

## Family Friendly Policies

### Section c – Parental leave policy and procedure

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## 1.0 Introduction

The term “family friendly” is used to describe working practices that acknowledge and aim to support the needs of staff in achieving a home and work life balance. NHS Lewisham CCG strives to make working for staff with, or starting a family, as easy as possible. To this end we have a number of policies for family situations:

- Adoption leave – section a
- Maternity leave – section b
- Parental leave – section c
- Shared parental leave – section d
- Paternity leave – section e

The policies have been reviewed in consideration of the:

- Employment Rights Act 1996, as amended by the Employment Relations Act 1999
- Employment Act 2002;
- Maternity and Parental Leave Regulations 1999 and the Maternity and Parental Leave (Amendment) Regulations 2002;
- Children and Adoption Act 2006;
- Work and Families Act 2006;
- Equality Act 2010;
- Additional Paternity Leave Regulations 2010;
- Children and Families Act 2014;
- Paternity and Adoption Leave (Amendment) Regulations 2014

Parental leave is for employees to take time off work to look after a child's welfare, this leave is normally unpaid, and is available for each child up to their 18th birthday.

Parental Leave should not be confused with Shared Parental Leave which is a new entitlement for eligible parents of children due to be born or adopted on or after 5 April 2015.

## 2.0 Scope

The parental leave policy and procedure applies to employees of NHS Lewisham CCG Employees who have nominated caring responsibility for a child under 14, or 18 in cases of adoption or a disabled child.

## 3.0 Principles

Employees who have nominated caring responsibility for a child under 14, or 18 in cases of adoption or a disabled child are eligible for parental leave.

### 3.1 Entitlement to Parental Leave

The right to parental leave entitles all employees who have completed 12 months continuous NHS service to take a period of unpaid leave to care for each child under 14, or 18 in cases of adoption or a disabled child.

The entitlement is 18 weeks unpaid leave per child to be taken in periods of at least one week at a time and 18 weeks for each adopted child or child entitled to a disability living allowance. In the case of twins, each parent will be entitled to 18 weeks for each child (18 weeks for parents of each adopted or disabled child)

A maximum of four weeks can be taken in any one year. Both parents can take parental leave.

### **3.2 Timescales for Taking Parental Leave**

Up to 18 weeks leave up until the child's 14th birthday; or if the child is disabled (defined as being eligible to receive Disability Living Allowance) or adopted, up to 18 weeks leave up until the child's 18th birthday.

Parents can start taking parental leave as soon as a child is born or placed for adoption, or as soon as they have completed one year's continuous NHS service, whichever is later.

### **4.0 Procedure**

4.1 All requests for parental leave must be made on the PAR1 form (appendix a), give 21 days' notice, then signed by a line manager and copied to Human Resources for recording and payment purposes.

4.1.2 Parental leave may be postponed in exceptional circumstances where the timing would cause significant operational problems. If a request for leave is postponed:

- it will only be deferred once and alternative dates will be offered;
- postponement will be for no longer than three months;
- deferred leave offered will be for the same length of time as that requested, and the start and end dates of deferred leave will be mutually agreed;
- an employee will be given reasonable written notice of a deferral together with the reasons. The minimum notice will be:
  - o two weeks before the start of the requested leave where the leave is for two weeks or less;
  - o where the leave is more than two weeks, the same length as the parental leave requested;

An employee who considers that his/her request for leave has been unreasonably postponed, may appeal through the CCG's Grievance Procedure.

### **5.0 Arrangements during Parental Leave**

5.1 Whilst taking parental leave, employees are on unpaid leave.

5.2 During the period of parental leave, the employee will retain all contractual rights except remuneration, including entitlement to annual leave, eligibility for an annual incremental payment, and pension rights. Pension contributions will continue to be payable during periods of parental leave. Arrears of contributions will be deducted by payroll over an agreed period of time.

### **6.0 Returning from Parental Leave**

6.1 On resuming work after a period of parental leave, employees will return to their job on remuneration and other terms and conditions no less favourable than if they had not taken parental leave.

6.2 Where the employee's job has been changed in his/her absence, the employee must be notified in writing of this change prior to their return and allocated a similar job with no less favourable remuneration and terms and conditions

## **7.0 Equality Statement**

We are committed to a policy of equality in all our employment practices in accordance with the Equality Act 2010 and Human Rights Act 1998 which consolidates existing equality legislation relating to the protected characteristics and strive to eliminate unfair discrimination, harassment, bullying and victimisation. NHS Lewisham CCG will not unlawfully, unfairly or unreasonably discriminate or treat individuals less favourably on the grounds of age, disability, gender reassignment, marriage & civil partnerships, pregnancy & maternity, race, religion or belief, sex and sexual orientation.

## Appendix a – PAR1 Parental leave application

Employee Name:		Contact no.	
Department:		Role:	
Date started with NHS Lewisham CCG:		Payroll Number:	

You should endeavour to give at least 21 days notice

No. of days requested:			
I request authority for the above parental leave and I accordingly authorise deduction from my pay. I understand that leave requested can be postponed in exceptional circumstances and a written explanation will be provided.			
Signature:		Date:	

To be completed by the manager			
Parental leave authorised: Yes/No			
I wish to defer this application until _____ for the following exceptional reasons;			
I have discussed my decision with the applicant.			
Signature:		Date:	

## Appendix b - Equality & Equity Impact Assessment

This is a checklist to ensure relevant equality and equity aspects of proposals have been addressed either in the main body of the document or in a separate equality & equity impact assessment (EEIA)/ equality analysis. It is not a substitute for an EEIA which is required unless it can be shown that a proposal has no capacity to influence equality. The checklist is to enable the policy lead and the relevant committee to see whether an EEIA is required and to give assurance that the proposals will be legal, fair and equitable.

The word proposal is a generic term for any policy, procedure or strategy that requires assessment.

	Challenge questions	Yes/No	What positive or negative impact do you assess there may be?
1.	Does the proposal affect one group more or less favourably than another on the basis of:		
	<ul style="list-style-type: none"> <li>• Race</li> </ul>		
	<ul style="list-style-type: none"> <li>• Pregnancy and Maternity</li> </ul>		
	<ul style="list-style-type: none"> <li>• Sex</li> </ul>		
	<ul style="list-style-type: none"> <li>• Gender and Gender Re-Assignment</li> </ul>		
	<ul style="list-style-type: none"> <li>• Marriage or Civil Partnership</li> </ul>		
	<ul style="list-style-type: none"> <li>• Religion or belief</li> </ul>		
	<ul style="list-style-type: none"> <li>• Sexual orientation (including lesbian, gay bisexual and transgender people)</li> </ul>		
	<ul style="list-style-type: none"> <li>• Age</li> </ul>		
	<ul style="list-style-type: none"> <li>• Disability (including learning disabilities, physical disability, sensory impairment and mental health problems)</li> </ul>		
2.	Will the proposal have an impact on lifestyle? (e.g. diet and nutrition, exercise, physical activity, substance use, risk taking behaviour, education and learning)		
3.	Will the proposal have an impact on social environment? (e.g. social status, employment (whether paid or not), social/family support, stress, income)		
4.	Will the proposal have an impact on physical environment? (e.g. living conditions, working conditions, pollution or climate change, accidental injury, public safety, transmission of infectious disease)		

5.	Will the proposal affect access to or experience of services? (e.g. Health Care, Transport, Social Services, Housing Services, Education)		
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By using evidence and insight to assess and grade our equality performance, NHS Lewisham CCG can generate much of the information we will require to demonstrate compliance with the PSED. The checklist is to enable the policy lead and the relevant committee to see if a particular policy or project will provide the relevant evidence to assist NHS Lewisham CCG meet the set out EDS goals to achieve better outcomes for patients and staff. Please assess your policy, project or service against the following: