



**Parental Leave and Dependant Leave  
Policy and Procedure**

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# 1 POLICY STATEMENT

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It is the intention of Annington Management Limited to assist employees who wish to assert their rights in respect of parental leave and time off work to take care of dependants. We will endeavour to provide time off work which is agreeable to both the needs of the employee and those of the Company. The parental leave rights are in accordance with the Maternity and Parental Leave Regulations 1999 and the right to time off to take care of dependants is in accordance with the Employment Relations Act 1999.

This policy and procedure is subject to change in accordance with legislation.

## **2 INTRODUCTION**

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### **2.1 Parental Leave**

All employees who have at least one year's service with the Company and who are parents of children up to the age of 18 are eligible to take parental leave.

Leave taken under this policy should not be confused with paternity and maternity leave for which the Company has separate arrangements.

### **2.2 Dependant Care Leave**

The purpose of dependant care leave is to enable an employee to take a reasonable amount of time off during working hours in order to take action that is necessary to deal with urgent matters relating to dependants.

## 3 PROCEDURE

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Employees wishing to take parental leave or time off work to care for dependants should note the following.

### 3.1 Parental Leave

1. Leave is unpaid
2. The maximum leave that an employee can take per child is 18 weeks.
3. Employees must have at least one year's continuous service with the Company.
4. You must have parental responsibility for your child. This means you must be named on one of the following:
  - their birth certificate
  - their adoption certificate
  - a parental order, for surrogacy
  - a legal guardianship
5. Parental leave can either be taken after a child is born, or when the child is placed with you for adoption.
6. Both parents can take parental leave as it is an individual right.
7. The employee's right to take the leave lasts until the child's 18<sup>th</sup> birthday.
8. Before making a request, you should be aware of the following:
  - Leave is unpaid
  - Leave can only be taken in blocks or multiples of one week
  - Parents of disabled children will have the flexibility to take leave a day at a time if they wish
  - Employees must give a minimum of 21 days' notice
  - Employees can only take a maximum of four weeks' leave in a year for each child
  - Leave may be postponed by the Company for up to six months where business would be unduly disrupted (however, leave cannot be postponed when the employee gives proper notice to take it immediately after the time the child is born or is placed with the family for adoption).
9. With regard to the calculation of parental leave for part-time employees, a week's leave is equivalent to the normal working week as specified under your contract of employment. So, if you work three days a week, the three-day week is counted as a week.
10. Parental leave for employees who do not work regular hours and/or days is calculated by dividing the total of the periods for which they are normally required to work under their contract of employment in a year by 52 weeks.
11. An employee who takes parental leave is entitled, during the period of leave, to the benefit of the Company's implied obligation of trust and confidence and any terms and conditions of their employment relating to:
  - Notice of the termination of the employment contract by the employer
  - Compensation in the event of redundancy
  - Disciplinary or grievance procedures

12. An employee is bound by the implied obligation to the employer of good faith and any terms and conditions of their employment relating to:
  - Notice of the termination of the employment contract
  - The disclosure of confidential information
  - The acceptance of gifts or other benefits
  - The employee's participation in any other business
13. At the end of parental leave where the leave taken is for a period of four weeks or less, the employee will be entitled to go back to the same job.
14. There is no obligation on an employee to take up any or all of their entitlement to parental leave.
15. Employees are protected against detriment and dismissal for exercising these rights.

### **3.1.1 ACTION REQUIRED BY AN EMPLOYEE WISHING TO TAKE PARENTAL LEAVE**

Complete the request to your manager on the HR/Payroll system ensuring that:

1. You give at least three weeks' notice of the required dates. (The Company has the right to postpone the leave for no more than six months if business needs so require). Note that leave must be taken in blocks of one week or multiples of (except for disabled children where individual days can be taken).
2. If you are a father wishing to take up to four weeks leave immediately after your baby is born (or a child is adopted) you give at least 13 weeks' notice of the expected week of childbirth (or date of adoption).
3. You advise Human Resources of any entitlement you have already received during any previous employment.

### **3.1.2 ACTION REQUIRED BY THE COMPANY**

On receipt of the application:

1. The manager/director will either authorise the leave or give reasons for not authorising or delaying the leave dates within one week.
2. A copy of the application will be kept on the employee's personal file.

## **3.2 Dependant Care Leave**

1. This right applies to most employees, but not the genuinely self-employed. There is no qualifying period for the right, so it applies on the first day of employment.
2. The statutory definition of a dependant includes an employee's wife, husband, child, parent or someone who lives in the same household as the employee but who is not their employee, tenant, lodger or boarder. This covers non-married partners, including same sex partners, but also family members or friends who live together. The definition also covers children who are not the employee's birth children but who live in the same house.
3. A dependant also includes any person who reasonably relies on the employee either for assistance when they person fall ill or are injured, or to make arrangements for the provision of care in the event of illness or injury. Where the time off relates to unexpected disruption or termination of arrangements for the care of a dependant then a dependant will also include any person who reasonably relies on the employee to make arrangements for the provision of care.

4. An employee can take a reasonable amount of time off during working hours in order to take action that is necessary:
  - If a dependant falls ill or has been injured
  - When a dependant 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
  - To deal with an unexpected disruption or breakdown of care arrangements for a dependant
  - To deal with an unexpected incident involving the employee's child during school hours
5. There is no general right to time off for domestic incidents, only those which involve the need to care for a dependant.
6. Unlike maternity and parental leave, there is no express limitation on the amount of time off that an employee can take. The amount of time is merely limited by the fact that it should be 'reasonable' and will therefore vary by reference to the circumstances.
7. There are no formalised notice requirements for exercising the right. However, employees must notify the Company as soon as is reasonably practicable of the circumstances giving rise to the leave.
8. Where an employee takes time off related to a child, the time taken off as dependant care leave will not diminish the amount of parental leave available to the employee. Where a longer period of absence is required that may not fall within the definition of circumstances qualifying for dependant care leave, an employee may be better advised to take parental leave.

### **3.2.1 ACTION REQUIRED BY AN EMPLOYEE WISHING TO TAKE TIME OFF WORK TO TAKE CARE OF DEPENDANTS**

Complete a request for parental leave / time off work to take care of dependants on the HR/Payroll system ensuring that:

1. You notify your manager/director as soon as is reasonably practicable of the circumstances giving rise to the leave. This may be done verbally in the first instance if necessary, followed by completion of the relevant request.
2. Make the request to your manager/director for authorisation before you take the time off if possible.
3. If the relevant request was not submitted prior to taking time off, the approval will need to be sought upon your return to work.

### **3.2.2 ACTION REQUIRED BY THE COMPANY**

The manager/director will either authorise the leave or give reasons for not authorising the leave. Leave will only be refused if it does not meet the criteria outlined in this procedure, as soon as possible after receipt, ensuring that in urgent circumstances there is no delay in actioning the request.

Document Control

## Version Control

Printed documents are uncontrolled. This document is only valid on the day it was printed.

Version	Primary Author(s)	Description of Version	Date Completed
	NGA Human Resources Arinso	Parental Leave Policy and Procedure	
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2.0	SW	Policy review	December 2009
3.0	Terry Hayward	Policy updates following legislation changes	April 2013
4.0	Kristy Burton	Name change to NGA Human Resources	November 2013
5.0	CG	Review and update	July 2021