Model Policy for Oxfordshire Schools - Parental Leave

## Introduction

1. This Oxfordshire model policy has been drawn up following consultation with all the recognised trade unions and associations: ASCL, ATL, NAHT, NASUWT, NUT and Unison.
2. Advice and support on the application of this policy is available from the school's HR service.
3. This policy applies to all employees working in schools. It should be read in conjunction with other relevant documents such as the School Teachers' Pay and Conditions Document (STPCD), Conditions of Service for School Teachers in England and Wales (Burgundy Book) and the Oxfordshire Local Agreement (OLA) and/or the National Agreement on Pay and Conditions of Service for support staff (the Green Book).
4. It is recommended that academies who have chosen to continue to use the STPCD, Burgundy Book, Oxfordshire Local Agreement and / or Green Book also adopt this model policy. Where an academy adopts this policy the word ‘school’ should be taken to refer to the academy.
5. The term 'relevant body' has been used throughout this policy. In maintained schools this is the governing body. The differing structures of academies means that the academy trust will need to define the relevant body for the purposes of this policy.
6. The term 'head teacher' has been used throughout this document, however depending on the size and structure of the school this role may be delegated to other members of the senior leadership team, school business managers or line managers as appropriate. Where the head teacher is subject to this policy, this should be managed by the Chair of the relevant body or other nominated governor.

## Purpose and scope of policy

1. The school is committed to equality of opportunity in employment for all its employees and developing work practices that enable people to strike a healthy balance between work and other aspects of their lives.
2. Unpaid Parental Leave is available for eligible employees to look after their child’s welfare, for example to spend more time with their children, look at new schools, settle children into new childcare arrangements.

## Eligibility

1. Employees qualify if all of these apply:

* they have continuous service with their current employer of more than a year
* they’re named on the child’s birth or adoption certificate
* they have or expect to have [parental responsibility](https://www.gov.uk/parental-rights-responsibilities/what-is-parental-responsibility)
* they’re not a foster parent (unless they’ve secured parental responsibility through the courts)
* the child us under the age of 18 years

\*Parental responsibility means the legal rights, duties, powers, responsibilities and authority a parent has for a child and their property.

## Leave entitlement

1. For each child a total of 18 weeks unpaid leave (pro rata for part time staff) is available up to the child's 18th birthday. Up to four weeks' parental leave can be taken in any one year (per child).

## How Parental Leave can be taken

1. Parental leave must be taken as whole weeks (e.g. 1 week or 2 weeks) rather than individual days, unless the school agrees otherwise or if the employee's child is disabled. Employees do not have to take all the leave at once.
2. A ‘week’ equals the length of time an employee normally works over 7 days.
3. If an employee's full leave entitlement has been taken under the school's Maternity Scheme, Adoption Scheme, Paternity Scheme or Shared Parental Leave Scheme, this will be deemed to have included the entitlement to four weeks of Parental Leave during the child’s first year.

## Notice required

1. Employees must write to their head teacher or line manager, giving 21 days’ notice of their intention to take Parental Leave, confirming the start and end date. Head teachers/managers may ask for evidence of the child’s date of birth or other confirmation of the employee's entitlement.
2. Head teachers/mangers cannot insist that Parental Leave is postponed (delayed) if:

* there is no ‘significant reason’ - e.g it would cause serious disruption to the school
* 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.

1. If the head teacher/manager does refuse the request and postpone Parental Leave, they:

* 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.

## Multiple births

1. Parental Leave is for each child, so if twins are born each parent will be entitled to 18 weeks leave for each child.

### Other related policies

* Adoption Leave and Pay Scheme
* Maternity Scheme
* Paternity Scheme
* Emergency Leave Scheme
* Flexible Working Time Policy

## Review of Policy

This policy has been subject to an equalities impact assessment and is regularly reviewed.

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