



Parental Leave

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DOCUMENT STATEMENT:

All Translink Group Corporate Policies should be consistent in terms of development, approval, implementation, communication, control and review in line with these guidelines.



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Version Control Record

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	HR Manager	July 2004	
	HR Services Manager	July 2010	
1.0	HR Services Manager	August 2011	
2.0	HR Services Manager	4 th March 2013	
2.1	HR Services Manager	9 th May 2014	Document reformatted to comply with corporate layout. Section 3 reworded and broken down into table format. Section 4 added on 'Eligibility' Section 6 added on 'Deciding to take Parental Leave' Section 7 added on 'Delaying Parental leave' which includes the last paragraph in Section 4 from the previous version Section 8 added on 'Carrying over leave from a Previous Job' Section 5 from the previous version of the policy 'Returning to work after parental leave' has been omitted from this policy as no guidance available to confirm this is still applicable

2.2	HR Services Manager	8 th August 2015	Scope amended to include reference to Shared Parental Leave. Related Policies amended to include reference to Shared Parental Leave. Eligibility amended for children – children under age 5 has now been replaced by children under age 18. Parental leave can be delayed by line manager in certain circumstances and can now be delayed beyond child's 18 th birthday. Glossary of terms removed as no longer relevant
2.3	HR Management team	18 th September 2015	No changes
3.0	HR Services Manager	09.09.16	Parental Leave Request form attached to document
3.1	HR Management Team	20.10.16	Section 3 updated to include that if parental leave falls on a PH, the PH will accrue to be used at another time.
3.2	HR Management Team	27.01.20	Formatting amendments only.
3.3	Stonewall	30.07.20	Amendment to line one of Scope to clarify policy available to all employees regardless of gender.
4.0	HR Services Manager	02.02.21	Application form removed to be stand-alone

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1. Introduction

Throughout this Policy, the words 'Translink' 'Company' and/or 'the Group' refer to all corporate entities under the ownership of the Northern Ireland Transport Holding Company (NITHC). This includes the parent company and each subsidiary either individually or taken together as a group.

2. Scope

Parental leave is available to all employees, regardless of gender, who have at least one year's continuous service by the time they want to take the leave and who have, or expect to have, parental responsibility for a child.

Parental leave is defined as the right to take time off work to look after a child or make arrangements for the child's welfare. Examples of when parental leave may be used include spending more time with the child in their early years, accompanying a child during a stay in hospital, looking at new schools, or settling the child into new childcare arrangements.

Both parents have the right to parental leave but it cannot be transferred between parents. The leave is unpaid.

3. Entitlement to Time Off

Parental leave is **unpaid leave**.

An employee can take a total of up to 18 weeks' parental leave for each child and adopted child up to their 18th birthday.

Parental leave must be taken as whole weeks (e.g. 1 week, 2 weeks) rather than individual days. Part of a week counts as one week for the purposes of this policy. However, in the case of children with a disability the leave can be taken in days or periods shorter than a week.

One week's parental leave is equal to the length of time that an employee normally works over 7 days.

Example:

Employee normally works 3 days per week – 1 week of parental leave is 3 days.

There will normally be a limit of 4 weeks parental leave per annum for each child. Each year starts when the employee becomes eligible for parental leave. This is either when they have worked continuously for the Company for one year, or when the first child is born or adopted, whichever is later.

If parental leave falls on a Public Holiday, the employee will accrue the Public Holiday

and it can be taken at a convenient time once parental leave ends.

4. Eligibility

Employees qualify if all of these apply:

- They have worked for the Company for at least one year
- They are named on the child's birth or adoption certificate or they have or expect to have legal parental responsibility
- They are not self-employed or a 'worker' – e.g. an agency worker or contractor
- They are not a foster parent (unless they have secured parental responsibility through the courts)
- The child is under 18

If the employee doesn't qualify for parental leave but needs time off to care for their child they could:

- take paid holiday
- ask their line manager for unpaid time off
- ask their line manager about flexible working

Parents do not have to be living with the child to qualify for parental leave. For example, if the employee is separated and doesn't live with their children, they have the right to parental leave if they keep formal parental responsibility for the children. Parental Leave should not be confused with Shared Parental Leave (SPL). SPL is a new entitlement for eligible parents of babies due on or after 5th April 2015, or children placed for adoption on or after 5th April 2015. It allows eligible parents to choose how to share the care of their child during the first year of birth or adoption by utilising Shared Parental Leave. Up to 50 weeks can be shared between parents and up to 37 weeks of this can be paid. The Shared Parental Leave Policy provides further details on eligibility, entitlement and notification.

5. Notification Requirements

The employee must give their line manager at least 21 days written notice of taking parental leave by completing the Parental Leave Request Form. If the employee or their partner are having a baby or adopting, the notification is 21 days before the week the baby or child is expected.

The form must specify the dates on which the period of leave is to begin and end. If the leave is to begin on the date of childbirth or adoption the form must specify the expected week of childbirth or expected week of placement and the duration of the period of leave. Parental leave will then commence on the day on which the child is born, regardless of whether the child is born early or late, or on the day on which the child is placed for adoption.

The employee may be required to give evidence of entitlement to parental leave (i.e. in relation to the age of the child and the employee's responsibility for the child), e.g. the child's birth certificate, papers confirming a child's adoption or the date of placement for

adoption.

Records of all parental leave requests and leave taken will be maintained on the employee's personnel file.

6. Deciding to Take Parental Leave

The purpose of parental leave is for the employee to care for their child. This means looking after their welfare and could include making arrangements for the good of their child.

Caring for a child does not necessarily mean being with the child 24 hours a day. Parental leave might be taken simply to enable the employee to spend more time with their young child. Examples of the way parental leave might be used include:

- straight after the employees' maternity, paternity or adoption leave
- spending more time with their child in their early years
- time with their child during a stay in hospital
- looking at new schools
- settling their child into new childcare arrangements
- allowing their family to spend more time together, for example, taking their child to stay with grandparents

Employees can take parental leave immediately after their maternity, paternity or adoption leave providing they give the correct notice.

7. Delaying Parental Leave

Any employee wishing to take parental leave under this policy should speak to their line manager in the first instance. If the line manager considers that the employee's absence would unduly disrupt the business, the leave may be postponed for no longer than six months after the beginning of the period that the employee originally wanted to start their parental leave. However, the leave cannot be postponed where the employee applies to take parental leave immediately after the birth or adoption of a child. If the postponement goes past the end of the employee's entitlement period (for example, after the child's 18th birthday), the employee can still take the leave.

If the parental leave is postponed, the line manager:

- must write to the employee explaining why, within 7 days of the original request
- suggest a new start date - this must be within 6 months of the requested start date
- cannot change the amount of leave being requested

8. Carrying Over Leave From a Previous Job

Parental leave applies to each child not to an employee's job.

Example:

An employee is entitled to 18 weeks. They have used 10 with a previous employer. They can use up to 8 weeks with the Company if they are eligible.

9. Termination of Parental Leave

Parental Leave is granted to allow the employee to take time off work to look after a child or make arrangements for the child's welfare. If the employee is found to be not using the leave for these purposes, the leave may be terminated. However, the line manager will discuss this with the employee in the first instance and allow them to make representations on the matter. Any employee who is found to have claimed or taken leave dishonestly may be subject to disciplinary action.

10. Related Policies

Employees may find it useful to review other policies in conjunction with the Parental Leave Policy. These include:

- Shared Parental Leave Policy
- Time off for Dependants Policy
- Flexible Working Policy
- Maternity Policy
- Paternity/Partners Leave Policy
- Adoption Policy