

EMPLOYMENT COMMITTEE – 31 MARCH 2011**“FAMILY-FRIENDLY” POLICIES AND PROCEDURES****REPORT OF THE DIRECTOR OF CORPORATE RESOURCES****Purpose of Report**

1. The purpose of this report is to seek the approval of the Employment Committee to the following “family-friendly” policies and procedures:
 - Maternity Leave and Pay Policy and Procedure;
 - Adoption Leave and Pay Policy and Procedure;
 - Maternity/Adoption Support Leave (incorporating Statutory Paternity Leave) Policy and Procedure.

Maternity Leave and Pay Policy and Procedure

2. The existing Maternity Information Pack has been updated and refreshed, correcting an error in relation to eligibility to receive Occupational Maternity Pay and setting out the Council’s maternity provisions clearly as a Policy and Procedure.
3. Under the Green Book (the conditions of service applicable to Local Government Services employees), an employee is required to have 52 weeks’ continuous local government service at the 11th week before the expected week of childbirth in order to receive Occupational Maternity Pay, but the Council’s Maternity Information Pack incorrectly states that only 41 weeks’ service is required. This error is believed to have occurred at the time of earlier changes to statutory maternity provisions.
4. Other provisions relating to maternity leave and pay remain unchanged.

Adoption Leave and Pay Policy and Procedure

5. The statutory adoption leave and pay provisions broadly mirror the statutory maternity leave and pay provisions.
6. The Council’s existing provisions relating to adoption have been reviewed to ensure that they reflect current statutory provisions. The opportunity has also been taken to provide more detailed guidance with regard to adoptions from overseas, as the conditions relating to these differ from those for UK adoptions.

7. The timescales, notification requirements and pay elements in the policy and procedure are those stipulated by law, to which the Council is obliged to adhere. Adoption leave also has implications in relation to employees' pensions and certain other conditions of service. The policy and procedure includes guidance on these areas.

Maternity/Adoption Support Leave (incorporating Statutory Paternity Leave) Policy and Procedure

8. The Council's existing provisions relating to Maternity Support/Adoption Leave have been reviewed in the light of new legislation on Statutory Paternity Leave effective from 3 April 2011.
9. The right to two weeks' Statutory Paternity Leave (now known as "Ordinary Paternity Leave") was introduced from 6 April 2003 and this has co-existed with the Council's own provisions for paid maternity/adoption support leave since that time.
10. From 3 April 2011, an extended period of statutory paternity leave (to be known as "Additional Paternity Leave") of between 2 and 26 weeks can also be taken by the partner of a mother or main adopter after Ordinary Paternity Leave, subject to strictly defined criteria.
11. The Council's revised policy and procedure sets out the eligibility criteria, timescales, notification requirements and pay elements relating to statutory paternity leave stipulated by law, to which the Council is obliged to adhere.
12. The opportunity has also been taken to bring the timescale for taking the Council's provision of one week's leave at full pay for all eligible employees into line with the statutory timescale for taking Ordinary Paternity Leave: it is therefore proposed that this leave may now be taken at any time within 56 days of the birth or adoption placement.

Trade Union Consultation

13. Each of these policies have been sanctioned by the recognised trade unions for employees employed under the conditions of service of the National Joint Council for Local Government Services and the recognised trade unions for centrally-employed teachers.

Recommendation

14. The Employment Committee is asked to approve the following policies and procedures with immediate effect:
 - Maternity Leave and Pay Policy and Procedure;
 - Adoption Leave and Pay Policy and Procedure;
 - Maternity/Adoption Support Leave (incorporating Statutory Paternity Leave) Policy and Procedure.

Background Papers

None.

Circulation under Local Issues Alert Procedures

None.

Officer to Contact

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Equal Opportunities Implications

There are no equality issues arising from this report.

List of Appendices

Appendix A – Maternity Leave and Pay Policy and Procedure

Appendix B – Adoption Leave and Pay Policy and Procedure

Appendix C – Maternity/Adoption Support Leave Policy and Procedure