



**Workforce**

**Parental Leave Policy: guide for employees**

This guide will help employees understand the Parental Leave Policy. It will also support employees who wish to access time off under the policy.

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

NHSScotland 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 NHSScotland given the predominantly female workforce who largely take 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 assist NHSScotland employees in balancing their family and work commitments.

Employees have a statutory right to unpaid parental leave. This is further enhanced under the NHSScotland Parental Leave Policy to provide an element of 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 12 months of continuous service with one or more NHS employers. You must have or expect to have responsibility for the child and 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. The first 4 weeks is paid leave and the remaining 14 weeks are unpaid. The 4 weeks paid element must be taken before your child's 14th birthday. For adopted children or children living with a disability, the leave should be taken before the child's 18th birthday.

Parental leave entitlement is fixed at 18 weeks per child. If you move to a different board, your parental leave entitlement does not re-set. 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.

For the 4 weeks' paid entitlement, you will be paid as though you are at work. This is based on your weekly contracted hours.

## 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 hours, so you have 3 weeks of paid parental leave at 37.5 hours remaining. You also still have 14 weeks of unpaid parental leave available to you.

## Example 2

You have 2 children under the age of 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 that you are entitled 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 it is not

possible, 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 receipt of your request to confirm that the request has been turned down. 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 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 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 how best to keep in contact during your parental leave. Your individual circumstances will be taken into account.

## **Sickness absence during parental leave**

If you become unwell during parental leave, your period of illness can be treated as 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 Scottish Public Pensions Agency (SPPA) or your pension provider to discuss any pension implications.