



# ORDINARY PARENTAL LEAVE POLICY

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# Contents

1	PURPOSE	1
2	SCOPE	1
3	INTRODUCTION TO AND ELIGIBILITY TO ORDINARY PARENTAL LEAVE	1
4	RIGHTS DURING ORDINARY PARENTAL LEAVE	1
5	HOW TO APPLY	2
6	POSTPONING YOUR ORDINARY PARENTAL LEAVE	2
7	RETURN FROM ORDINARY PARENTAL LEAVE	3
8	DATA PROTECTION	3

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Version	Date	Author	Description of Changes
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V2.0	November 2020	Anna Shiels	Reviewed Section 5 – How to Apply – subsections numbered and titles added Section 5.3 Paternity Leave – new
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## Approval

Version	Name	Position	Signature	Approved Date
V1.0	Exec	Executive Team		October 2018

## Glossary

Term	Description

## 1 PURPOSE

Ordinary Parental Leave is a statutory right to take time off work on an unpaid basis to look after a child or make arrangements for a child's welfare.

This policy aims to support parents to balance their work and family commitments.

## 2 SCOPE

The policy enables all eligible staff to take unpaid leave up to their child's 18<sup>th</sup> birthday.

This policy does not form part of any employee's contract of employment with Badger and Badger may amend it at any time.

## 3 INTRODUCTION TO AND ELIGIBILITY TO ORDINARY PARENTAL LEAVE

"Ordinary parental leave" should not be confused with shared parental leave. Shared parental leave enables mothers to commit to ending their maternity or adoption leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from maternity leave and opt in to shared parental leave and pay at a later date. Badger provides a separate policy on shared parental leave.

To be eligible for ordinary parental leave, employees must have worked at Badger continuously for a period of 12 months by the time they want to take the leave.

Eligible employees are entitled to a maximum of 18 weeks' unpaid parental leave per child to be taken up until the child's 18<sup>th</sup> birthday if he/she is the birth or adoptive parent of the child/children for the purpose of caring for the child/children.

Both mothers and fathers, whether they are natural or adoptive parents or parents under a surrogacy arrangement who have secured legal parental responsibility, can qualify for ordinary parental leave. They must be named on the child's birth certificate or they must have or expect to have, parental responsibility for the child.

Each parent can take 18 weeks unpaid parental leave for each child during the first 18 years of the child's life. The leave should be used only for the purpose of caring for a child.

One week's parental leave is equal to the employee's contracted hours per week.

Badger will ask an employee to produce evidence of parenthood or parental responsibility. This could be in the form of, for example, a full birth certificate, adoption papers or a document certifying that the child has been awarded disability living allowance. An employee may not exercise any entitlement to ordinary parental leave unless he/she has complied with any request made by Badger to produce evidence of parenthood or parental responsibility.

## 4 RIGHTS DURING ORDINARY PARENTAL LEAVE

During ordinary parental leave, the employee will remain employed, although pay and most contractual benefits will be suspended. The right to accrue statutory holiday entitlement will, however, remain in place. Certain other terms of employment will remain in force. During parental leave employees will be entitled to the implied obligation of trust and confidence, and any terms and conditions of employment relating to:

- notice of termination;
- redundancy compensation; and
- disciplinary or grievance procedures.

Employees taking ordinary parental leave will be bound by the implied obligation of good faith, and any terms and conditions of employment relating to:

- notice of termination;
- disclosure of confidential information;
- the acceptance of gifts or other benefits; and
- participation in any other business.

## 5 HOW TO APPLY

Badger has adopted the default scheme for the taking of ordinary parental leave and the following conditions apply for employees:

The employee must give proper notice of the period of leave that he/she proposes. This notice must be given to Badger at least 21 days before the date on which leave is to start and must specify the dates on which the period of leave is to begin and end.

All applications must be submitted using form HR-F-056 Ordinary Parental Leave Request Form (Appendix A). Completed application forms should be submitted to Badger's HR Department at Glover Street. If parental leave is granted, Badger's HR department will confirm the period of leave in writing.

### 5.1 Fathers (or others who will have parental responsibility) requesting leave to begin when their child is born

Where the employee is the father of the child in respect of whom the leave is to be taken and he requests ordinary parental leave to begin when his child is born, his notice must specify the expected week of childbirth and the duration of the period of leave. The employee must give this notice at least 21 days before the expected week of childbirth.

### 5.2 Adopters requesting leave to begin on the child's placement

Where the ordinary parental leave is in respect of an adopted child and is to begin on the date of the placement, the employee's notice must be given to Badger at least 21 days before the beginning of the week in which the child is to be placed for adoption, or as soon as is reasonably practicable thereafter. It must specify the week in which the placement is expected to occur and the duration of the period of ordinary parental leave requested.

### 5.3 Paternity Leave

If an employee is considering taking ordinary parental leave on the birth of their child or the placement of a child with them for adoption, they should bear in mind that they may be entitled to two week's statutory paid paternity leave.

## 6 POSTPONING YOUR ORDINARY PARENTAL LEAVE

Badger may postpone a period of ordinary parental leave (other than where parental leave has been requested immediately after childbirth or immediately after placement for adoption) where Badger considers that its business would be unduly disrupted if the employee were to take leave during the period requested. In such a case, Badger will allow the employee to take an equivalent period of ordinary parental leave beginning no later than six months after the commencement of the period originally requested. Badger will give notice in writing of the postponement stating the reason for it and specifying suggested dates for the employee to take parental leave. Such notice will be given no more than seven days after the employee's notice was given to Badger.

Employees may not take ordinary parental leave in blocks of less than one week (except in relation to a child who is disabled).

Employees may not take more than four weeks' leave in respect of any individual child in any year. For these purposes a year is the period of 12 months beginning when the employee first becomes entitled to ordinary parental leave in respect of the child in question, and each successive period of 12 months beginning on the anniversary of that date.

## 7 RETURN FROM ORDINARY PARENTAL LEAVE

An employee who returns to work after a period of ordinary parental leave is entitled to return to the job in which he/she was employed prior to the absence if it was an isolated period of leave lasting four weeks or less. If the period of parental leave followed on immediately from another period of statutory leave, the employee's right to return depends on the length of leave taken.

An employee has the right to return to the same job if the ordinary parental leave was the last of two or more consecutive periods of leave that did not include:

- a period of ordinary parental leave lasting more than four weeks; or
- any period of statutory leave that, when added to any other period of statutory leave (excluding ordinary parental leave) taken in relation to the same child, means that the total amount of statutory leave taken in relation to that child totals more than 26 weeks.

An employee who returns to work after a period of ordinary parental leave that does not fall into the above description, for example because it follows ordinary and additional maternity leave lasting more than 26 weeks, is entitled to return to the job in which he/she was employed prior to the absence, or, if that is not reasonably practicable, to another job that is both suitable and appropriate in the circumstances.

## 8 DATA PROTECTION

When managing an employee's ordinary parental leave, Badger will process personal data collected in accordance with our data protection policy. Data collected from the point at which an employee informs organisation that he/she plans to take ordinary parental leave is held securely and accessed by, and disclosed to, individuals only for the purposes of managing his/her ordinary parental leave. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with Badger's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under Badger's disciplinary procedure.

**APPENDIX A – ORDINARY PARENTAL LEAVE APPLICATION FORM**

<b>Name of employee</b>		<b>Job Title</b>	
<b>Date employment commenced</b>			
<b>Amount of Ordinary Parental Leave taken previously in respect of relevant child</b>			
<p>I would like to apply for ....week(s)/day(s) unpaid ordinary parental leave from:</p> <p>..... to ..... <b>(applications for ordinary parental leave in periods of a day or multiples thereof may be made only where the child in question is disabled)</b></p> <p>The leave requested relates to my baby/son/daughter .....(name where applicable) due on ..... / who was born on .....</p> <p>I attach a copy of ..... birth certificate/adoption papers</p>			
<p>I recognise that Badger is entitled to make enquiries of all or any of my previous employers in relation to any previous periods of ordinary parental leave taken.</p> <p>I also recognise that Badger may postpone the period of leave requested by up to six months where the leave requested does not coincide with the expected week of my child's birth or adoption and the business would otherwise be unduly disrupted by my absence.</p> <p><b>Signed</b> ..... <b>Date</b> .....</p> <p>Please return this form to Badger HR Department, Glover Street at least 21 days prior to the date on which your requested period of ordinary parental leave is due to commence.</p> <p>Badger treats personal data collected while managing your ordinary parental leave in accordance with our data protection policy. Information about how your data is used and the basis for processing your data is provided in Badger's employee privacy notice.</p>			
<p><b>Approval</b> is given for the above request for unpaid ordinary parental leave: <input type="checkbox"/></p> <p>Signed by Manager authorising the request:</p> <p>_____ Date: _____</p>			
<p><b>For Office Use Only:</b></p> <p>Date Received by HR: ____/____/____ By Whom: _____</p> <p>Date Given to Payroll: ____/____/____ To be Signed by Finance: _____</p>			