Anglican Diocese of Adelaide

	Parental Leave Policy v1.0		
Body adopting policy:	Diocesan Council	**Date of adoption or last review:**	
Related Documents:	Clergy Parenting Leave Ordinance	**Review schedule:**	3 years

1. Purpose

The Diocese is committed to supporting employees in balancing their work responsibilities with family life, recognising the importance of:

- The birth or adoption of a child;
- The wellbeing of parents and children; and
- A just and compassionate workplace consistent with Christian values

This Policy provides paid parental leave entitlements in addition to the minimum statutory entitlements under Australian legislation.

2. Scope

This Policy applies to:

- All permanent employees (full-time and part-time) of the Diocese and its related entities; and
- Eligible clergy where licenced and paid (subject to applicable ordinances/contracts).

This Policy does not apply to casual employees, except where required by law.

Clergy, as stipended officeholders, are not employees for the purposes of the Fair Work Act or National Employment Standards. Accordingly, statutory parental leave provisions do not directly apply.

The Diocese provides parental leave entitlements under the *Clergy Parenting Leave Ordinance* to ensure equitable and pastoral support. Clergy may also separately apply for any Commonwealth Paid Parental Leave benefits for which they are eligible.

3. Legislative Framework

This Policy operates in conjunction with:

- Fair Work Act 2009 (Cth)
- Fair Work Regulations 2009 (Cth)
- Paid Parental Leave Act 2010 (Cth)
- National Employment Standards (NES)

Where there is any inconsistency, legislative requirements prevail.

4. Interaction with Modern Awards and Enterprise Agreements

This Policy operates in conjunction with any applicable modern award, enterprise agreement or contract of employment.

Where an applicable award or agreement provides a more beneficial entitlement than this Policy, the terms of the award or agreement will prevail to the extent of the inconsistency.

Nothing in this Policy is intended to override or exclude any minimum entitlement under applicable workplace laws.

5. Definitions

5.1. Primary Carer

The employee who has the main responsibility for the care of the child following birth, or adoption.

5.2. Secondary Carer

An employee who supports the primary carer but is not the primary caregiver.

5.3. Parental Leave

Includes leave associated with:

- Birth of a child
- Adoption of a child under 16
- Stillbirth, neonatal death, death of a child under 12 months old.

6. Entitlement to Unpaid Parental Leave (NES)

Eligible employees are entitled to:

- Up to 12 months unpaid parental leave;
- A right to request an additional 12 months (subject to employer agreement)

Eligibility requires at least 12 months continuous service prior to expected date of birth/adoption.

7. Paid Parental Leave (Diocesan Entitlement)

7.1. Primary Carer Leave

Eligible employees/clergy are entitled up to 16 weeks paid parental leave at their normal remuneration level, pro rated for their normal FTE fraction.

Leave may be taken at:

- Normal rate for full pay, or
- Equivalent pro rata (e.g. 32 weeks at half pay)

7.2. Secondary Carer Leave

Eligible employees are entitled up to 4 weeks paid leave (To be taken within 12 months of birth/adoption).

8. Government Paid Parental Leave Scheme

Eligible employees may access the Commonwealth Paid Parental Leave scheme.

8.1. Interaction with Diocesan Leave

Diocesan paid leave is supplementary to the government scheme. Employees may receive both, subject to eligibility and Synod may act as paymaster where required.

9. Eligibility for Paid Leave

To qualify for diocesan paid parental leave, employees must:

- Have completed at least 12 months continuous service; and
- Be the primary or secondary carer; and
- Provide required notice and documentation.

10. Notice Requirements

Employees must provide:

- At least 10 weeks written notice of intended leave; and
- Confirmation at least 4 weeks prior to commencement.

Notice must include:

- Expected date of birth/adoption; and
- Expected leave period; and
- Role as primary or secondary carer.

11. Evidence Requirements

The Diocese may require:

- Medical certificate (pregnancy); or
- Adoption documentation; or
- Statutory declaration (carer status).

12. Taking Leave

12.1. Flexibility

Leave may be taken:

- As a continuous period; or
- In agreed flexible arrangements, consistent with operational requirements

12.2. Concurrent Leave

Both parents may take leave concurrently for up to 8 weeks (as permitted under NES)

13. Return to Work

13.1. Right to Return

Employees are entitled to return to:

- Their pre-leave position, or
- An available position nearest in pay and status

13.2. Flexible Work

Employees may request:

- Part-time work
- Flexible arrangements

Requests will be considered in accordance with the Fair Work Act.

14. Keeping in Touch Days

Employees may work up to 10 “keeping in touch” days without ending their parental leave, in accordance with legislation.

15. Superannuation

The Diocese:

- Will continue to make superannuation contributions on paid parental leave.
- Not pay super on unpaid leave, unless otherwise determined.

16. Accrual of Leave

During:

- Paid parental leave → annual leave and personal leave continue to accrue.
- Unpaid parental leave → leave does not accrue (as per law)

17. Safeguarding, Equity and Conduct

Consistent with Anglican diocesan standards:

- No employee will be disadvantaged for taking parental leave
- Decisions must reflect:
    - Equity
    - Non-discrimination
    - Safe and respectful workplace obligations

18. Misuse of Entitlements

Providing false or misleading information or misuse of leave may constitute misconduct or serious misconduct

19. Funding

- The Synod shall provide the funding for parental leave where a parish is unable to do so.
- Funding for licenced clergy who are ‘employed’ by schools or Anglicare shall be provided by the host ‘employer’ consistent with normal renumeration funding.

20. Policy Review

This Policy will be reviewed every 3 years, or as required to reflect legislative or diocesan changes.