



Workforce

Parental Leave Policy: guide for employees

This guide will help managers understand the Parental Leave Policy and support employees who wish to access time off under it.

The following guide forms part of the standard for workforce policies. These policies apply to all eligible staff within NHS Scotland, regardless of the Board they are employed by.

NHS Scotland wants to create an inclusive workplace where employees can thrive and feel confident about their ability to balance their personal and professional responsibilities.

It is recognised that policies to support this are particularly important in NHS Scotland, given the predominantly female workforce, which largely takes on primary caring roles within the family. The guide covers:

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What is the purpose of the Parental Leave Policy?

Parental leave is aimed at encouraging a culture of flexible working practices to help NHS Scotland employees balance their family and work commitments.

Employees have a statutory right to unpaid parental leave. This is further enhanced by the NHS Scotland Parental Leave Policy, which provides paid leave. The policy provides the framework to access paid and unpaid parental leave.

Who is covered by this policy?

To qualify for parental leave, you must have or expect to have responsibility for the child, and you should be taking the leave to spend time with or care for the child.

If you are currently under UK immigration control, you should contact the human resources department to discuss how your parental leave may impact your visa conditions.

Entitlement

You are entitled to 18 weeks' leave for each of your children under the age of 18.

For NHS Scotland employees, 4 weeks of leave are paid, and the remaining 14 weeks are unpaid. You must have 12 months of continuous service with one or more NHS employers to access the paid element. If you have less than 12 months of continuous service you can access the unpaid leave element only until you have the required service.

The 4-week paid element must be taken before the child's 14th birthday or 18th birthday for adopted or disabled children.

Parental leave entitlement is fixed at 18 weeks per child. If you move to a different board, your parental leave entitlement does not reset. You should keep a record of any parental leave you have taken, both paid and unpaid, and share this information with your manager when requesting parental leave.

Example 1

If you work 22.5 hours a week, you are entitled to 4 weeks at 22.5 hours. You use one week of paid parental leave. You then increase your hours to 37.5, so you have 3 weeks of paid parental leave at that rate remaining. You also still have 14 weeks of unpaid parental leave available.

Example 2

You have 2 children under 14, and you work 37.5 hours. You move into a new team with a different NHS employer. You have already taken 2 weeks of paid parental leave for one of your children. You would be entitled to the remaining 2 weeks of paid leave and 14 weeks unpaid for this child. The full entitlement remains for your second child.

Parental leave would usually be taken in weekly blocks, but you can discuss and agree on alternative arrangements with your manager. For example, using parental leave to reduce your contracted hours for an agreed time or to attend appointments with your child.

If you chose to leave the NHS, paid parental leave would not normally be considered part of your notice period.

Multiple births

If you have multiple births, parental leave applies to each child. In the case of multiple births, such as twins, you are entitled to request 4 weeks of paid leave and 14 weeks of unpaid leave for each child.

Evidence

Your manager may ask you to provide evidence of your entitlement to parental leave. This only needs to be provided on the first request made for each of your children. Evidence of entitlement may include:

- birth certificate
- papers confirming the adoption of a child
- parental order

If you have caring responsibilities for a child but are not named on any of the above documentation, you may be able to access short-term leave through the [Special Leave Policy](#).

Application process

To request parental leave, you should complete the [Parental leave form](#). You should then give the completed form to your manager. You should try to give at least 3 weeks' notice of your parental leave. If not, discuss your request with your manager. They will try to be as flexible as possible.

If your request can be approved, you will receive written confirmation of your leave and the balance of any parental leave you have remaining.

If your manager is unable to approve parental leave on your requested dates, your manager should meet with you to discuss your request and try to agree on alternative dates that suit both you and the service.

If you are requesting parental leave to begin immediately after the birth of your baby or the adoption of a child. Your manager cannot decline or postpone this leave.

Postponement of parental leave requests

In exceptional circumstances, you may be asked to postpone your parental leave to meet the needs of the service. Your manager should write to you within 7 days of receiving your request to confirm that it has been denied. Your manager should provide the reasons for this in their response. If you are asked to postpone your parental leave, your manager should discuss this with you and agree on alternative dates. The alternative dates should be within 6 months of the date of your original request.

If this postponement is linked to service pressures and takes you past your child's 14th birthday or 18th birthday in the case of an adopted child or a child living with a disability, your parental leave can be extended past the 14th or 18th birthday. If you are unable to take planned parental leave due to illness, leave would not normally be extended past the child's 14th or 18th birthday.

You can postpone or cancel parental leave by giving reasonable notice.

Staying in contact

If you take longer blocks of parental leave, covering 4 weeks or more, you and your manager should agree on how best to stay in touch during your leave. Your individual circumstances will be taken into account.

Sickness absence during parental leave

If you become unwell during parental leave, your illness can be treated as either sickness absence or parental leave.

If you wish the period of illness to be treated as sickness absence, you should report your absence to your manager in line with the [Attendance Policy](#). The remaining period of parental leave can be given later.

Annual leave and public holidays during parental leave

You will continue to accrue annual leave and public holidays as normal during parental leave.

Pension implications during unpaid parental leave

If you are taking unpaid parental leave, you may wish to speak to the Scottish Public Pensions Agency (SPPA) or your pension provider to discuss any pension implications.