



St Helens Borough Council

Ordinary Parental Leave Guidance

and Procedure for Staff

Introduction

This guidance has been developed to provide further information about the Council's entitlement to Ordinary Parental Leave and Pay. It applies to all employees of St Helens Council. The purpose of this guidance is to inform employees of their statutory and contractual rights in relation to the right to ordinary parental leave. It also provides relevant information relating to the process to be followed in connection with applications for ordinary parental leave.

Our Vision and Values

The Council has co-designed a clear vision for workplace culture and worked together with employees to identify values and behaviours for everyone. These will be at the core of how we work together to deliver our services. Employees will be empowered to deliver new ways of thinking and new ways of working, encouraging innovation and creativity in a learning environment.

Our vision, values and behaviours are underpinned by our Bonds for Working Together at St Helens which outline what employees can expect from working at the Council and what is expected of them.

[Our Culture, vision, values, behaviours and Bonds for Working Together at St Helens](#)



Guidance

The Maternity and Parental Leave Regulations 1999 and Maternity and Parental Leave (Amendment) Regulations 2001 lay out rules governing Parental Leave in accordance with the European Parental Leave Directive. The rights apply to employees who have completed one year's service with the Council, and allow qualifying parents to take parental leave to care for that child. Parents of adopted children may qualify for Parental Leave if they have completed one year's continuous service. Both mothers and fathers can take parental leave, and the provisions apply to each child.

The key elements that apply in every case are:

- 18 weeks' unpaid parental leave for each child.
- the right to take leave up until the child's eighteenth birthday.
- there is a qualifying period of one year's service.
- ordinary parental leave may be taken in blocks or multiples of one week only, subject to a maximum of four weeks' ordinary parental leave in any one year. The only exception to this is in cases where the employee's child has been awarded disability living allowance or personal independence payment, in which case the leave may be taken one day at a time or in blocks or multiples of one day.
- the employee remains employed whilst on parental leave. Certain contractual terms continue to apply.

- at the end of parental leave, the employee has the right to return to the same or, if that is not practical, a similar job with the same or better terms and conditions. Where leave is for four weeks or less, return must be to the same job.
- Employees may not exercise their right to ordinary parental leave if they do not comply with any reasonable request by their employer for documentary evidence confirming their entitlement to the leave.

Procedure

Where you wish to exercise your right to take ordinary parental leave there are certain timescales which must be complied with. Further information is provided below.

Requests for Ordinary Parental Leave

You must provide your manager with at least 21 days' written notice of the date on which you intend a period of ordinary parental leave to start and the duration of the period of leave.

An expectant father who wants to take ordinary parental leave beginning on the day his child is born must specify the expected week of childbirth, and duration of the intended period of leave, at least 21 days before the expected week of childbirth.

If you wish to take ordinary parental leave from the date of a child's placement for adoption you must specify the week in which the placement is expected to occur and the duration of the intended period of leave, at least 21 days before the beginning of the expected week of placement (or, where that is not reasonably practicable, as soon as is reasonably practicable).

Postponement of Ordinary Parental Leave

The Council may postpone a requested period of ordinary parental leave to a period beginning up to six months later (and ending before the child's 18th birthday) if your absence from work during that period would unduly disrupt the operation of its business. However, the Council has no right to postpone a period of ordinary parental leave that is intended to begin on the day on which your child is born or placed for adoption.

When postponing a requested period of ordinary parental leave, your manager will arrange to discuss the situation with you. Within seven days of receiving your notice of your intention to take ordinary parental leave, your manager must write to you to state the reason for the postponement and to confirm the dates on which the ordinary parental leave can be taken.

Further Information

Any questions relating to this guidance and procedure, or further guidance on issues connected with Ordinary Parental Leave, can be obtained from People Management.

Review of Guidance and Procedure

This guidance will be reviewed three years following implementation, or earlier in the event of further changes in legislation.