

## Parental Leave Procedure

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### 1. Introduction

Eligible employees have the right to unpaid leave to care for their children.

To qualify for Parental Leave, you must:

- a) Have at least one year's continuous service with Canvey Island Town Council.
- b) Be the parent (named on the birth certificate) of a child who is under 18 years old or have acquired formal parental responsibility for a child (under 18 years old) under the Children Act 89 or, have adopted a child under the age of 18.

### 2. Entitlement

If you qualify for Parental Leave you have the right to:

- a) 18 weeks' unpaid leave in respect of each individual child.
- b) The right to take Parental Leave lasts until the child's eighteenth birthday.
- c) Any Parental Leave taken with previous employers will count towards the 18-week limit for each child.
- d) You may only take Parental Leave in blocks of one week (this rule does not apply to parents of disabled children) and you cannot take more than 4 weeks' Parental Leave in respect of an individual child during a year. A year is specified as a period of 12 months starting from the date on which you first become entitled to Parental Leave.

### 3. Procedure for Requesting Parental Leave

- a) You are required to make any request for Parental Leave utilising the Parental Leave Request Form. This form will enable you to satisfy both the notice and evidence conditions for parental leave.
- b) Completed forms must be returned to the Town Clerk.
- c) You are required to provide at least 21 days' notice in writing of the leave period you intend to take and the date you intend to return to work.
- d) You are required to provide evidence relating to your responsibility for the child in question, his / her date of birth (or date of adoption where applicable).
- e) If period of leave is requested to begin straight after the child is born / adopted, the notice you give must be at least 21 days prior to the expected week of childbirth or placement

The Town Clerk will confirm your entitlement to Parental Leave.

### 4. Postponement of Parental Leave

- a) The Town Council reserves its right to postpone your request for parental leave where it considers that the operations of the business will be unduly disrupted except in cases where:
  - i) The intended leave immediately follows a birth or placement.

- ii) The period of parental leave requested cannot be completed before the child's 18<sup>th</sup> birthday.
- b) In circumstances where the Town Council postpones your request for Parental Leave, the Town Council will allow you to take leave of the same length as the period specified in the notice, beginning on a date, determined by the Town Council after consulting you but will be no later than six months after the date on which the leave was due to begin.

The Town Council will provide you with written notice of the postponement which states the reasons for it and specifies the dates between which leave may be taken with such notice being given to you no more than 7 days after your notice was received by the Town Council.

## **5. Rights during Parental Leave**

An employee is entitled to the implied obligation of trust and confidence and the benefit of their terms of conditions of employment relating to:

- i) Notice of termination
- ii) Redundancy
- iii) Grievance and disciplinary procedures

The employee must abide by the implied obligation of trust and confidence relating to:

- i) Notice of termination
- ii) Disclosure of confidential information
- iii) Acceptance of gifts or other benefits
- iv) The employee's participation in any other business

## **6. Rights to Return**

Where an employee is returning from work after a period of 4 weeks or less, he/she is entitled to return to the post that he/she left.

If an employee has taken a period of leave of 4 weeks or more then he/she is entitled to return to the post that he/she left or if not reasonably practical to another post that is suitable.

## **7. Further Information**

For further information on Parental Leave, contact the Town Clerk.



## PARENTAL LEAVE REQUEST FORM

1. Provide as much notice as possible of your proposed absence dates - a minimum of 21 days' notice is required.
2. This form must be returned to the Town Clerk.
3. Please attach a copy of the necessary documentation to support your request.

Name

### Part A – Leave Application

Amount of leave requested (Minimum 1 week, maximum 4 weeks in respect of one child except for disabled children where leave can be taken one day at a time).

Commencement date for Parental Leave

Date of return to work

Child's name

Child's date of birth

Amount of leave already taken in respect of this child with previous employer(s)

If adopted, date of child's placement

If your child is disabled, are you in receipt of disabled living allowance?

Yes / No

### Part B – Complete only if you plan to take leave starting when your child is born

State date of week in which the baby is due (Enter the Sunday at the start of the week the doctor or midwife has advised)

Sunday

Is the copy of the Maternity Certificate attached (MatB1)? If no, you must provide this as soon as possible.

Yes / No

### Part C – Complete only if you plan to take leave in respect of a child that is being adopted

State date of the week in which the placement is expected (Enter the Sunday at the start of the week you have been notified)

Sunday

Is a copy of the notification of placement letter attached? If no, you must provide this as soon as possible

Yes / No

### Part D - Declaration

I request authority for the above Parental Leave and I accordingly authorise deduction of pay from my salary for the agreed period of unpaid absence.

I understand that I may be requested to provide additional documentary evidence and that leave requested except that relating to Parts B and C can be postponed by Canvey Island Town Council.

Signature

Date

### For Council Use

Date request form received

Qualifies (one year's service)  
Yes or No

Correct notice given

Payroll / Finance  
Notified

Employee notified

Notes: