

Parental leave

PARENTAL LEAVE IS a legal right to take time off from work to look after a child or make arrangements for a child's welfare. Employers are not legally required to pay workers taking parental leave, so many do not. However, if you are on a low income, you may qualify for income support while you are on parental leave.

Mothers and fathers qualify for statutory parental leave whether they are biological or adoptive parents.

Parental leave is different to other parenting-related leave arrangements such as maternity, adoption and paternity leave.

Your parental leave entitlement

The amount of time you can take off work for parental leave depends on your circumstances and the age of your children. For example:

- you can take a total of up to 18 weeks' parental leave for each of your children up to their fifth birthday;
- if your child is adopted, you can take a total of up to 18 weeks' parental leave until the fifth anniversary of their placement or until their 18th birthday, whichever comes first;
- if the child is disabled (and receiving disability living allowance) you have the right to take up to 18 weeks' parental leave until their 18th birthday.

Parental leave can be taken for any reason as long as it's related to the care of your child. Examples of the way it might be used include:

- spending more time with your child in their early years;
- accompanying your child during a stay in hospital;
- looking at new schools;
- settling your child into new childcare arrangements;
- enabling your family to spend more time together. For example, taking them to stay with grandparents.

Legal disclaimer

The information contained within this article is not a complete or final statement of the law.

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If you take less than four weeks' parental leave in one block, you have the legal right to return to your old job. If you take more than four weeks in a block, you are only entitled to return to the job you did before if it is reasonably practicable. If it isn't, your employer must give you a comparable and appropriate job.

You can only take parental leave if you have been continuously employed for not less than a year and have, or expect to have responsibility for the child.

"Responsibility for the child" is a legal term. You will normally have responsibility for the child if you are the mother of the child or the father of the child and you are either married to the mother of the child or your name appears on the birth certificate of the child, having registered jointly with the mother.

You may also have legally acquired parental responsibility.

Special arrangements

Some employers allow flexibility in the way parental leave is taken. You might, therefore, be able to work reduced hours over a given period, for example, without losing any pay. Or your employer may allow you parental leave even though your child is over the statutory age for you to legally qualify.

Dealing with emergencies

Even if you don't qualify for parental leave, you should be able to get time off to deal with genuine emergencies. You have the right to take a reasonable amount of unpaid time off to deal with certain emergencies involving people you care for.

You qualify for "time off for dependents" regardless of how long you have been working for your employer.