the employer agrees otherwise).

1.4 You must take parental leave as whole weeks (e.g. 1 week or 2 weeks) rather than individual days, unless your employer agrees otherwise or if your child is disabled. You don't have to take all the leave at once.

1.5 A 'week' equals the length of time an employee normally works over 7 days.

### 2.0 Entitlement to Parental leave

2.1 You only qualify if all of these apply:

- You have been in the company for more than a year
- You are named on the child's birth or adoption certificate or they have or expect to have parental responsibility
- You are not self-employed or a 'worker', e.g. an agency worker or contractor
- You are not a foster parent (unless they've secured parental responsibility through the courts)
- the child is under 18

2.2 You may be asked for proof (like a birth certificate) as long as it's reasonable to do so, e.g. they can't ask for proof each time an employee requests leave.

2.3 The Trust can extend parental leave to those groups who aren't eligible. Employees can check this in their staff handbook.

### 3.0 Notification Requirements

3.1 You are required to give 21 days' notice before the intended start date. If you or your partner are having a baby or adopting, it's 21 days before the week the baby or child is expected.

3.2 You must confirm the start and end dates in the notice. It would be helpful if you can give this notice in writing. The notice requirements are as follows:

- If you wish to take parental leave commencing immediately on the birth of a child, you 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. If you wish to take parental leave commencing immediately on the adoption of a child, you 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, you must give as much notice as you can.
- The notice must specify the EWP and the duration of the period of leave required.

3.3 In all other circumstances, you must give notice of your intention to take parental leave at least 21 days before you intend the leave to start. Adoption policy states 'not less than 21' The notice must specify the dates on which the period of leave is to begin and end.

3.4 If you wish to take a period of parental leave immediately after a period of ordinary paternity leave, it would be helpful if you could give your Headteacher notice of that intention at least 21 days before the start of the EWC (or EWP, if applicable). If this is not possible, you should give as much notice as you can. If you do not give notice at least seven days before your period of ordinary paternity leave starts, we might not allow you to take the period of parental leave requested. However, the Trust will consider each case on its merits.

### 4.0 Evidential requirements

4.1 Before you take a period of parental leave under this policy, you must provide the Trust with evidence of:

- Your responsibility or expected responsibility for the child;
- The child's date of birth or date of adoption placement;

4.2 For details of what evidence is required in your particular circumstances, or if you have difficulties obtaining the evidence, please contact the Headteacher, LSP HR or school office.

## **5.0 The Trust's right to postpone parental leave**

5.1 Where you give notice in accordance with paragraph 4 of your intention to take parental leave on the birth or adoption of a child, we shall not postpone that leave.

5.2 We shall not postpone parental leave if the postponement would result in the leave being taken after the child's 18<sup>th</sup> birthday.

5.3 We might postpone a proposed period of parental leave for up to six months where the leave as planned would unduly disrupt our business. We might do so, for example, where:

- You wish to take parental leave during a peak period;
- A number of employees wish to take parental leave at the same time;
- Your work is of importance to a time-critical project; or
- Cover for your work cannot be found before the date on which your parental leave is due to start.

5.4 If we decide to postpone your parental leave, we shall:  
Consult you about the date to which the leave might be postponed; and  
No more than seven days after you gave notice of your intention to take the leave, give you written notice stating the reason for the postponement and the new beginning and end dates of the leave which we will allow you to take.

## **6.0 Terms and conditions during parental leave**

6.1 Parental leave under this policy is unpaid. Your contractual provisions relating to pay and benefits are suspended during parental leave.

6.2 However, during parental leave you are entitled to benefit from any contractual terms you have in relation to being given notice, redundancy compensation and disciplinary and grievance procedures.

6.3 During parental leave you will remain bound by your obligation of good faith towards us, as well as any contractual terms relating to the giving of notice, the disclosure of confidential information, the acceptance of gifts and benefits, and your freedom to participate in another business (for example, by working for a third party).

## **7.0 Pensions - Teaching staff**

During any period of unpaid parental leave, we shall not make any employer pension contributions and the period shall not count as pensionable service. You do not have the option of paying contributions during any period of unpaid parental leave, but you can purchase additional pension on top of your normal contributions in multiples of £250 up to a maximum set by Teachers' Pensions.

## **8.0 Pensions - Support staff**

LGPS membership continues to build up during the first 30 days of any period of unpaid leave, including parental leave, as long as you may the pension contributions that you would have paid had you been at work. After the first 30 days, the period will not count as pensionable service. You may if you wish, elect to pay contributions for the period of your absence. If you choose not to, you will not build up any membership for this period, and this will affect your pension benefits.

## **9.0 Returning to Work**

9.1 You are normally entitled to return to work following parental leave to the same position you held before commencing leave. Your terms of employment will be the same as they would have been had you not been absent.

9.2 However, it might not be possible for us to allow you to return to the same job where your period of parental leave has been longer than four weeks, or has been combined with a period of additional maternity, paternity or adoption leave. In such circumstances, we will offer you a suitable and appropriate alternative position.

9.3 We will deal with any requests by employees to change their working patterns (such as working part-time) after parental leave on a case-by-case basis, in accordance with the Trust's Flexible Working Policy. We will try to accommodate your wishes unless there is a justifiable reason for refusal, bearing in mind the needs of our business. It is helpful if flexible working requests are made as early as possible.

## **10.0 Abuse of this policy**

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 under the Trust's Disciplinary Procedure.