

From mountain to sea

SPECIAL LEAVE - PARENTAL LEAVE

Purpose of Parental Leave

Parental leave is unpaid leave taken by a parent to care for their child, adopted child or foster child, or make arrangements for the good of the child or foster child.

When Parental Leave May Be Taken

Parental Leave may be taken to cover any situation where it would be beneficial to the child, adopted child or foster child for the parent or foster carer to be able to take a break from work.

Extent of Parental Leave Entitlement

An employee qualifying under the above conditions is entitled to 18 weeks unpaid leave in respect of each child. This also applies in the case of multiple births (twins, triplets etc.). '18 weeks' refers to the particular employee's working week.

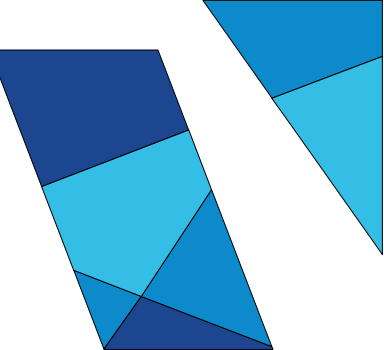
Parental Leave must be taken by the whole week (or multiples thereof) not by the day. In general, only four weeks may be taken per year per child, although consideration will be given to requests for a block of leave exceeding four weeks. Parental Leave may be used as an extension to Maternity or Adoption Leave, or Shared Parental Leave, and consideration will be given to using it to allow a period of part time working.

Disabled Children:

The leave entitlement in respect of disabled children is 18 weeks, and the leave need not be taken by the whole week.

Parental Leave taken from Other Employers:

The right to 18 weeks Parental Leave means 18 weeks in total, not with each employer. However Aberdeenshire Council will disregard leave taken in a job with a previous or concurrent employer, and will not seek to establish with employees or with their



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previous/ concurrent employers (even if another local government employer) how much leave has already been taken. Likewise, the Council is not obliged to, and will not, supply details of an employee's use of parental leave to other organisations. Employees should be aware however that other organisations may not follow these practices.

Qualifying For Parental Leave Entitlement

Parental leave is available to an employee who:

- Has one year's continuous service * and
- Has formal parental responsibilities for, including foster carer responsibilities, or is registered as being the father of, a child who is under eighteen years old.

Or

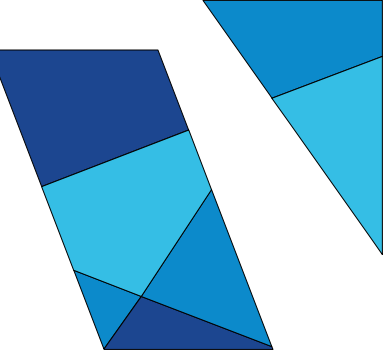
- Has adopted a child under the age of 18. (The leave may be taken during the 8 years from the date of adoption, or before the child's 18th birthday, whichever is sooner.)

Consideration will also be given to employees who do not qualify under the above criteria, but live in the same household as, and fulfil a parental role towards, a child as specified above.

* 'Continuous service' may consist either of a year's service with Aberdeenshire Council (or other local government employer) OR a year's service with any previous employer between 15th December 1998 and 9th January 2002 (evidence of this may be requested from the previous employer).

Teachers and Associated Professionals

Any previous employment (including probationary periods) with councils, employers listed in the Redundancy Payment (Local Government) (Modification) Order 1990 (as amended) and any other employment deemed by the council to be relevant, should be counted as continuous service (as defined in the Employment Rights Act 1996) subject to a gap in employment not exceeding one working week.



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If the employee does not have a year's continuous service at the time the child is born/adopted or they acquire responsibility for the child, they will nevertheless become entitled to take Parental Leave once they fulfil this requirement. In addition, any employee who is returning to local government service following a break for child care reasons will be entitled to count reckonable service towards the one year requirement, provided that no paid employment has intervened. Such an employee will therefore not have to wait a full year before being allowed to establish, or re-establish, their right to take parental leave.

Procedure For Taking Parental Leave

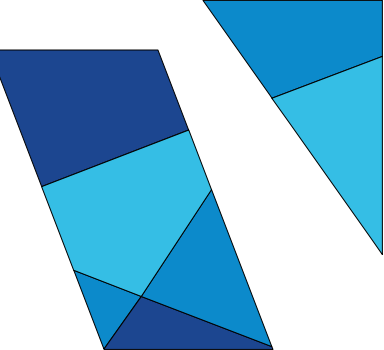
If an employee thinks that he or she is, or will be, entitled to Parental Leave, they should apply in the first instance to their line manager. The line manager (on advice from Human Resources as necessary) will advise the individual as to whether or not they qualify, and of any proof that is required. Once the employee has established their entitlement, they can apply for periods of leave.

Establishing Entitlement

A card will be provided to each employee who requests and is entitled to parental leave, to record the amount used. Proof of entitlement may be requested before an employee is issued with the card and allowed to apply.

One or more of the following as appropriate:

- Birth certificate
- Adoption papers
- Solicitor's letter
- Court order
- Child's entitlement to Disability Living Allowance
- Letter of proof of approved foster carer responsibilities



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An employee who thinks that a change in their circumstances may alter their entitlement to Parental Leave should advise their manager or discuss the situation with Human Resources.

Submitting Request

A request for Parental Leave should be submitted to the employee's line manager using the [Application for Parental Leave Card](#). **Employees must give at least the notice shown below.**

Notice Requirements

Generally, 21 days notice must be given of the exact day on which the employee wishes their leave to begin and end (although line managers may agree to shorter notice in urgent cases). The only exceptions to this are for:

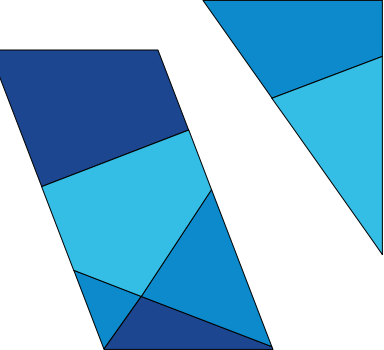
- Fathers who wish to take leave immediately after a birth.
21 days notice should be given of the week during which the birth is expected.
- Adoptive parents who wish to take leave immediately after the adoption.
The employee should give 21 days notice of the week during which adoption is expected to take place. If it is not possible to give 21 days notice, as much notice as possible should be given.

Employees in these situations should also consult the [Paternity Leave Policy](#), [Maternity Leave Policy](#), [Shared Parental Leave Policy](#) and the [Adoption Leave Policy](#), as both of these provide for paid, rather than unpaid leave. All employees are requested to give as much notice as possible beyond the minimum, to allow any necessary arrangements for cover to be made.

Authorisation Of Request

Managers must respond to requests for Parental Leave within one week. They will:

- Agree to the leave, authorising it on the Parental Leave card, or



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- Seek to agree a different date, or
- Postpone the request.

When authorising the leave, the manager should use the [Unpaid Special Leave, LvAp2 Form](#) to notify Payroll of the dates between which the employee will be absent, so that the appropriate adjustment to salary can be made. If Service records are also kept, a copy of the form should be forwarded to the appropriate person.

Postponement

Except for leave required at the time of an adoption or birth, Parental Leave may be postponed if it would be detrimental to the Council or its business, or the quality of service provided. However, leave cannot be postponed for more than 6 months, and if it is postponed beyond the date at which entitlement would normally end, the employee may still take it. Written reasons for a postponement must be given to the employee no more than seven days from the date of their request. Managers should contact Human Resources to discuss the situation before postponing Parental Leave.

Unreasonable Postponement

Where an employee feels that there has been an unreasonable postponement of their leave, this may be addressed through [Aberdeenshire Council's Grievance Procedure](#) in the first instance.

Annual Leave

If the need for Parental Leave arises during a period of Annual Leave, the employee may substitute Parental for Annual Leave, taking the Annual Leave at another time.

Income Support

Parental Leave is unpaid, however some employees may qualify for income support. Enquiries should be made with the Department of Social Security.