



# Ordinary Parental Leave

Status	LIVE
Document Version	Version 6.00
Author	Human Resources
SLB Sponsor	Area Commander – Prevention
Directorate	Prevention
Date Approved	February 2021
Review frequency	3 yearly
Next Review	16.06.2026

Version History		
Version	Date	Description
4.00	February 2015	Reviewed as part of family friendly arrangements – potential impact upon Shared Parental Leave. From April 2015 leave will be able to be taken up to the child's 18 <sup>th</sup> birthday regardless of disability
5.00	February 2021	Review and retitle in line with legislation
6.00	June 2023	Minor amendments

## Executive Summary

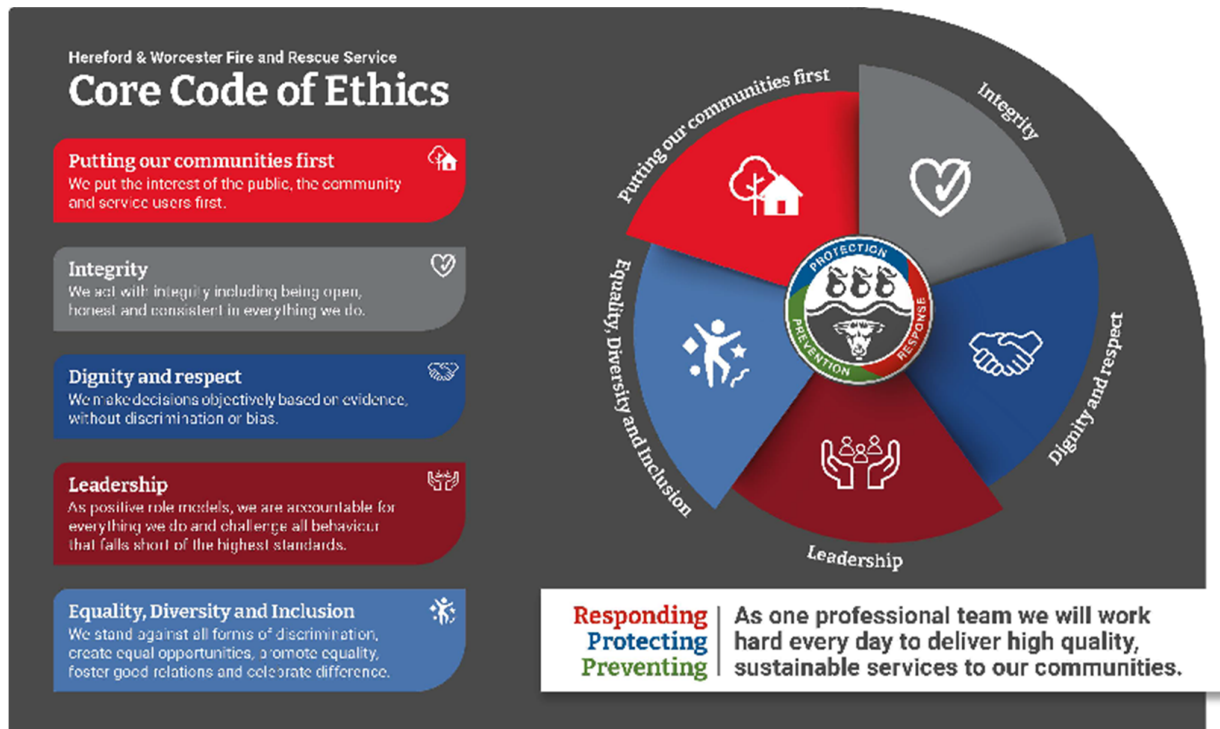
Ordinary parental leave is the right to take a certain amount of unpaid time off work to look after a child or make arrangements for a child's welfare. It is available to those who meet laid down qualifying conditions and can be used to spend more time with a child and strike a better balance between work and family commitments.

### Alternative Formats

If you require this document in another format please contact the Human Resources and Development Department.

## Core Code of Ethics

The [Core Code of Ethics for Fire and Rescue Services](#) in England sets out five ethical principles, which provide a basis for promoting good behaviour. The Service is committed to the ethical principles of the Code and used them as guidance when forming Service's values. The principles of the Code are reflected in this policy as well.



## Contents

1.	What is Ordinary Parental Leave?.....	4
2.	Who can take Ordinary Parental Leave?.....	4
3.	How much leave can a parent take/when can the leave be taken?.....	4
4.	How to apply for Ordinary Parental Leave.....	5
5.	Postponement of Ordinary Parental Leave.....	6
6.	Evidence of Entitlement to Ordinary Parental Leave.....	6
7.	Terms and Conditions during Ordinary Parental Leave.....	6
8.	Returning to Work after Ordinary Parental Leave.....	7
9.	Alternatives to Ordinary Parental Leave.....	7
10.	Pay during Ordinary Parental Leave.....	7
11.	Pension Contributions.....	7
12.	Parental leave taken with a Previous Employer.....	8
13.	Other Associated Rights.....	8
14.	Further Information.....	8
15.	Monitoring and Review.....	8
	Appendix A - PERS 116 – APPLICATION FOR ORDINARY PARENTAL LEAVE.....	9

# Ordinary Parental Leave

## 1. What is Ordinary Parental Leave?

- 1.1 Ordinary parental leave (unpaid) can only be taken for the purpose of caring for a child. This means looking after the welfare of a child and making arrangements in the interest of a child. Examples of the way leave might be used could include, spending time with a child in their early years, accompanying a child during a stay in hospital, checking out a new school, or settling a child into new childcare arrangements.
- 1.2 This policy sets out the provisions for ordinary parental leave. It is intended to be comprehensive, however, if there are any questions about its content or application, please contact the Human Resources and Development Department.

## 2. Who can take Ordinary Parental Leave?

- 2.1 Employees who have completed one year's continuous service with Hereford & Worcester Fire and Rescue Service (HWFRS) at the date they want to take the leave and are able to demonstrate that they have parental responsibility for a child; this does not include Foster parents unless they have obtained formal parental responsibility for a child. This would include:
  - Natural mothers/fathers
  - Adoptive mothers/fathers
  - Guardians
  - Partners and civil partners (who have or expect to have parental responsibility)

## 3. How much leave can a parent take/when can the leave be taken?

- 3.1 Employees may take 18 week's unpaid ordinary parental leave in total for each child. This means that both mothers and fathers, if they have twins or adopt more than one child at a time, can take 18 weeks' leave for each child.
- 3.2 The leave must be taken in blocks of at least one week or more, up to a maximum of 4 weeks in any 12 month period for each individual child. Parents of children with disabilities may take parental leave a day at a time or in multiples of one day, again up to a maximum of 4 weeks per year for each individual child.
- 3.3 One weeks' parental leave is equal to the length of time that an employee is normally required to work in a week. This means that a week's leave for an employee who usually works from Monday to Friday is equal to five days, while for an employee who works Mondays and Tuesdays only, a week's leave is equal to two days.

- 3.4** If a full-time employee, as a result of unusual circumstances, takes part of a week as ordinary parental leave, for example three days out of a normal five day working week, this will be counted as one week and deducted from the 18 week total and an appropriate payroll adjustment will be made to ensure that only those days taken as ordinary parental leave are unpaid.
- 3.5** The right to take parental leave will last until the child's 18th birthday.
- 3.6** Parental leave can be taken immediately after any maternity, paternity or adoption leave, provided the correct period of notice is given.
- 3.7** Parental leave applies to each child, not to an individual's job. Example: An employee is entitled to 18 weeks. They have used 10 weeks with a previous employer. They can now use up to 8 weeks with the new employer if they are eligible.

## **4. How to apply for Ordinary Parental Leave**

- 4.1** Employees should discuss their intention to take ordinary parental leave with their line manager at the earliest opportunity, giving as much notice as possible. Employees should give the Service at least 21 days notice, giving the dates when the leave is to start and finish. This notice should be in writing to their line manager in the first instance.
- 4.2** Completion of form Pers 116, available via the intranet, will initiate a formal leave request.
- 4.3** The form must then be authorised by the line manager and forward to the HR Department (with the necessary documentation), who will arrange for pay to be recalculated.
- 4.4** The line manager will record the details of parental leave taken, using existing systems for recording leave.
- 4.5** Employees can change the agreed date of ordinary parental leave (postpone or bring forward) for reasons the Service considers justifiable. The leave should still be taken in the specified parental leave year and within the time limits set out above (see section 3).

## **5. Postponement of Ordinary Parental Leave**

- 5.1** If it is considered that an employee's absence would be unduly disruptive, then the Service can postpone the leave for up to six months after the beginning of the period that had originally been requested. If the parental leave needs to be postponed, the employee's line manager should discuss the postponement with the employee and give notice of the postponement in writing at the earliest opportunity. The notice should explain the reason for the postponement and set out other suitable dates.. The length of the leave should be equivalent to that in the employee's original request.
- 5.2** The Service may be justified in postponing leave when, for example, work is at a seasonal peak, where a significant proportion of the workforce applies for ordinary parental leave at the same time, or when the employee's role is such that their absence at a particular time would be unduly disruptive. If the Service's decision means that the time limits for taking parent leave are exceeded, the leave can still go ahead.
- 5.3** Leave will not be postponed if the employee gives notice to take it immediately after the child is born or placed with the family for adoption.

## **6. Evidence of Entitlement to Ordinary Parental Leave**

- 6.1** The Service may request to see evidence that the employee is the parent of a child or has parental responsibility for the child.

## **7. Terms and Conditions during Ordinary Parental Leave**

- 7.1** The employment contract continues during ordinary parental leave, unless it is terminated by the employer or employee. This means that, although parental leave will be unpaid, all other contractual terms and conditions continue to apply during periods of ordinary parental leave.
- 7.2** Whilst on ordinary parental leave:
- Continuity of employment is retained;
  - Annual leave entitlement continues to accrue, as do any Public Holidays that fall within the leave period;
  - There is no entitlement to sick pay;
  - If sick, there will be no entitlement to extend ordinary parental leave after its agreed end date;
  - Sickness that continues after the agreed end of ordinary parental leave will be subject to the arrangements made under the appropriate sickness absence scheme;
  - Sick leave entitlement will continue to accrue, (where the accrual rate is dependent upon length of continuous service).

## 8. Returning to Work after Ordinary Parental Leave

- 8.1** At the end of the parental leave (provided this is for period of 4 weeks or less, and other than where the termination of the contract occurs for other unrelated reasons), an employee is guaranteed the right to return to the same job as before.
- 8.2** If the employee does not wish to return to work after ordinary parental leave, contractual notice requirements will need to be complied with.
- 8.3** On returning from ordinary parental leave, re-familiarisation training needs should be considered by the line manager.

## 9. Alternatives to Ordinary Parental Leave

- 9.1** As an alternative to taking ordinary parental leave, or if an employee does not qualify for parental leave but needs time off to care for their child, one or more of the following options could be considered:
- Using paid annual leave from the holiday entitlement
  - Using flexi time
  - Changing working patterns or arrangements on a short-term basis (such as swapping shifts or starting earlier/later than normal).
  - Applying for flexible working
- 9.2** It will depend on the individual circumstances as to the most appropriate option for taking leave, and it will be at the discretion of the line manager as to how leave can be taken in these circumstances, with each case being considered on its own merits.
- 9.3** In an emergency situation where there is a need to take time off as short notice, there may be the right to take unpaid time off to arrange for care (i.e. Time of for Dependents – see section 13).

## 10. Pay during Ordinary Parental Leave

- 10.1** Ordinary parental leave is not paid. Payroll will be informed of the relevant dates and the appropriate amount will be deducted from salary.
- 10.2** Immediately following the birth/adoption of a child there may be eligibility for paid paternity leave.

## 11. Pension Contributions

- 11.1** For employees who are members of the Firefighters' Pension Scheme, for a period of unpaid leave, there will be the option of paying contributions on the rate that would have been received immediately before pay ceased, if wishing to count that period as pensionable service.

**11.2** For employees who are members of the Local Government Pension Scheme, pension contributions need to be made for the first 30 days of any block of unpaid absence, and these will automatically be deducted from pay on return to work.

## **12. Parental leave taken with a Previous Employer**

**12.1** Entitlement to ordinary parental leave moves with the employee between employers. Employees joining from another employer will bring any outstanding parental leave entitlement with them, but they cannot start using it until they have been with HWFRS for at least one year, and all other conditions relating to the taking of parental leave will still apply. The Service may make enquiries of other employers to establish how much leave has been taken, or may seek a declaration from the employee about how much parental leave has been taken.

## **13. Other Associated Rights**

**13.1** There may also be an entitlement to take other forms of leave, or request different working patterns, please refer to the relevant Service policies below:

- Paternity Leave and Pay
- Shared Parental Leave
- Flexible Working
- Special leave

## **14. Further Information**

**14.1** Further information relating to Parental Leave can be found at:

- <https://www.gov.uk/>
- [www.acas.org.uk](http://www.acas.org.uk)

## **15. Monitoring and Review**

**15.1** Monitoring and review of this policy sits with the HR Department.

## Appendix A - PERS 116 – APPLICATION FOR ORDINARY PARENTAL LEAVE

**Full Name:** \_\_\_\_\_  
**Job Title/Role:** \_\_\_\_\_ **Service No:** \_\_\_\_\_  
**Work Location:** \_\_\_\_\_ **Start Date:** \_\_\_\_\_

I wish to apply to take: \_\_\_\_\_ weeks/days of Parental Leave (only when the child has a disability can individual days, rather than weeks can be taken)  
 from (date) \_\_\_\_\_ to (date) \_\_\_\_\_

If leave is to be taken in respect of a child who has already been born or who has already been placed for adoption, please state the child's date of birth (and date of any adoption placement as applicable).  
 Date of birth (and date of any adoption placement where applicable)

If the leave is to commence from the anticipated birth of a child or from the commencement of an adoption, please state the expected week of childbirth or adoption placement.

**Expected week of childbirth (or adoption placement)**

\_\_\_\_\_  
 In the case of adoption, please state the child's date of birth

I recognise that the organisation is entitled to make enquiries of all or any of my previous employers in relation to any previous periods of ordinary parental leave taken.

I also recognise that the organisation may postpone the period of leave requested by up to six months where the leave requested does not coincide with the expected week of my child's birth or adoption, and/or the business would otherwise be unduly disrupted by my absence.

I declare that I meet the eligibility criteria set out in the SPI 'Ordinary Parental Leave' and attach supporting paperwork to confirm eligibility, e.g. a copy of the birth certificate/ adoption papers.

<b>Signature</b>		<b>Date</b>	
------------------	--	-------------	--

To be completed by line manager

I approve the Ordinary Parental Leave requested above.

<b>Signature</b>		<b>Date</b>	
<b>Name (Please Print)</b>		<b>Role</b>	

Please return this form to your line manager at least 21 days prior to the date on which your requested period of ordinary parental leave is due to commence.

The organisation treats personal data collected while managing your ordinary parental leave in accordance with its data protection policy. Information about how your data is used and the basis for processing your data is provided in the Service's employee privacy notice.

**The form and attachments are to be forwarded to the HR Department by the line manager**