

Sustain's parental leave policy

Sustain wants to help staff members who are parents. We will be flexible and supportive; we invite you to discuss your circumstances with Sustain to help us work out how best to do so. This policy sets out your rights and our mutual responsibilities on parental leave. The policy is designed to be as comprehensive as possible, however people's individual circumstances do vary, and if you have any queries that are not answered, or if you have any other questions about the policy, please contact Sustain's HR Manager (usually Sustain's Head of Finance or a member of the Senior Management Team). Please note that this policy does not cover people who work with Sustain on freelance contracts.

Sustain implements, and in some aspects exceeds, the parental leave rights set out in legislation. Parental Leave is in addition to other forms of leave relating to the arrival of a child (see e.g. Maternity, Paternity and Adoption policies). Shared parental leave and pay can be considered as an alternative to adoption leave and pay (see Shared Parental Leave Policy). It is also additional to paid annual leave entitlement.

A useful website for information is: www.gov.uk/employers-parental-pay-leave

1. Who is entitled to take parental leave?

You have the right to take time off work to look after your child or make arrangements for your child's welfare. Parental leave is additional to paternity leave, maternity leave, adoption leave, shared parental leave and time off to deal with family emergencies.

Both mother and father of a child under the age of 18 (or a disabled child under the age of 18), who have been continuously employed by Sustain for one year or more are entitled to take Parental Leave if they meet the following criteria:

- a) they are named on the child's birth certificate or have parental responsibility for the child (e.g. adoption of a child or legal guardian to a child).
- b) they have worked for Sustain for at least one year on the date on which they wish to commence Parental Leave.
- c) if they have already taken part of their parental leave with a previous employer, they will not be able to take any further parental leave until they have completed one year's continuous employment with Sustain.

2. When can parental leave be taken?

Parents can take a total of 18 weeks Parental Leave from the moment of entitlement e.g. date of birth, up to the child's eighteenth birthday.

Adoptive parents can take Parental Leave up to the adopted child's eighteenth birthday.

NB. Any leave taken with past employers will count towards the 18-week limit for each child.

3. Evidence of entitlement to parental leave

Sustain will need evidence to confirm that you are the parent or the person who is legally responsible for the child and are entitled to parental leave. Evidence can take the form of:

- Information contained within the child's birth certificate.
- A document confirming a child's adoption or the date of placement.
- Evidence to prove the employee has parental responsibility.
- Evidence of entitlement to a disability living allowance in the case of a disabled child.

Sustain will need to keep a copy of this evidence in your personnel file.

4. How much parental leave can be taken?

Employees may take a total of 18 weeks parental leave for each child, eg. in the case of twins, 18 weeks of parental leave may be taken for each child.

The leave can be taken in blocks of one week or more. For example, two-week or three-week blocks, up to a maximum of four weeks in a year for each child. The one-year period is the 12 months starting with the date on which the employee first became entitled to take parental leave in respect of that child.

Parents with a disabled child can take the leave in days or periods shorter than a week.

One week's parental leave is equal to the length of time that you are normally required to work in a week. For example, if you normally work Monday to Friday then this would be calculated as one week. If you normally work Monday, Tuesday and Wednesday, then this would be calculated as one week.

5. Pay and benefits during parental leave

All parental leave taken will be unpaid.

Your contract of employment continues during an absence of parental leave and therefore you will continue to benefit from your statutory employment rights, for example accrual of paid annual holiday.

Upon returning to work you will be entitled to benefit from any general improvements to the rate of pay/terms and conditions that may have been introduced for your position or grade whilst you have been on parental leave.

6. Notification of parental leave

You must aim to give Sustain 21 days' notice of your intention to take parental leave, although requests may be granted with shorter notice in exceptional circumstances. You

must advise the HR Manager of the dates when you intend to start and finish your parental leave using the Parental Leave Form.

In circumstances where it is considered that the parental leave you have requested will significantly disrupt Sustain's services, Sustain is entitled to postpone the start of your leave for up to a maximum of six months; however we undertake to do so only in exceptional circumstances. Any such postponement will be discussed with you; notification will be given in writing stating the reason for the postponement and the dates of your parental leave; and you will have a right of appeal. The notification will be given no later than 7 days after your request to take parental leave has been received.

Where you request parental leave immediately after the birth or adoption of a child, Sustain cannot postpone the leave. In such circumstances you must give the HR Manager 21 days' notice before the beginning of the expected week of childbirth (or placement in the case of adoption). Parental leave will then start on the day on which the child is born/placed (regardless of whether the child is born/placed early or late).

7. Returning to work after a period of parental leave

You will be entitled to return to the same job if your parental leave taken was for a period of 4 weeks or less.

8. Data protection

Sustain will treat all information about you, your child or children and your parental circumstances with care, compassion and the utmost sensitivity.

In the implementation of this policy, the organisation may process personal data and/or special category personal data collected in accordance with its GDPR and data protection policy. Data collected from the point at which this policy is invoked will only inform the organisation for the benefit of implementing this policy. All data is held securely and accessed by, and disclosed to, individuals only for the purposes of this policy.

Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the organisation's GDPR and data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the organisation's disciplinary procedure.

9. Information for internal use

Date of most recent update:	11/05/21		
Reviewer and lead on policy:	Kath Dalmeny, Quoc-anh Tran, Merav Shub, working with CBR Solutions		
Considered by management team:	Yes / No	Done (date):	01/05/21
Approved by (usually Chief Executive):	Kath Dalmeny	Done (date):	11/05/21
Sustain Council of Trustees approval required?	Yes		

At which Council meeting?	May 2021	Done (date):	05/05/21
Is this policy in the list of 'required' policies?	Yes		
For <u>required</u> policies only, updates include (describe the changes in brief list format; keep and add older date to list of previous updates): <i>Note: For <u>discretionary</u> policies, updates will be recorded in Sustain Council meeting minutes.</i>	Policy published as part of HR Healthcheck 2021, adapted from CBR Solutions template		
Next review date (minimum period – usually three years – or if prompted by legislative change; or in the interim at the discretion of Sustain/trustees):	May 2024		
Filed in Sustain drive (drive and folder names):	Line managers drive / HR policies		
Publish privately on intranet? (include the final part of the file location – page name not full URL):	www.sustainweb.org/intranet/parental-policies		
Publish publicly on Sustain website? (include location – full URL):	No		
Policy adapted from template provided by CBR Solutions: www.cbrsolutions.org.uk			

APPENDIX A: PARENTAL LEAVE REQUEST FORM

Name		Employee Number	
Work Location			

Parental Leave Taken In Previous Employment		Total Parental Leave Taken (not including this request)	
	days		Days

I wish to take Days/weeks* unpaid parental leave

From		To		days/weeks*
From		To		days/weeks*
From		To		days/weeks*
From		To		days/weeks*

*Please delete as applicable. Please note: parental leave may only be taken in individual days if your child is disabled, otherwise it may only be taken in blocks or multiples of one week up to a maximum of 4 weeks in respect of any child during any one calendar year.

I acknowledge that approval of this request gives authority to deduct the appropriate amount(s) from my salary.

Signature		Date	
Line Manager (please print)			
Line Manager's Signature		Date	