



## **Village Hall Parental Leave and Family Emergencies Policy**

### **Purpose and Scope**

It is recognised that parents may want to take time off from their work to spend time with their children. This policy provides a fair and consistent approach to the granting of parental leave. Parental Leave applies to both parents of children who are either born or adopted. Page | 1

Further, it is recognised that some employees may need to take time off work at short notice because of family or domestic commitments. All employees have the right to take a reasonable period of unpaid time off from work to deal with an unexpected or sudden problem involving a dependant.

This policy applies to all employees. This policy does not form part of employees' contracts of employment and Hilton Village Hall may amend it at any time.

### **Parental Leave**

#### **Eligibility for Parental Leave**

To be eligible for statutory parental leave in respect of a child you must:

- Have one year's continuous service; and
- Be one of the parents named on the birth certificate for that child; or
- Be someone who has acquired formal parental responsibility for that child; or
- Be an adoptive parent of that child

#### **Entitlement to Parental Leave**

If eligible, you are entitled to take up to 18 weeks parental leave before each child's 18<sup>th</sup> birthday. This is the same for all parents.

If you work part-time, you are entitled to take a pro-rated period of leave over the qualifying period as specified above.

Parental leave is unpaid and is entirely voluntary.

The purpose of taking parental leave must be to spend time with or otherwise care for the child.

Approved leave may be taken in blocks of a whole week or a whole number of weeks at a time. A maximum of four weeks leave can be taken in any one leave year. For the purposes of this policy, the leave year will commence on the anniversary of the day you became eligible to take leave in respect of the child for whom the parental leave is for.

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If you are the parent of a disabled child, you may take parental leave a day at a time up to a maximum of four weeks leave in any one year. For the purposes of this policy, a child is disabled if he or she is entitled to a disability living allowance, armed forces independence payment or a personal independence payment.

When you join Hilton Village Hall, enquiries may be made of your previous employer or a declaration sought from you about how much parental leave you have already taken.

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### **Requesting Parental Leave**

A parent must give 21 days' notice of their intention to take Parental Leave. Requests should be submitted, in writing, in the first instance to their manager.

You may have to provide documentation as evidence that you are eligible to take leave. Your manager will advise you on appropriate documentation.

You will be advised within 7 days of receipt of your request as to whether the leave has been approved or not.

Parental leave may be postponed for up to 6 months if it is considered that the operation of the business would be unduly disrupted were leave to be taken during the period you have requested. In this instance, a period of leave of the same duration will be agreed and will commence within 6 months of the date on which the leave originally requested would have occurred.

If you are a father wishing to take parental leave immediately after the birth of your child, you should give 21 days' notice of the expected week of childbirth.

If you wish to take parental leave immediately after adopting a child, you should give 21 days' notice of the expected week of placement, or if that is not practicable, as soon as is reasonably practicable.

### **During Parental Leave**

During parental leave, the contract of employment remains in existence. However, the only terms of the contract which will apply during the leave period will be:

- The employer's implied obligation of trust and confidence
- The employee's implied duty of good faith
- Express terms and conditions relating to:
  - Notice of the termination of the employment contract by the employer or employee
  - Compensation in the event of redundancy
  - Disciplinary and grievance procedures
  - Disclosure by the employee of confidential information

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- Acceptance of gifts or other benefits by the employee
- Participation by the employee in any other business

In the event that a redundancy situation occurs during parental leave, you will be treated as if you were present at work for the purposes of selection and consultation.

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During parental leave, statutory working time holiday only will accrue.

### **Returning to Work After Parental Leave**

Upon returning to work you have the right to return to the same job with continuity of service preserved.

In limited circumstances, if it is no longer practicable for you to return to the same job, you have the right to return to another job which is suitable and appropriate for you.

The situation may arise if:

- You took parental leave for an isolated period of more than 4 weeks; or
- You took parental leave for a period of 4 weeks or less, but this period was the last of two or more consecutive periods of statutory leave which included a previous period of parental leave of 4 weeks or more;
- You took parental leave for a period of 4 weeks or less, but this period was the last of two or more consecutive periods of statutory leave which, when added to any previous period of statutory leave (excluding parental leave) taken in relation to the same child totals more than 26 weeks.

For the purposes of this policy, "statutory leave" includes maternity, paternity, adoption, shared parental and parental leave.

### **Breach of Parental Leave Policy**

If you feel that you have suffered a detriment as a result of requesting or taking parental leave, or that such leave has been unfairly postponed, you should in the first instance raise the matter in accordance with the Grievance Procedure.

The Disciplinary Procedure may be invoked by Hilton Village Hall if you are found to have intentionally misled Hilton Village Hall in respect of any matter relating to your entitlement to take parental leave or to have breached this policy in any other way.

### **Time off for Family Emergencies (Dependants Leave)**

#### **Eligibility for Dependants Leave**

For the purposes of this policy, a dependant is your spouse, civil partner, child or parent, or someone who lives with you in the same household as part of your family. It does not include

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tenants or boarders living in the family home, or someone who lives in your household as an employee.

In cases of illness, injury, making care arrangements or where care arrangements have broken down, a dependant may also be someone who reasonably relies on you for assistance.

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### **Entitlement to Dependants Leave**

You are entitled to take reasonable time off to deal with an unexpected or sudden problem and to make any longer-term arrangements. Examples of circumstances where leave can be taken include:

- If a dependant falls ill or has been involved in an accident or has been assaulted;
- When a partner is having a baby;
- To make longer-term care arrangements for a dependant who is ill or injured;
- To deal with the death of a dependant e.g. make funeral arrangements/attend a funeral
- To deal with an unexpected disruption or breakdown in care arrangements for a dependant e.g. when the childminder/nurse fails to turn up; or
- To deal with an unexpected incident involving a child during school hours.

The time you can take off is to deal with the immediate problem and, if necessary, to make long term arrangements. It is not, for example, to undertake the care itself of an ill dependant. In circumstances where leave is expected to be for a longer duration that necessary to resolve the immediate problem, Hilton Village Hall may ask you to take time off as annual leave or, subject to entitlement, parental leave.

If you need to take time off work under this policy, it will be **unpaid** leave. Accrued time off will be recorded and you will be advised whether a deduction (whether half or full days) will be made from your salary. You may, of course, take such time off as part of your annual holiday entitlement.

If you are unsure whether your personal situation is covered under this policy or not, you should contact your manager for further advice.

### **Requesting/Recording Time Off**

If you have to take time off to care for a dependant, you should inform your manager as possible about your absence. You should also give the reason for your absence and indicate how long you expect to be away from work.

Where the emergency is ongoing, you must report to your line manager on a daily basis, in advance of your normal start time. Each day, you should update your line manager on the reason for your ongoing absence and how long you expect it to continue.

On return to work, you should advise your manager, who will keep a record of this absence.

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If you fail to notify Hilton Village Hall in accordance with this policy, it may be treated as unauthorised leave and Hilton Village Hall's Disciplinary Procedure may be invoked.

### **Advance Notice of Time Off**

Dependants Leave is intended to cover unforeseen matters.

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If you know in advance that you are going to need time off, you should take this time as part of your annual leave, or, if the reason you need leave is related to your child, as parental leave, subject to eligibility.

### **Breach of Dependants Leave Policy**

If you feel that you have suffered a detriment as a result of taking time off under this policy, you should in the first instance raise the matter in accordance with the Grievance Procedure.

The Disciplinary Procedure may be invoked by Hilton Village Hall if you are found to have intentionally misled Hilton Village Hall in respect of any matter relating to your right to take time off for dependants or to have breached this policy in any other way.

In circumstances where Hilton Village Hall considers that the amount of time taken off (either on one occasion or in total) exceeds what Hilton Village Hall considers to be reasonable in the circumstances, Hilton Village Hall reserves the right to ask you to take the time off, in excess of what it considers reasonable, as annual holiday or parental leave (if eligible) and/or to take appropriate disciplinary action.

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