



ANDOVER TOWN COUNCIL

PARENTAL LEAVE POLICY & PROCEDURE – 2019 (March 2019)

Contents	Subject	Page No
	GDPR Privacy Statement	
1	Scope	3
2	Purpose	3
3	Introduction	3
4	General Principles	3
5	Eligibility	4
6	Length of Leave	4
7	Rates of Pay	4
8	Procedure	5
9	Return to Work	6
10	Pension Contributions during Parental Leave	6
11	Abuse of Parental Leave Policy	6
12	Frequently Asked Questions	6
13	Document Information	7
14	Document Control	7

The General Data Protection Regulation (GDPR) standardizes data protection law across all 28 EU countries and imposes strict new rules on controlling and processing personally identifiable information (PII). It also extends the protection of personal data and data protection rights by giving control back to EU residents. GDPR replaces the 1995 EU Data Protection Directive and goes into force on May 25, 2018. It also supersedes the 1998 UK Data Protection Act.

GDPR PRIVACY STATEMENT

(General Data Protection Regulations)

This is a privacy statement of Andover Town Council. Our registered office address is 68b High Street, Andover, Hampshire, SP10 1NG.

INTRODUCTION

- This is a statement to inform you of our policy about all the information we record about you. It sets out the conditions under which we may process any information that we collect from you or that you provide to us. Any information that identifies you (“Personal Information”) is used to provide you with the services you require.
- We regret that if there are one or more points below that you are not happy with us holding, we have to hold this under General Data Protection Regulations (GDPR) law.



Parental Leave Policy & Procedure 2019

- We take seriously the protection of your privacy and confidentiality. We understand that all visitors to our websites, customers and clients are entitled to know that their personal data will not be used for any purpose other than the lawful basis upon which it was provided for.
- We undertake to preserve the confidentiality of all information that you provide to Andover Town Council.
- Our policy complies with UK law accordingly implemented including that required by the GDPR.
- The law requires us to tell you about your rights and our obligations to you in regards to the processing and control of your personal data. We do this now by requesting that you read the information provided at www.knowyourprivacyrights.org.
- Except as set out in our GDPR policies (which can be found at www.andover-tc.gov.uk) we do not share, sell or disclose any personal data to any other organisation or third party.

THE BASIS ON WHICH WE PROCESS INFORMATION ABOUT YOU

The law requires us to determine under which of the six defined bases, we process different categories of your personal information. If a basis on which we process your personal information is no longer relevant, your personal information will be destroyed.

If the basis changes then as required by law, we will notify you of the change and of any new basis under which your personal data is being held.

ALLOTMENTS

Data is held on an internal Town Council database/software system and is used to send you Newsletters, Yearly Invoices, Receipts, Follow-Up letters and Terminations if necessary.

Tenancy Agreements are held for 1 year after the expiry of the agreement under the GDPR guidelines (subject to change).

EMAILS & WEBSITES

If you contact the Town Council via email or our website, your personal data i.e. email address, will be kept for the time it takes to answer your enquiry, unless another lawful reason becomes apparent, which we will notify you of, after which time it will be destroyed.

For details of our full Privacy Policy, please refer to www.andover-tc.gov.uk. Alternatively, you may write to us at Andover Town Council, 68b High Street, Andover, Hampshire, SP10 1NG and we will send you a hard copy.



1. Scope

This Policy applies to all Andover Town Council Employees.

2. Purpose

The purpose of this policy is to inform employees who are parents of children of their statutory rights and entitlements and in relation to parental leave. The policy incorporates the procedure to be followed for each occasion of parental leave.

3. Introduction

Parental Leave is the right for employees to take time off work without pay to look after a child or make arrangements for the child's welfare.

Parents can use it to spend more time with children and strike a better balance between their work and family commitments.

This policy should be read in conjunction with the town Council's policy on Special Leave and where appropriate, Maternity Leave, Paternity Leave, Adoption Leave and Shared Parental Leave.

There are different entitlements for parents of a disabled child. For the sake of this policy a disabled child is defined as being a child entitled to receive a disability living allowance.

The contents of this policy have been considered with due regard for the equality and diversity requirements of the Equality Act.

4. General Principles

You will not be treated less favourably because you are on or wish to take parental leave.

You will not be discriminated against on the grounds of parental leave in the areas of training, selection, promotion, job security or in any other terms and conditions of employment.

You will not be excluded from communication and consultation because of absence due to parental leave. The Town Clerk is responsible for ensuring that you are kept informed of developments, training opportunities and consulted with, where appropriate, as if you were still at work. You will be kept informed of vacancies which may arise whilst you are on parental leave.

You will not be dismissed for a reason connected with the appropriate use of parental leave.

These provisions apply equally to full time and part time workers, regardless of hours worked.

The Town Council will ensure that the parental leave provisions available to staff are publicised on the Ton Council's website.



5. Eligibility

You have the right to take unpaid parental leave provided that you have at least one year of continuous service and:

You are named on a birth certificate as a parent of a child (or have acquired legal parental responsibility for a child under the Children's Act 1989 or its Scottish Equivalent); or

You have adopted a child.

Your right to take parental leave lasts until the child's 18th birthday.

6. Length of Leave

The pattern in which leave can be taken differs depending on whether or not your child is disabled.

Children who are not disabled:

You are entitled to 18 weeks unpaid leave for each child (this includes multiple birth such as twins etc.) Any leave taken with past employers will count towards the 18 week limit.

A maximum of four weeks parental leave can be taken in any one year.

Leave must be taken in blocks of a week. Parental leave taken for part of a week counts as one full week of parental leave.

Children who are disabled:

You are entitled to 18 weeks unpaid leave for each individual child (this includes multiple births such as twins etc.) Any leave taken with past employers will count towards the 18 week limit.

There is no maximum number of weeks allowed in any one year for leave taken for the care of a disabled child (apart from the overall 18 week limit mentioned above).

Parental leave for a disabled child can be taken as single days or multiples of single days.

7. Rates of Pay

All parental leave is unpaid. The appropriate deduction will be made from your salary during the month in which you have taken parental leave or as soon as possible after the leave has been taken, if the leave was arranged at short notice. The amount is calculated on the basis of your annual salary (FTE for part-time) divided by 365 days multiplied by the number of days of absence.



8. Procedure

Notification

To apply for parental leave, you must confirm the following details in writing:

- The date you wish to start leave,
- The name, date of birth and if appropriate, date of adoption of the child for whom leave is being taken;
- The date that you wish to return from leave,
- If appropriate, that the child is disabled; and
- How much parental leave you have already taken in respect for the child.

There is no special form to complete.

You must also attach a copy of the child's birth certificate, maternity certificate or the adoption papers. If your child is disabled you should also enclose proof of entitlement to disability living allowance. (This step is only required for your first application of parental leave in respect of a particular child).

Your written request must be submitted to the Town Clerk at least 21 days before you wish the period of parental leave to start.

Postponement

Your application for parental leave can be postponed by Andover Town Council for a period up to six months.

This may happen if the operation of the organisation would be unduly disrupted if you took leave at the time you requested. The only exception to this is where leave is requested for the period immediately after the birth or adoption of a child.

Any decision to postpone parental leave will be confirmed by the Town Clerk in writing within 7 days of the original request being received. The written confirmation will state the reasons for the postponement.

A meeting will then be arranged between you and your manager to agree alternative dates for your parental leave.

Confirmation of Leave

The Town Clerk will write to you following arrangements of your dates of parental leave to confirm your dates of leave and arrangements for deductions to be taken from your salary for the unpaid leave.



9. Return to Work

You are entitled to return to the same job except where:

Parental leave is taken for a continuous period of more than 4 weeks

The period of leave is taken immediately following additional maternity leave

In either of the above cases you will be entitled to return to the same job unless it is not reasonably practicable for you to do so at the end of the period of parental leave.

If in such cases, it is not reasonably practicable for you to return to the same job, you will be entitled to return to another job which is suitable and appropriate for you in the circumstances.

10. Pension Contributions During Parental Leave

Periods of unpaid leave do not count as reckonable service for the purposes of the NEST pension scheme, therefore periods of parental leave will not count towards your pensionable service.

11. Abuse of the Parental Leave Policy

If you claim parental leave, for example using parental leave to go on a holiday without your child or fraudulently claiming to be eligible to take parental leave, you may be disciplined under the Town Council's disciplinary procedure. Disciplinary penalties imposed may include dismissal.

12. Frequently Asked Questions

I have two year old twins and have never used any parental leave. How much leave am I entitled to?

You are entitled to parental leave for each child. So, you are entitled to two lots of 18 weeks for each child.

I have a one year old and a three year old. How much parental leave am I entitled to?

As described above, you are entitled to parental leave for each child. You are therefore entitled to two lots of 18 weeks for each child.

I have just started working with Andover Town Council. In my last job I used six weeks of parental leave. What are my entitlements now?

You will need to complete a year of service before you can take any parental leave with the Town Council. When obtaining references, the Town Clerk will have asked your previous employer how much parental leave you used in your last job and this will be deducted from your remaining entitlement.



Parental Leave Policy & Procedure 2019

Once you have the required amount of service you will have twelve weeks of parental leave remaining.

Do I continue to accrue leave whilst I am off on parental leave?

Yes. Your terms and conditions continue as usual with the exception of pay.

Do I have to be living with my child in order to take parental leave?

No. You do not have to live in the same household as your child to take parental leave, but you must have parental responsibility for him/her.

How is the amount of parental leave I have taken recorded?

The Town Clerk will record the occasions on which you have taken parental leave. As entitlement to parental leave relates to each individual child, it is important to state the name of the child in your written request for parental leave.

I want to take three days of parental leave from Tuesday to Thursday to accompany my daughter during her first week of nursery. As parental leave has to be taken in blocks of a week, do I have to take a full week off?

You do not have to take the full week off. If you submit your application for three days parental leave and the request is accepted, you will be given three days unpaid leave.

However, one full week will be deducted from your remaining parental leave entitlement (unless your child is disabled, in which case you can take parental leave in multiples of a single day).

13. Document Information

Title:	Parental Leave Policy
Status:	2 nd Draft
Version:	14 March 2019
Consultation:	Policy & Resources Committee
Approved by:	Council
Approval Date:	14 March 2019
Review Frequency:	Every three years or if change occurs
Next Review:	March 2022

14. Document Control

Date	Version	Description	Sections Affected	Approved by
Nov 2016	1	1 st Draft	All	Policy & Resources Committee
Mar 2019	2	2 nd Draft	All	Council



Parental Leave Policy & Procedure 2019

Disclaimer:

A printed version may not be the current version.

A current version may be obtained in the required format from the Town Clerk's Office at Andover Town Council.