

# Parental Leave Policy

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## Parental Leave Policy and Procedure

## **1 Introduction**

- 1.1 The purpose of this policy is to outline the Council's leave and benefit provision for each type of parental leave. Appendix A gives details of the entitlements and the associated qualifying service period for each type of benefit.
- 1.2 This policy applies to all Council employees including teachers directly employed by the Council excluding all employees and teachers operating under local management of schools, which have their own policy. The policy does not apply to agency workers or contractors working in the Council.

## **2 Principles**

- 2.1 Parental leave is a period of planned absence to support employees during significant family events such as pregnancy, adoption, shared care for a new baby, those undergoing fertility or IVF treatment and employees facing miscarriage, premature birth or the loss of a child.
- 2.2 In addition to the statutory entitlement to pay and/or leave, the Council offers enhanced benefits which are dependent on the qualifying service of the employee. Full details can be found at Appendix A.

## **3 Parental Leave Options**

### **3.1 Maternity Leave and Shared Parental Leave**

- 3.1.1 All employees who become pregnant are entitled to 52 weeks maternity leave, made up of 26 weeks of ordinary maternity leave and 26 weeks additional maternity leave.
- 3.1.2 Depending on the amount of qualifying service that the employee has, the leave may be paid at an enhanced rate, whilst retaining the entitlement to receive statutory maternity pay. Full entitlement details can be found in Appendix A.
- 3.1.3 If parents or nominated carers wish to share maternity leave, they may be eligible for Shared Parental Leave, which offers greater flexibility for both parents to spend time with their child.
- 3.1.4 Shared Parental Leave is available if the parent taking on their partner's maternity leave has been continuously employed by the Council for at least one year by the start of the 11th week before the expected birth week. Full entitlement details can be found at Appendix A.

### **3.2 Adoption Leave**

- 3.2.1 Employees who are adopting a child are entitled to 52 weeks of statutory adoption leave, consisting of 26 weeks of ordinary adoption leave and an additional 26 weeks of extended adoption leave.
- 3.2.2 Depending on the amount of service the employee has, the leave may be paid at an enhanced rate, in addition to the entitlement to receive statutory adoption pay. Full entitlement details can be found at Appendix A.
- 3.2.3 You do not qualify for Statutory Adoption Leave or Pay if you arrange a private adoption, become a special guardian or kinship carer, adopt a stepchild or adopt a family member.

### **3.3 Nominated Carers Leave**

- 3.3.1 This leave is available to employees who have, or expect to have, responsibility for the child's upbringing and are either the baby's biological father, the mother's spouse or partner or the spouse or partner of a primary adopter matched with a child.
- 3.3.2 Eligibility and entitlements are based on the nominated carer's length of service. Full entitlement details can be found at Appendix A.

### **3.4 Neonatal Leave and Pay**

- 3.4.1 If an employee's newborn baby (aged 28 days or younger) is admitted to the hospital for 7 or more consecutive days, they are entitled to take up to a maximum of 12 weeks of paid Neonatal Leave. The length of leave will be based on how many complete weeks the baby receives neonatal care, up to 12 weeks.
- 3.4.2 Neonatal leave is to be taken in one block at the end of the Parental Leave (such as Maternity, Adoption or Shared Parental Leave). Full entitlement details can be found at Appendix A.

### **3.5 Premature Birth (Special Leave)**

- 3.5.1 A premature birth is defined as a birth that occurs before the 37th week of pregnancy, this can be a worrying time for parents if their baby is born either at, or before, 37 weeks of pregnancy, especially when their baby is in hospital. Since maternity leave begins when the baby is born, additional time may be necessary for birth mothers and their nominated carer. To support this, birth mothers and nominated carers are able to claim one additional week of full pay for each week the baby remains in the hospital before the original due date, or until the baby is discharged, whichever occurs first.
- 3.5.2 This additional paid leave must be taken as a single block at the end of the parental leave. Full entitlement details can be found at Appendix A.

### **3.6 Ordinary Parental Leave**

- 3.6.1 Parents or nominated carers can take up to 18 weeks of unpaid leave for each child once they have completed one year's continuous service. This can be used up to the child's 18th birthday.
- 3.6.2 The leave must be taken in a block of one week (unless the child is disabled), up to a maximum of 4 weeks in a leave year, subject to agreement by the line manager. Full entitlement details can be found at Appendix A.

### **3.7 Parental Leave Bereavement**

- 3.7.1 In the tragic event of the death of a child under the age of 18, employees are entitled to two weeks of parental bereavement leave. This leave can be taken flexibly, either as two separate weeks or as one continuous period, to meet the needs of the parent.
- 3.7.2 The two weeks can be paid if employees have at least 26 weeks of service with the council before the week of bereavement and who are:
- birth parent (regardless of gender)
  - adoptive parent (regardless of gender) if the child was living with them
  - a person who lived with the child and had responsibility for them, for at least four weeks before they died
  - 'Intended parent'-due to become the legal parent through surrogacy (regardless of gender).
  - partner of the child's parent, if they live with the child and the child's parent (regardless of gender) in an enduring family relationship.
- 3.7.3 Leave can be taken within 56 weeks of the date of bereavement and may be taken in addition to any special leave granted. Full entitlement details can be found at Appendix A.
- 3.7.4 Managers should refer to the [Annual Leave and Time Off Policy](#) and discuss with the Employee Relations team as needed in respect of leave.

### **3.8 Miscarriage**

- 3.8.1 Pregnant employees who are unfortunate in experiencing a miscarriage before 24 weeks of pregnancy are likely to need time to come to terms with their experience. The Employee Assistance Programme is available for support, guidance or counselling if needed.
- 3.8.2 Managers should ensure that employees are reminded of the support that is available to them should they wish to use it. If sickness absence is taken following a miscarriage, it is pregnancy related and therefore it will not impact on sickness absence trigger levels. In some cases, if it would be beneficial to the employee to take a period of special leave, this is at the discretion of the line manager and to be agreed by the Head of Service. Full entitlement details can be found at

## Appendix A.

### **4 Managing Parental Leave**

#### **4.1 Keeping In Touch (KIT) Days**

- 4.1.1 The purpose of KIT days is to support employees on parental leave. These voluntary workdays allow new parents to stay updated with work, maintain contact with colleagues and ease the transition back to the workplace after parental leave. KIT days facilitate communication and continuity between the employer and the employee. They can be used for various work-related activities such as: training, meetings or staying informed about changes at work.
- 4.1.2 Employees on maternity or adoption leave are entitled to take up to 10 KIT days. Employees who share their maternity leave are also entitled to up to 20 Shared Parental Leave in Touch (SPLIT ) days, which can be used in addition to the 10 KIT days. All KIT and SPLIT days must be agreed with the manager.
- 4.1.3 KIT days can be taken as a block or as individual days.
- 4.1.4 Both KIT and SPLIT days are paid at full pay if taken during a period of unpaid leave. If taken during a period of half pay, the employee will receive top-up pay to bring them to full pay for the hours worked. No additional pay will be provided if taken during a period of full paid leave.
- 4.1.5 Managers need to notify HR Operations team of KIT days via HALO to ensure the employee receives the correct pay.

#### **4.2 Maintaining Contact**

- 4.2.1 The council reserves the right to maintain contact with the employee outside of the agreed KIT days in order to provide updates as necessary such as during organisational change.

### **5 Returning to Work**

#### **5.5 Notification of return date**

- 5.5.1 Unless the employee states otherwise, it is assumed that they wish to take the full 52 week period of maternity or adoption leave. If the employee has requested to take less, or would like to shorten their leave, they must give at least 8 weeks written notice of their intended date of return to work following maternity or adoption leave.
- 5.5.2 Nominated carers leave will automatically end at the end of the two-week period or on the date that the employee has specified if they have opted to take less than their entitlement.
- 5.5.3 Once notified, managers must write to the employee to confirm date of return, start and end of any annual leave to be taken following return, details of any agreed

adjustments (if returning on reduced hours) and completion of 'notification to change terms and conditions' Eform if applicable.

## **5.6 Return to Work Meeting**

- 5.6.1 Returning to work following a period of extended leave can be daunting. It is important that line managers arrange a return to work meeting in advance of their return or at least in their first day, in the first few days to help and support employees back to work.
- 5.6.2 The purpose of the return to work meeting is designed to prompt a proactive conversation that will facilitate a smooth and well-supported transition back to work following parental leave. This discussion provides an opportunity to address any questions, provide team or organisational updates that took place, prompt proactive conversations around returning to work, thinking about when, how and what support the employee may need.
- 5.6.3 It is encouraged that during this discussion, managers and employees think about creating a 'back to work plan' that focuses on reintroducing and building up responsibilities in order to support a gradual transition.

## **5.7 Annual Leave after Parental Leave**

- 5.7.1 Annual leave will continue to accrue during maternity or adoption leave, whether paid or unpaid. However, annual leave will not accrue for any additional unpaid leave taken beyond 52 weeks after the baby's birth or the placement of a child with adoptive parents.
- 5.7.2 Any accrued annual leave should be taken at the end of the parental leave period. This can be taken in one block before returning or used to support a phased return to work, such as splitting a week into work and leave days.
- 5.7.3 Public holidays that occur during parental leave will be added to the employee's annual leave entitlement. These must be taken by the end of the leave year in which the employee returns to work.
- 5.7.4 Employees must discuss how they would like to manage their annual leave with their manager, and any requests must be agreed upon in advance. It is recommended that employees consider their leave plans and have this discussion prior to their return to work.

## **5.8 Reduced Hours**

- 5.8.1 In the event an employee wishes to return on reduced hours, the flexible working procedure must be followed
- 5.8.2 Written notification of this request must be made at least 8 weeks before the intended date of return to enable the necessary changes to be made to payroll.

- 5.8.3 Any changes to the working hours of the post must be confirmed by the manager submitting a 'notification to change terms and conditions' eform.
- 5.8.4 If the employee returns to work on reduced hours, any annual leave accrued at their previous working hours must be used before the new reduced hours begin.

## **5.9 Sickness after Parental Leave**

- 5.9.1 If an employee is not well enough to return to work after maternity or adoption leave, they must inform their line manager on the first and fourth day of absence and provide a fit note after seven days.
- 5.9.2 Sickness taken at the end of parental leave will count towards sickness trigger levels. The line manager will follow the Council's Sickness Monitoring procedure to support the employee's return to work as soon as possible.

## **5.10 Special Unpaid Leave**

- 5.10.1 Consideration will be given to approve a further period of unpaid leave (up to 52 weeks) in exceptional circumstances. In this circumstance, this period of leave will be classed as Special Unpaid Leave and must be claimed using the Special Leave form on HALO. No annual leave will accrue during this period. The Council cannot guarantee the right to return to the employee's original job if any extension of parental leave is taken.

## **5.11 Not Returning to Work**

- 5.11.1 If following a period of maternity or adoption leave, the employee decides not to return to work, an element of the enhanced maternity / adoption pay must be repaid.
- 5.11.2 However, if the employee returns to work for at least 3 months there is no requirement to repay maternity / adoption pay. Part time working, absence on a phased return, annual leave, public and privilege holidays or sickness at full or half pay count towards the return period.
- 5.11.3 If the employee decides to resign from the Council to take up continuous employment with another Council or with another public sector employer (identified on the Redundancy Modification Order) during the maternity / adoption leave, there will be no requirement to repay any pay received.

## **6 IVF/ Fertility Treatment**

- 6.1 It is recognised that employees who are undergoing fertility or IVF treatment are likely to need time off to attend appointments. To support prospective mothers or nominated carers, an additional 3 days paid leave per rolling calendar year will be given which may be taken in either half or full days to attend these appointments.
- 6.2 Appointments should be managed locally between the manager and the employee,

ensuring flexibility and mutual agreement.

- 6.3 Any additional leave required may be taken as annual leave, unpaid leave or with the agreement of the line manager the time may be made up at a later date.

## **7 Temporary and Fixed Term Employees**

- 7.1 If an employee is employed on a temporary contract or fixed term contract which is due to end during their parental leave and it is not renewed, this is considered as a dismissal.
- 7.2 A discussion should be held with the pregnant employee to discuss the reasons for the decision not to renew. A temporary employee with over 51 weeks continuous service with Haringey whose contract ends, should wherever possible, be redeployed into a suitable alternative post. The Organisational Change policy gives further details.
- 7.3 The eligibility of temporary employees for statutory maternity pay (SMP) is dependent on the date of the ending and non-renewal of the contract. For example:
- If the contract ends and is not renewed before the 15<sup>th</sup> week before the expected week of birth, then there is no eligibility for SMP
  - If the contract ends and is not renewed during the 15<sup>th</sup> week before the expected week of birth and the employee worked during that week, they remain eligible for SMP
  - If the contract ends and is not renewed after the 15<sup>th</sup> week before the expected week of birth, they remain eligible for SMP

## **8 Organisational Change During Parental Leave**

- 8.1 If organisational changes occur during an employee's parental leave, they must be kept fully informed. This includes receiving the same documents and information as those directly affected, sent to their home address or personal email. Employees on extended parental leave must also have the same opportunity as other employees to comment on the proposals.
- 8.2 If an employee is pregnant, on parental leave or has returned from parental leave

within the last six months, and their substantive role is at risk of redundancy, the Council has a statutory obligation under the Maternity & Parental Leave Regulations 1999 and the Protection from Redundancy (Pregnancy & Family Leave) Act 2023 to offer any suitable alternative vacancies within the new structure.

- 8.3 During the consultation period, employees in these circumstances must be offered a suitable role, if available, on equivalent terms and conditions. They will not need to apply or undergo a competitive interview process, although they will still be considered as part of the overall selection process. Further details can be found in the Organisational Change Policy.

## **9 Pension Contributions**

- 9.1 If you are paying into the Local Government Pension Scheme (LGPS), your pensionable pay is calculated using an assumed amount (if this would be higher than the pay that you are actually receiving). This assumed amount is a notional figure that is used to make sure your pension is not affected by the reduction in pay. This means that you will continue to build up a pension in the LGPS as if you were working normally and receiving pay. During the first 26 weeks of parental leave if the employee goes onto no pay they will automatically continue to build up pension full pension benefits in the LGPS even though they are not paying pension contributions.
- 9.2 However, any period of unpaid parental leave (usually during weeks 26 – 39) will not count for pension purposes unless the employee elects to pay Additional Pension Contributions (APCs) to purchase the amount of pension lost during that period of unpaid absence.
- 9.3 To find out more about APCs and how to arrange them, visit the website [www.lgpsmembers.org](http://www.lgpsmembers.org) to access an online calculator and download an application form. If you make an election pay APCs to purchase the amount of pension lost within 30 days of returning to work (or a longer period if your employer allows it), the cost will be split between you and employer. Further details about how your pension contributions will be affected by taking parental leave should be raised with the Pensions Team.

## **10 Roles and Responsibilities**

### **10.1 Employees**

- Must notify their line manager, in writing, at the appropriate time, of their intention to take each type of parental leave by completing the relevant claim forms.
- Pregnant employees must provide their line manager with a copy of the MatB1 form as soon as practicable which will then be sent to HR Operations via HALO.
- Employees intending to take adoption leave must provide written notification and a copy of the Matching Certificate once the match is confirmed.
- When requesting parental leave (including adoption leave), the employee will

have indicated a return to work date. In the event they wish to return on a different date, they must give a minimum of 21 days notice of this. If there is a request to return on reduced hours, this must be requested using the flexible working policy, a minimum of 8 weeks before their amended intended return date. Parental leave can be extended by adding accrued annual leave to the end. If an employee is returning on reduced hours, all holiday hours accrued under the previous contracted hours must be taken before returning on the new agreed hours.

## 10.2 Manager

- Provide advice and guidance on the implementation of this policy
- Will confirm, in writing, receipt of documents giving the employee's intention to take parental leave or to return from parental leave.

## 10.3 Human Resources

- Provide advice and guidance on the implementation of this policy
- Will confirm, in writing, receipt of documents giving the employee's intention to take parental leave or to return from parental leave.

## 11 Further References

Sickness Absence Policy  
 Organisational Change Policy  
 Annual Leave and Time Off Policy

## APPENDIX A - Summary of Entitlements

Type of Leave	Qualifying Service	Entitlement
Maternity Option 1	Employed continuously for 1 year at the beginning of the 11th week before the expected week of birth	14 weeks full pay, entitled to 25 weeks or Entitled to Statutory Maternity Pay (SMP)  8 weeks full & 12 weeks half pay Entitled to 19 weeks Statutory Maternity Pay (SMP)

Maternity Option 2a)	One year's continuous Local Government service at start of 11th week before the expected week of birth <b>AND</b> 26 weeks continuous service with Haringey at the start of 15th week before the expected week of birth	6 weeks at 9/10ths of one weeks' pay plus 12 weeks at half pay Entitled to 21 weeks SMP
Maternity Option 2b)	One year's continuous Local Govt. service at start of 11th week before the expected week of birth <b>BUT</b> without 26 weeks continuous service with Haringey at the start of 15th week before the expected week of birth	6 weeks at 9/10ths of one weeks' pay, and 12 weeks half pay No entitlement to SMP
Maternity Option 3	Completed 26 weeks of continuous Haringey service by the end of the 15th week before the expected week of birth	6 weeks at 9/10ths of one weeks' pay plus 33 weeks SMP (Statutory Maternity Pay entitlement)
Maternity Option 4	Have less than 26 weeks continuous local government service by the end of the 15th week before the expected week of birth	No entitlement to SMP. Maybe eligible to claim Maternity allowance from DWP
Adoption Option 1	Employed continuously for 1 year at the beginning of the 11th week before the expected week of matching	14 weeks full pay Entitlement to 25 weeks Statutory Adoption Pay or 8 weeks full & 12 weeks half pay Entitlement to 19 weeks Statutory Adoption Pay (SAP)
Adoption Option 2	Between 26 weeks - 1 year continuous Haringey service by the week of matching with the child	6 weeks at 9/10ths of one weeks' pay plus 33 weeks SAP (Statutory Adoption Pay)
Adoption Option 3	Less than 26 weeks Haringey Service ending with the week the individual is matched with a child	No entitlement to SAP. Entitlement to unpaid adoption leave

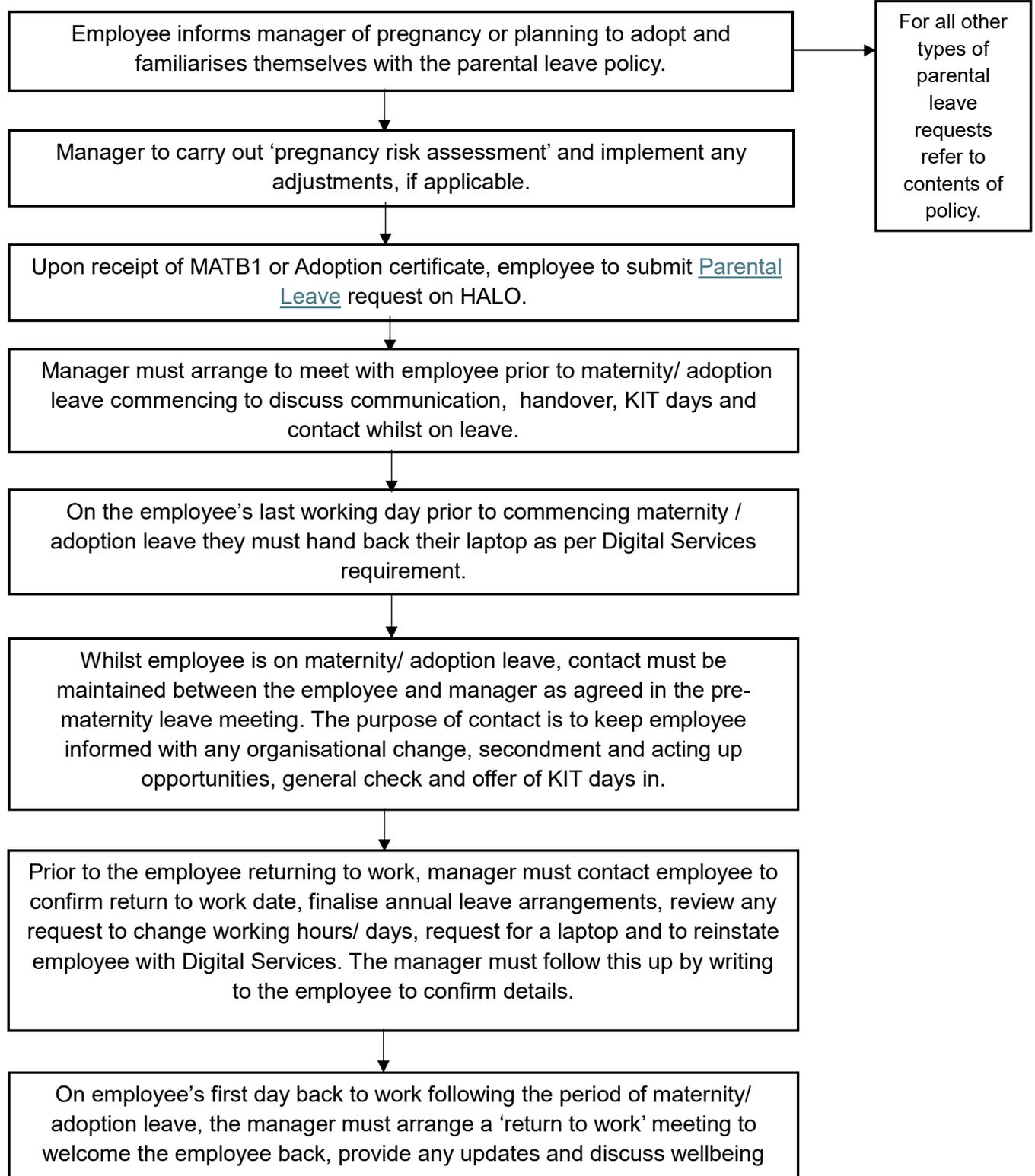
Paternity & Nominated Carers Leave Option 1	26 weeks continuous service before the 15th week before either the expected week of birth, or week of matching	Two weeks full pay (inclusive of Statutory Paternity Pay)
Paternity & Nominated Carers Leave Option 2	Less than 26 weeks continuous service before the 15th week before either the expected week of birth, or week of matching	1 week full pay and 1 week unpaid (inclusive of Statutory Paternity Pay)

<p>Nominated Carers Leave Option 3</p>	<p>Eligible from day one of employment. Anyone who applies for this paid leave may be required to provide eligibility.</p>	<p>5 days paid leave (Maternity Support Leave) plus one-week unpaid leave</p>
<p>Ordinary Parental Leave</p>	<p>Employed continuously by Haringey for 1 year.</p>	<p>Up to 18 weeks unpaid leave per child. Leave may be taken in blocks of one week up to a maximum of 4 weeks in one year. If child is disabled leave can be taken in days.</p>

<p>Shared Parental Leave Option 1</p>	<p>If both parents want to share the Statutory Parental Leave (SPL) and Statutory Shared Parental Pay (ShPP):</p> <ul style="list-style-type: none"> <li>* Employed continuously by same employer for at least 26 weeks by the end of the 15th week before the expected week of birth</li> </ul> <p>If the birth parent's partner wants to take the SPL and ShPP:</p> <ul style="list-style-type: none"> <li>* The birth parent must have been working for at least 26 weeks of the 66 weeks before the expected week of birth (the 26 weeks do not need to be continuous) and</li> <li>* The nominated carer must have been employed continuously for at least 26 weeks by the end of the 15th week before the expected week of birth</li> </ul> <p>If the birth parent wants to take the SPL and ShPP:</p> <ul style="list-style-type: none"> <li>* The birth parent's partner must have been working for at for at least 26 weeks of the 66 weeks before the expected week of birth (the 26 weeks do not need to be continuous) and</li> <li>* The birth parent must have been employed continuously for at least 26 weeks by the end of the 15th week before the expected week of birth</li> </ul> <p>NB: For adoption the service requirement is by the end of the week your child was placed with your family.</p>	<p>If you're eligible and you or your partner end maternity or adoption leave and pay (or Maternity Allowance) early, then you can:</p> <ul style="list-style-type: none"> <li>• take the rest of the 52 weeks of maternity or adoption leave as Shared Parental Leave (SPL)</li> <li>• take the rest of the 39 weeks of maternity or adoption pay (or Maternity Allowance) as Statutory Shared Parental Pay (ShPP)</li> </ul>
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Shared Parental Leave Option 2	Less than 26 weeks continuous service by the end of the 15th week before the expected week of birth	No entitlement to Shared Parental Leave or Pay
Premature Baby Leave	No qualifying service	For babies born at or before 37 weeks, both birth mothers and partners entitled to one additional week on full pay (as Special Leave) for every week their premature baby spends in hospital before the expected due date or until hospital discharge whichever is earliest. Leave claimed is added to end of normal maternity leave period or to the end of the nominated carers leave
Parental Bereavement Leave	No qualifying service	Two weeks full pay (inclusive of statutory parental bereavement pay)
IVF treatment	No qualifying service	Prospective pregnant employees and nominated carers can claim up to 3 days paid leave per rolling calendar year which may be taken in half days. Any additional leave may either be taken as annual leave, unpaid leave or with the agreement of the line manager, the time taken may be made up later
Miscarriage - before 24 weeks of pregnancy		Each case will be specific to the parent concerned and will be considered as such. If sick leave is taken following the miscarriage, it would be pregnancy related so would not impact on sickness monitoring triggers. Special leave can be granted by manager.
Neonatal Leave and pay	No qualifying service for the leave, however for the pay staff will be required to be working continuously for 26 weeks to be entitled to pay leave. To be applied at the end of parental leave.	Up to 12 weeks of full paid leave if the baby aged 28 days or less stays in hospital for 7 or more consecutive days.

## Appendix A – Maternity/ Adoption Leave Overview



## Document Control

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Key Information	
<b>Title</b>	Parental Leave Policy
<b>Document Type</b>	Policy
<b>Document Status</b>	New
<b>Author</b>	Wellbeing and Engagement Coordinator
<b>Owner</b>	Head of Employee Relations, Business Partners & Reward
<b>Contact</b>	Employment Practice Manager
<b>Approval Body</b>	General Purpose Committee
<b>Date of Publication</b>	
<b>Date for review</b>	

Revision History			
Version	Date	Summary of Changes	Name
V 1.0	March 2025	New policy, using agreed process for policy revision.	YN