

Parental Leave



ORGANISATIONAL DEVELOPMENT DIVISION

Issued: March 2023 Review: October 2027

This document is also available in Welsh / Mae'r ddogfen hon hefyd ar gael yn Gymraeg

Version Control

This document is intended for:

- Council staff only School-based staff only Council & School-based staff

Version	Key Changes	Approved By
Jan 2020	“Relationship with the Superannuation Scheme” section updated regarded Additional Pension Scheme Contributions.	DMT
Oct 2022	Scheduled review; language/details modernised/updated and any duplication removed.	DMT
Mar 2023	Pension information updated	DMT

This document may be reviewed and amended at any time and without consultation in response to legal requirements or in response to an organisational requirement and where the changes do not reflect a fundamental change or affect the spirit or intent of the document.

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1. Introduction

The Council operates a scheme for **unpaid parental leave** in regards to caring for a child for whom an employee has parental responsibility.

This guidance aims to set out as simply as possible the unpaid parental leave regulations which are available to employees and the Conditions which apply to them. Employees should read the following information carefully and complete and return the application form.

2. Scope

An employee's entitlement to unpaid parental leave commences on the birth date of the child, providing they have one year's continuous service at this date.

An employee is required to give **21 days notice** before unpaid parental leave commences, specifying beginning and end dates. This will allow their directorate time to make any temporary staffing arrangements, which may be necessary to cover their absence. In extenuating circumstances, a manager can agree to reduce the notice period.

An application for unpaid parental leave should be made in writing by completing the application form (PL1), and returning it to the employee's manager who will then forward the details to Organisational Development (OD) within the timescale mentioned above.

The child's original birth certificate/adoption matching certificate should be submitted with the initial application.

3. Eligibility under the Scheme

The child must be under 18 years of age.

An employee must have at least one year's continuous service in order to qualify for unpaid parental leave.

An employee must be named on the child's birth/adoption certificate or parental order.

An employee must have, or expect to have, responsibility for a child. Responsibility for a child covers:

- The mother of the child.
- The father of the child if married to the mother at the time of the birth or is registered as the child's father.
- The father (if not covered above) if acquired parental responsibility under the Children Act 1989.
- A guardian appointed under Section 5 of the Children Act 1989.
- Adoptive parents.

4. Leave Entitlement

- **18 weeks** unpaid leave for **each child and adopted child**, up to their 18th birthday. Documentary evidence will be required in order to establish leave taken with previous employers. Employees would not be eligible for parental leave if exhausted with previous employers.
- Employees can only take unpaid parental leave in blocks or multiples of a week. If the employee takes leave for a shorter period than a week it shall be counted as a week (e.g. 2 days of absence = 1 week of parental leave entitlement).
- In the case of a parent of a disabled child, they are entitled to take the leave in single days.
- Employees may only take **4 weeks** unpaid parental leave **for each child** during a particular year. Where both parents work for the Council, they are each entitled to take parental leave in relation to the same child.
- Where an employee wants to take parental leave during a week when a bank holiday falls, they would receive pay for the bank holiday but would have used a week of their parental leave entitlement.

5. The Right To Return To Work

- An employee would be entitled to return to the same job.
- If an employee takes unpaid parental leave immediately after a period of unpaid maternity leave, they will not automatically be entitled to return to the same job if not reasonably practical. They will, however, be entitled to return to a job that is suitable for them and appropriate in the circumstances.

6. General Information

- **Postponement**: The period of leave ***can be postponed*** in exceptional circumstances (for a maximum of 6 months) if the operation of the business would be unduly disrupted. For example, when the work is at a seasonal peak, where a significant proportion of the workforce applies for parental leave at the same time or when the employee's role is such that their absence at a particular time would unduly harm the business. However, if the leave is to be taken immediately after a child is born or placed for adoption the employer ***may not postpone*** leave.
- **Relationship with the Sickness Scheme**: Parental leave will not be treated as sick leave and will not be taken into account for the calculation of the period of entitlement to sickness leave.
- **Continuity of Service**: Authorised unpaid parental leave shall be regarded as continuous service.

- **Pension**

- **Local Government Pension Scheme (LGPS) members**

If an employee takes unpaid Parental Leave, they won't build up LGPS pension during this period. However, an employee can choose to pay Additional Pension Contributions (APCs) to buy back 'lost' pension, when returning to work. Lost means the pension that they would have built up if they had been working normally during unpaid Parental Leave.

If an employee elects to pay APCs to buy back the lost pension within 30 days of returning to work, the cost is shared with the employer paying two thirds and the employee paying the remaining one third. If an employee elects after 30 days of returning to work to pay the APCs then the cost would not be shared.

An employee can find out how much it would cost to pay APCs on the following calculator:

www.lgpsmember.org/help-and-support/tools-and-calculators/buy-lost-pension-calculator/

An employee will need to enter their details including their 'Lost Pensionable Pay'. This is the pay that they would have received during any unpaid Parental Leave period if they had been working normally which can be obtained from the Payroll Team by emailing HRPayroll@blaenau-gwent.gov.uk. To pay APCs to buy back the lost pension, an application form within the calculator needs to be completed and returned to the Payroll Team.

For any further information, please contact the Pensions & Technical Officer in OD:

Email: Pensions@blaenau-gwent.gov.uk
Phone: (01495) 355170

- **Teachers Pension Scheme (TPS) members**

If an employee decides to take a longer break from work, after their contractual and statutory pay has expired, they will be deemed as being 'out of service'. They will be a deferred member of the TPS until they return to pensionable (active) service. This means they will not be entitled to TPS 'death in service' benefits should they die during the break.

- **Grievance Procedure**: If an employee feels that they have had a legitimate request for Parental Leave turned down, or that leave has been unjustifiably postponed, they should in the first instance try to resolve this with their manager. If this is unsuccessful please refer to the [Grievance Procedure](#).

Application For Unpaid Parental Leave



PLEASE COMPLETE THIS FORM AND RETURN TO HRpayroll@blaenau-gwent.gov.uk

SECTION 1 – PERSONAL DETAILS

Full Name:	<input type="text"/>		
Home Address:	<input type="text"/>		
Telephone Number:	Home: <input type="text"/>	Work: <input type="text"/>	
Designation:	<input type="text"/>		
Place Of Work:	<input type="text"/>		
Staff Number:	<input type="text"/>		
N.I. Number:	<input type="text"/>		

Having read the information attached, I hereby apply for Parental Leave under the Authority's approved scheme.

Requested dates of Parental Leave From: To:

Number Of Weeks (For the purpose of recording your leave, 2 days equals 1 week) WEEK/S

SECTION 2 - DECLARATION

Name Of Child Leave Applied For:

Please submit the original birth/adoption matching certificate(s) of the child/children. If your child/children is/are in receipt of Disability Living Allowance, proof will be required.

If you are not named on the birth certificate please tick which of the categories below you fall into:

- A Father who was married to the Mother at the time of birth
- A Parent who has acquired Parental Responsibility under the Children Act 1989
- A Guardian appointed under Section 5 of the Children Act 1989
- An Adoptive Parent

If you are taking unpaid Parental Leave, would you want to pay back Additional Pension Contributions (APC's) on the unpaid leave? (LGPS Only) deducted at 1/3 employee; 2/3 employer

Yes No

**I CONFIRM THAT MY PURPOSE IN REQUESTING LEAVE IS TO CARE FOR MY CHILD/CHILDREN.
A FALSE DECLARATION MAY RESULT IN DISCIPLINARY ACTION.**

Signature: Date:

MANAGER DECLARATION

I can confirm that the requested dates for Parental Leave are acceptable and that I am satisfied the applicant is the parent or named in the category above in line with the authority's guidance.

Signature: Print Name: Date:

March 2023