

#### **Introduction**

Parental leave is a legal entitlement that allows employees (both mothers and fathers), who have at least one year continuous service, to take a period of unpaid leave to care for each child born or adopted. The entitlement for parental leave is:

Employees can take up to 18 weeks unpaid leave per child. You can only take 4 weeks in a year for each child, however this does not need to be taken at once. However, the leave must be taken as whole weeks rather than individual days, unless your child is disabled or your manager agrees otherwise. The year will run from the date that the employee became entitled to the leave i.e. the child's date of birth.

Employees can choose to take parental leave at any time, as follows:

- Parents can take the leave up until the child's 18th birthday.
- In cases of adoption, the entitlement runs until the 18th anniversary of when the child is first placed with the family.

Parental leave is not intended for unexpected situations as there is a legal requirement to give advance notice.

If the employee is also entitled to 10 days paid leave under the Maternity and Adoption Support Procedure, this is offset against their parental leave entitlement, i.e. employee will be entitled to 10 days paid leave, and a further 16 weeks unpaid parental leave.

#### **Requesting Leave**

For parental leave, a minimum of 3 weeks' notice is legally required. Employees should complete *LV53 Discretionary & Parental Leave Request Form* to request Parental Leave.

Parental leave, as a legal entitlement, should normally be granted. However, where Services would be unduly disrupted if leave were taken during the period identified, the leave may be postponed (not rejected).

If the parental leave is postponed, the employee must be consulted and a date fixed by the line manager for the employee to take the leave within 6 months from the employee's original intended start date for the leave.

The reasons for the postponement and the new dates must be confirmed in writing to the employee within 7 days of the employee's original request.

The leave cannot be postponed where the request for leave is immediately after the birth or adoption of a child. However, employees must still give the required 3 weeks' notice.

Employees must provide evidence that confirms their entitlement to parental leave, and such evidence will depend on how the parental responsibility arises, i.e. birth or adoption of a child.

### **Recording Leave**

For parental leave, as we are operating to statutory rules, it is vital that accurate records are maintained to ensure the amount of leave taken each year is within the legal guidelines. It must also be clarified that the employee is entitled to such leave, and whether the employee has taken any leave with a previous employer. The *LV52 Parental Leave Record Form* should be used for recording such information.

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