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Bwrdd Iechyd Prifysgol  
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Cardiff and Vale  
University Health Board

**Reference Number:** UHB 087

**Version Number:** 4

**Date of Next Review:** Sept 2022

**Previous Trust/LHB Reference Number:**  
n/a

## PARENTAL LEAVE PROCEDURE

### Introduction and Aim

Eligible employees can take unpaid parental leave to look after their child's welfare, eg to:

- spend more time with their children
- look at new schools
- settle children into new childcare arrangements
- spend more time with family, such as visiting grandparents

Their employment rights (like the right to pay, holidays and returning to a job) are protected during parental leave.

This Procedure sets out the process to be followed when applying, taking and returning from unpaid Parental Leave.

### Scope

All employees who have nominated caring responsibility for children under age 18 are eligible to apply.

### Equality Health Impact Assessment

An stand alone Equality and Health Impact Assessment has not been completed because this Procedure is covered by the 'Family Friendly Policies' EHIA – this EHIS found there to be a positive impact.

### Documents to read alongside this Procedure

[Adaptable Workforce Policy](#)  
[Flexible Working Policy](#)  
[Annual Leave Guidelines](#)  
[Special Leave Policy](#)  
[Employment Break Policy](#)  
[Occasional Home/Mobile Working Guidelines](#)

### Approved by

Employment Policy Sub Group

### Accountable Executive Director

Executive Director of Workforce and OD

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### Disclaimer

If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the [Governance Directorate](#).

Document Title: Parental Leave Procedure	2 of 7	Approval Date: 25.09.2019
Reference Number: UHB87		Next Review Date: 25.09.2022
Version Number: 4		Date of Publication: 08.10.2019

Summary of reviews/amendments			
Version Number	Date of Review Approved	Date Published	Summary of Amendments
1	June 2011	June 2011	New guidelines
2	June 2013	July 2013	Entitlement increased to 18 weeks
2a	January 2015		Legislative changes – now applies to staff with caring responsibility for children up to the age of 18
3	Nov 2016	Nov 2016	Updated to improve clarity and ensure fully reflects government guidance (e.g make clear that maximum 4 weeks a year). No significant changes
4	25.09.2019	08/10/2019	<p>Changed from Guidelines to Procedure</p> <p>Section 1 – sentence added to clarify that parental leave arrangements should be flexible and can be added to other types of leave</p> <p>Section 7 – periods of parental leave should be regarded as continuous service</p> <p>Form updated to remove reference to rejecting requests</p>

Document Title: Parental Leave Procedure	3 of 7	Approval Date: 25.09.2019
Reference Number: UHB87		Next Review Date: 25.09.2022
Version Number: 4		Date of Publication: 08.10.2019

## Contents Page

1	<b>Entitlement</b>	
2	<b>Carrying leave over from a previous job</b>	
3	<b>Eligibility</b>	
4	<b>Applying for Parental Leave</b>	
5	<b>Delaying leave</b>	
6	<b>Informing Payroll</b>	
7	<b>During parental leave</b>	
<b>Appendices</b>		
1	<b>Parental Leave Application Form</b>	

Document Title: Parental Leave Procedure	4 of 7	Approval Date: 25.09.2019
Reference Number: UHB87		Next Review Date: 25.09.2022
Version Number: 4		Date of Publication: 08.10.2019

## 1 Entitlement

An employee is entitled to a total of 18 weeks' unpaid parental leave for each child and adopted child, up to their 18th birthday. The limit on how much parental leave each parent can take in a year is 4 weeks for each child.

Parental leave must be taken as whole weeks (eg 1 week or 2 weeks) rather than individual days, unless the line manager agrees otherwise or if their child is disabled. Employees do not have to take all the leave at once.

A 'week' equals the length of time an employee normally works over 7 days i.e. if an employee works 3 days a week, one 'week' of parental leave equals 3 days. If an employee works irregular days per week or had an annualised/term time only contract etc. the number of days in a 'week' is the total number of days they work a year divided by 52.

Leave arrangements need to be as flexible as possible. Parental leave can be added to periods of maternity, adoption, paternity or shared parental leave.

## 2 Carrying leave over from a previous job

Parental leave applies to each child not to an individual's job. An employee is entitled to a maximum of 18 weeks in total (i.e. between birth and the child reaching 18 years of age) for each child, any leave used with a previous employer cannot be taken again.

## 3 Eligibility

Employees qualify if all of these apply:

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

Managers can ask 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

Document Title: Parental Leave Procedure	5 of 7	Approval Date: 25.09.2019
Reference Number: UHB87		Next Review Date: 25.09.2022
Version Number: 4		Date of Publication: 08.10.2019

## **4 Applying for Parental Leave**

To apply, employees must complete the Parental Leave Application Form attached as Appendix 1, giving 21 days notice wherever possible.

If the parental leave is to be taken by the father or partner immediately after the birth or adoption of a child, notice must be given 21 days before the week the baby or child is expected.

Employees must confirm the start and end dates in their notice. Unless the manager requests it, this doesn't have to be in writing.

## **5 Delaying leave**

Managers should only postpone leave in exceptional circumstances. Leave cannot be postponed (delayed) if:

- there is not a 'significant reason', (e.g. it would cause serious disruption to the delivery of the service)
- it's being taken by the father or partner immediately after the birth or adoption of a child
- it means an employee would no longer qualify for parental leave, e.g. postponing it until after the child's 18th birthday

If it is postponed, the line manager:

- must write explaining why within 7 days of the original request
- suggest a new start date - this must be within 6 months of the requested start date
- can't change the amount of leave being requested.

Employees may also postpone or cancel leave that has been booked, if the line manager agrees.

## **6 Informing Payroll**

Managers are responsible for ensuring that payroll are informed that an employee is on Parental Leave (via ESR self service where available).

## **7 During parental leave**

During parental leave the employee retains all their contractual rights, except remuneration. Pension rights and contributions shall be dealt with in accordance with NHS Superannuation Regulations. Periods of parental leave should be regarded as continuous service.

It is good practice for employers to maintain contact (within agreed protocols) with employees while they are on parental leave.

Document Title: Parental Leave Procedure	6 of 7	Approval Date: 25.09.2019
Reference Number: UHB87		Next Review Date: 25.09.2022
Version Number: 4		Date of Publication: 08.10.2019

## **8 Paid Parental Leave**

It is expected that Parental leave will be unpaid. In very exceptional circumstances there is scope to give paid leave if agreed by the relevant Clinical Board Director of Operations.

Document Title: Parental Leave Procedure	7 of 7	Approval Date: 25.09.2019
Reference Number: UHB87		Next Review Date: 25.09.2022
Version Number: 4		Date of Publication: 08.10.2019

## Appendix 1 - PARENTAL LEAVE APPLICATION FORM

<b>Personal Details</b>					
Name:		Employee Number:			
Address:					
<b>Employment Details</b>					
Job Title:		Ward / Department / Directorate / Division:			
<b>Details of Parental Leave</b>					
Duration:		Dates (to – from):			
Please indicate reason for the Parental Leave and provide details as appropriate:					
Signed:				Date:	
<b>To be completed by Manager</b>					
Approved/Postponed  (*delete as appropriate)	Reason (if postponed:				
	Proposed alternative date (within 6 months)				
Print Name:		Signed:		Date:	

Once completed and signed by all parties file in the Personal File

N.B. Managers must ensure Payroll is informed if Parental Leave is approved (via ESR Self Service).