



BASSETLAW

DISTRICT COUNCIL
NORTH NOTTINGHAMSHIRE

JOINT EMPLOYEE COUNCIL

AGENDA

Meeting to be held in

The Ballroom,

Town Hall, Retford

on

Tuesday, 14th December 2010

at

2.30 p.m.

PLEASE NOTE PRE-MEETING WILL COMMENCE

AT 1.30 P.M.

(Please note later start time of meeting)

(Please turn off mobile telephones during meetings - In case of emergency Members can be contacted on the Council's mobile telephone)

Bassetlaw - Serving North Nottinghamshire

District Council Offices, Potter Street, Worksop, Notts. S80 2AH.

JOINT EMPLOYEE COUNCIL

Membership 2010/11

Councillors C. Entwistle, J. W. Holland, Mrs. S. Isard, G. A. N. Oxby,
Mrs. V. Wanless

Substitute Members: In the event of any member of either side being unable to attend any meeting, another representative may be appointed to attend in his/her place, provided that the substitute is drawn from the same area of representation as the member unable to attend

Quorum: 2 Members

Lead Officer for this Meeting

Mr. L. Hull - Ext. 4136

Administrator for this Meeting

Cara Crossland - Ext. 3254

JOINT EMPLOYEE COUNCIL

Tuesday, 14th December 2010

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS
(Members' and Officers' attention is drawn to the attached notes and form)
 - (a) Members
 - (b) Officers
3. MINUTES OF MEETING HELD ON 21ST SEPTEMBER 2010* (pages 1-4)
4. MINUTES FOR ACTION * (page 5-6)
5. OUTSTANDING MINUTES LIST * (page 7)

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None

Other Decisions

6. REPORT(S) OF THE EMPLOYER'S REPRESENTATIVES *
 - (a) Appeals Procedure (pages 9-14)
 - (b) Paternity and Adoption Leave Policy (pages 15-46)

Exempt Information Items

The press and public are likely to be excluded from the meeting during the consideration of the following items in accordance with Section 100A(4) of the Local Government Act 1972.

SECTION B - ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None

Other Decisions

7. REPORT(S) OF THE EMPLOYERS REPRESENTATIVES *
 - (a) Review of Agency Workers (pages 47-56)
9. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

* Report attached

NOTES:

1. The papers enclosed with this Agenda are available in large print if required.
 2. Copies can be requested by contacting us on 01909 533249 or by email:
cara.crossland@bassetlaw.gov.uk
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DECLARATION OF INTERESTS

HOW TO USE THIS FORM

There are now only two types of Declaration of Interest:

Level 1 – Personal)	Details can be found in the Councillors
)	Code of Conduct which is contained in
Level 2 – Personal and Prejudicial)	the Council's Constitution (a summary is
)	printed below)

Upon receipt of the attached form you will need to enter the name and date of the Committee and your own name. By looking at the Agenda you will no doubt know immediately which Agenda Items will require you to make a Declaration of Interest.

Fill in the Agenda Item number in the first column of the form.

Enter the subject matter and any explanations you may wish to add in the second column.

In the third column you will need to enter **either** level 1 if you are declaring a personal interest, **or** level 2 if you are declaring a personal and prejudicial interest.

The form must then be signed and dated. Please remember that if during the actual meeting you realise that you need to declare an interest on an additional Agenda Item number please simply amend the form during the meeting.

The form must be handed into the Committee Administrator at the end of the meeting.

NB. The following is a summary prepared to assist Members in deciding at the actual meetings their position on INTERESTS it is not a substitute for studying the full explanation regarding INTERESTS, which is contained in the Council's Constitution and the Code of Conduct for Councillors, which is legally binding.

Members and Officers are welcome to seek, **PREFERABLY WELL IN ADVANCE** of a meeting advice from the Council's Monitoring Officer on INTERESTS.

Personal Interests

May relate to employment or business interests
May relate to property interests
May relate to contents
May relate to interests in other bodies
OR if a decision on the matter to be discussed:
MIGHT REASONABLY BE REGARDED AS AFFECTING (A MEMBER OR OFFICER) TO A GREATER EXTENT THAN OTHER COUNCIL TAX PAYERS, RATEPAYERS OR INHABITANTS OF THE AUTHORITY'S AREA, the well being or financial position of himself, a relative or a friend or any employment, business, interest, etc. of such a person.

Prejudicial Interests

A Member with a personal interest **ALSO** has a prejudicial interest if a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Members judgement of the public interest.
(Note – there are special provisions which may exclude the above provisions in certain circumstances.)

Action to be Taken – Personal Interests

Must disclose to the meeting
- existence of the interest
- the nature of the interest

Action to be Taken – Personal and Prejudicial Interests

Must:-
- declare existence and nature
- withdraw from the room
- not seek improperly to influence a decision on the matter.
(Note – there are some exceptions when acting in a scrutiny capacity.)

JOINT EMPLOYEE COUNCIL

Minutes of the meeting held on Tuesday, 21st September 2010 at Worksop Town Hall

Present:

Employer's Representatives

Councillor J W Holland (Chairman)
Councillors D Challinor, Mrs S Isard and Miss M Stokes.

Employee Representatives:

K Circuit, A McLoughlin, R Parr and J Rose.

Officers in attendance: K Childs, L Dore, L Hull, J Rodriguez (for presentation only).

ACTION BY:

13. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor C Entwistle, G A N Oxby and Mrs V Wanless.

14. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

There were no declarations of interest by Members.

(b) Officers

There were no declarations of interest by officers.

15. MINUTES OF MEETING HELD ON 22nd JUNE 2010

RESOLVED that the Minutes of the meeting held on 22nd June 2010 be approved.

16. MINUTES FOR ACTION

RESOLVED that the Minutes for Action be received.

17. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes List be approved.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

18. REPORT(S) OF THE EMPLOYER'S REPRESENTATIVES

(a) Corporate E-Induction

Members of the Joint Employee Council were shown various sections from the Council's nine module E-Induction programme. This enables staff to individually access information about the Council and its processes when they first join the organisation and has replaced the half-day corporate induction.

There are also currently thirty-five other e-learning courses available which can be accessed at work, home or via PC's in the Hawksmoor Suite. On completion of courses, employees receive an online certificate. It was noted that E-learning has proved to be a more cost effective and popular way to undertake training.

RESOLVED that the presentation be received.

(b) Review of Joint Employee Council Constitution

Members of the Joint Employee Council were invited to comment on relevant updated changes to the Constitution as agreed at Council on 12th July 2010. Details of the main changes and a copy of the revised element in the Constitution relating to the Joint Employee Council were appended to the report.

The Employees representatives raised concern that the term 'negotiate' had been replaced with 'consultation' and expressed reservation on the new voting process.

RESOLVED that:

1. The report be received.
2. Members of the Joint Employee Council familiarise themselves with the relevant changes to the Constitution.

All

(c) The Equality Act 2010

The Head of Human Resources and Organisational Development informed the Joint Employee Council of the Equality Act 2010, most of which will be implemented on 1st October 2010 with the remainder following in April 2011. The Act brings together nine major equality laws and approximately one hundred others with intention of simplifying and harmonising them.

The Council currently complies with existing legislation and it is not thought that major changes will be required to current policies, however, agreement was sought for the Head of Human Resources and the Branch Secretary of Unison to undertake to review the Council's policies and procedures to ensure compliance with the new Act.

RESOLVED that:

1. The report be noted.
2. Agreement be given for the Head of Human Resources and Organisational Development and the Branch Secretary of Unison to agree any changes to policy and procedures where this is confined to wording changes only, as detailed in Section 3.11.1 of the report, to ensure compliance by 1st October 2010.

3. Any of the Council's policies that require changes in wording to comply with the Equalities Act 2010 be recommended to Cabinet for approval.

HHR

(d) Paternity and Adoption Leave Policy

The Head of Human Resources and Organisational Development presented the draft Paternity and Adoption Leave Policy for consideration and agreement following consultation between the Employer and Employee Representatives.

A request to amend the policy had been proposed by the Employees Representatives which sought paid leave at the actual salary rate rather than statutory pay. However, the report raised concern regarding equality issues if paternity leave was paid at a greater rate than maternity leave. In addition, it was suggested that the terminology in Section 5 should read his/her, he/she given that the partner is not always male.

A copy of the draft policy was appended to the report.

RESOLVED that:

1. The report be noted.
2. A bench-marking exercise with other authorities in the area be undertaken to compare parity between paternity and maternity policies regarding paid leave and the outcome be discussed between the Employer and the Employees representatives.

HHR/Branch Secretary of Unison

3. The Paternity and Adoption Leave Policy be recommended to Cabinet, subject to the amount of payment for leave being agreed between Employer and Employee Representatives.

HHR/Branch Secretary of Unison

(e) Apprenticeship Programme Information

The Joint Employee Council received a report which outlined the options available for supporting apprenticeship opportunities within the local community. The Head of Human Resources and Organisational Development reported that within the Council's 'People Strategy and Workforce Development Plan', the Council has outlined its aim to identify and introduce apprenticeship opportunities across all Service areas over the coming years. Initially, there will be a trial of two apprenticeships: one in Vehicle Maintenance and one in Ground Maintenance.

In response to queries, the Head of Human Resources and Organisational Development advised that: there would be no promise of a permanent job at the end of the apprenticeship but every effort would be made to find a one; the current rate of pay for an apprentice is £114.00 per week; no departmental mentor for each Service area had yet been defined; the scheme would be available to everyone and not just school-leavers.

RESOLVED that the report be noted.

19. REPORT(S) OF UNISON, BASSETLAW LOCAL GOVERNMENT BRANCH

(a) Cycle to Work – Save Everyone Money!

The Branch Secretary of Unison presented a report which informed of a Government scheme that can save around half the cost of a bicycle and also save the Council money.

The scheme would enable the Council to loan bicycles and equipment to employees as part of their employment package. In return, each employee makes a 'salary sacrifice', (details were included in the report), with reduced tax and national insurance contributions while enjoying the benefit of cycling to work.

The Joint Employee Council were informed that employees in both the NHS in Sheffield and Sheffield City Council are already benefiting from the scheme.

RESOLVED that:

1. The report be received.
2. Further investigation be made into the prospect of the Council adopting the Government scheme to loan bicycles and cycling equipment to employees.

Branch Secretary of Unison

20. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RESOLVED that, in accordance with Part 1 of Schedule 12A of the Local Government Act 1972, and after considering the public interest test as set out by the officer in the body of the report, Members agree that the following items of business involve the likely disclosure of exempt information as defined in Paragraph 4, and, therefore, in accordance with Section 100A of the Act, the press and public be excluded from the meeting:

Agenda item 8(a) – Review of Agency Workers – Paragraph 4

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

21. REPORT(S) OF THE EMPLOYERS REPRESENTATIVES

(a) Review of Agency Workers

Members were updated on the use of agency workers for the period 1st April 2010 to 30th June 2010.

The Head of Human Resources and Organisational Development commented that the number of agency workers being used by the Council were now at an appropriate level and used only to cover for sickness, maternity leave and restructure purposes.

RESOLVED that the report be noted.

22. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

As there was no other urgent business to discuss, the Chairman closed the meeting.

MINUTES FOR ACTION AND IMPLEMENTATION SHEET

JOINT EMPLOYEE COUNCIL

21/09/10

FROM: Senior Democratic Services Officer TO: Head of Human Resources

The following decisions are brought to your attention for action by the appropriate Officers within your Service.

18. REPORT(S) OF THE EMPLOYER'S REPRESENTATIVES

b) Review of Joint Employee Council Constitution

RESOLVED that:

2. Members of the Joint Employee Council familiarise themselves with the relevant changes to the Constitution.

ALL

c) The Equality Act 2010

RESOLVED that:

2. Agreement be given for the Head of Human Resources and Organisational Development and the Branch Secretary of Unison to agree any changes to policy and procedures where this is confined to wording changes only, as detailed in Section 3.11.1 of the report, to ensure compliance by 1st October 2010.

HHR/Branch Secretary of Unison

3. Any of the Council's policies that require changes in wording to comply with the Equalities Act 2010 be recommended to Cabinet for approval.

HHR

d) Paternity and Adoption Leave Policy

RESOLVED that:

2. A bench-marking exercise with other authorities in the area be undertaken to compare parity between paternity and maternity policies regarding paid leave and the outcome be discussed between the Employer and the Employees representatives.

HHR/Branch Secretary of Unison

3. The Paternity and Adoption Leave Policy be recommended to Cabinet, subject to the amount of payment for leave being agreed between Employer and Employee Representatives.

HHR/Branch Secretary of Unison

9. REPORT(S) OF UNISON, BASSETLAW LOCAL GOVERNMENT BRANCH

a) Cycle to Work – Save Everyone Money!

RESOLVED that:

2. Further investigation be made into the prospect of the Council adopting the Government scheme to loan bicycles and cycling equipment to employees.

Branch Secretary of Unison

JOINT EMPLOYEE COUNCIL

Tuesday, 14th December 2010

OUTSTANDING MINUTES LIST

Members please note that the updated positions are shown in bold type following each item.
(HHR = Head of Human Resources, BSU = Branch Secretary of Unison, HRBM = Human Resources Business Manager)

<u>Min.</u> <u>No.</u>	<u>Date</u>	<u>Subject</u>	<u>Decision</u>	<u>Officer</u> <u>Responsible</u>
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None.

BASSETLAW DISTRICT COUNCIL

JOINT EMPLOYEE COUNCIL

14 DECEMBER 2010

REPORT OF THE HEAD OF HUMAN RESOURCES

APPEALS PROCEDURE

Cabinet: Policy
Contact: Len Hull
Ext. 4136

1. Public Interest Test

1.1 The author of this report Len Hull has determined that the report is not confidential.

2. Purpose of the Report

To present the new draft Appeals Procedure for consideration and agreement by members of the Joint Employee Council.

3. Background and Discussion

3.1 The existing employment policies and procedures of the Council provide for various appeal mechanisms, the majority of which referring to the Appeals Sub-Committee which no longer exists.

3.2 There is therefore a need to modernise the existing provisions, as part of the modernisation of all policies and procedures that the employer and employee representatives are jointly working on systematically.

3.3 The attached draft Appeals Procedure has been developed through this approach, and has been the subject of consultation and agreement with the employee representatives. The Procedure sets out clearly the process to follow in lodging an appeal, preparation prior to the appeal hearing, and the procedure that will be followed during the hearing itself, as well as the possible outcomes.

4. Implications

a) For service users

None

b) Strategic & Policy

As contained within the report.

c) Financial – Ref: 11/550

None arising from this report.

d) Legal – 361/12/10

The adoption of the attached draft Procedure will ensure that the Council's legal obligations in relation to the right of appeal for employees are met.

e) Human Resources

As contained within the report.

f) Community Safety, Equal Opportunity, Environmental

The attached draft procedure ensures that all employees are treated equally in relation to any relevant appeal they may wish to pursue. An Equality Impact Assessment will be carried out on the draft procedure before recommendation to Cabinet.

g) Whether this is a key decision, and if so the reference number.

Not applicable.

5. **Options, Risks and Reasons for Recommendations**

5.1 Option 1

To agree to recommend to Cabinet the draft Appeals Procedure as appended. This will ensure a consistent, clear procedure is applied in each relevant circumstance.

5.2 Option 2

To suggest amendments to the attached draft document.

6. **Recommendations**

6.1 To consider the attached draft document and approve Option 1 above, which is to agree to recommend to Cabinet the draft Appeals Procedure as appended.

Background Papers

Location

Appeals Procedure

1 Purpose and Scope of the Policy

1.1 This Procedure sets out the process which applies in the event that a case comes to appeal through any of the following procedures:

- ✦ Disciplinary Procedure
- ✦ Grievance Procedure
- ✦ Harassment and Bullying Policy and Procedure
- ✦ Capability Procedure
- ✦ Early Retirement Policy and Procedure
- ✦ Flexible Retirement Policy and Procedure
- ✦ Flexible Working Procedure
- ✦ Redundancy Procedure
- ✦ Requests to Work Beyond 65 Policy

1.2 This Procedure applies to all employees, excluding those employed on JNC terms and conditions of service (Chief Officers and Chief Executives) for whom a separate Appeals Procedure exists.

1.3 This process supersedes and replaces any previously agreed Appeals Procedures contained within the Policies and Procedures stated in 1.1 above. In the event that a statutory or discretionary right of appeal is given that is not explicitly stated in a Policy or Procedure, then this Procedure will be deemed to apply.

1.4 This Procedure does not apply to grading appeals or to appeals against the termination of employment during a probationary period, for which separate processes exist.

1.5 Nothing within this Policy will override prevailing employment legislation.

2 Principles

2.1 The guiding principle of this Appeals Procedure is to ensure fairness and effectiveness in decision making.

2.2 All sanctions will remain in place pending the outcome of an appeal.

2.3 The Appeals Panel will be free to impose any decision or sanction and will not be bound by an earlier hearing.

3 Procedure

3.1 Lodging an Appeal

3.1.1 An appeal must be submitted in writing to the Head of Human Resources and Organisational Development, within ten working days of the employee receiving written notification of the decision against which they wish to appeal. Appeals received outside of this time limit will not be considered.

3.1.2 The appeal must state whether the employee is appealing against:

- ✦ the severity of the penalty imposed;
- ✦ irregularities in the application of the procedure
- ✦ the existence of new relevant evidence which it was not reasonable practicable to present previously;
- ✦ the decision is perverse, in that it is not simply a decision with which the appellant disagrees, but is rather a decision which could not have been arrived at by any reasonable person/panel, having heard all the facts.

3.1.3 In addition, in the case of a grievance appeal, the employee must set out the desired outcome they are seeking. This is because the essence of a grievance is that the employee has a complaint which they want to be remedied.

3.2 Preparation for Appeal

3.2.1 The employee will be given notification of the appeal date at least eight working days in advance of the scheduled appeal. Any documents which are to be used at the hearing by either side should be provided to the nominated contact within Human Resources at the earliest opportunity, and in any case not less than five working days before the hearing.

3.2.2 If either side intends to call witnesses it is their responsibility to arrange this, and the names of any witnesses must be notified to the nominated contact within Human Resources at the earliest opportunity, and in any case not less than five working days before the hearing.

3.2.3 The documents, together with names of witnesses, will then be circulated to the Panel and to each side at least three working days prior to the scheduled appeal.

3.3 Roles and Responsibilities

3.3.1 The Appeals Panel shall comprise two members of the Management Team.

3.3.2 Advice at the hearing shall normally be provided by a member of the HR Team who has had no prior involvement in the case, or a member of the Legal Services Team. In circumstances where this is not possible, an alternative source of advice shall be provided.

3.3.3 The Chair of the Panel shall make arrangements for a note of the hearing to be taken.

- 3.3.4 The Officer presenting the management case at appeal should usually be the Officer who chaired the initial hearing/made the decision against which an appeal has been lodged.
- 3.3.5 The employee may be accompanied at the hearing by his or her trade union representative or work colleague. The person accompanying the employee may, at the discretion of the employee, present the employee's case. However, it is the employee's responsibility to answer any questions which may be put to them by the management representative or the Appeals Panel.
- 3.3.6 In any event where an employee or their representative fails to attend the Appeal Hearing, the Council reserves the right to proceed to hear the case in their absence. Where a representative, but not the employee, is present, the representative may present the employee's case either orally or in writing. Should neither representative nor employee attend the hearing, the written documents circulated by both parties will be used to establish the facts of the case, in order that the matter may be expedited.

3.4 Process

3.4.1 The process to be followed at an Appeals Hearing is set out in Appendix 1.

3.5 Outcomes

3.5.1 The Appeals Panel may:

- ✚ Uphold the appeal and nullify the decision made at the previous stage;
- ✚ Modify the decision made at the previous stage,
- ✚ Refer the matter back for a re-hearing,
- ✚ Direct re-instatement, re-engagement or other appropriate action;
- ✚ Dismiss the appeal.

APPEALS HEARING PROCESS

- 1 The Appeal Panel Chair shall manage the introduction process and explain the arrangements for the appeal.
- 2 The management representative shall state the management case in the presence of the employee and his/her representative and may call witnesses.
- 3 The employee or his/her representative shall have the opportunity to ask questions of the management representative and management witnesses.
- 4 The members of the Appeal Panel shall have the opportunity to question the management representative and management witnesses.
- 5 The employee or his/her representative shall present his/her case in the presence of the management representative and call witnesses.
- 6 The management representative shall have the opportunity to ask questions of the employee, his/her representative and the employee's witnesses. All questions directed towards the employee or witness should be answered by that person, not their representative.
- 7 The Chair of the Appeal Panel shall invite the management representative to sum up their case.
- 8 The Chair of the Appeal Panel shall invite the employee or his/her representative to sum up their case.
- 9 Both parties will be asked to withdraw whilst the Appeal Panel have the opportunity to deliberate the cases which have been presented to them.
- 10 Should a point of clarification be required both parties will be recalled not withstanding that only one party may be concerned with the point of clarification.
- 11 Once the Appeal Panel has reached a conclusion, both parties will be recalled to hear the decision. This will be confirmed to the employee in writing subsequently.

BASSETLAW DISTRICT COUNCIL

JOINT EMPLOYEE COUNCIL

14 DECEMBER 2010

REPORT OF THE HEAD OF HUMAN RESOURCES

PATERNITY AND ADOPTION LEAVE POLICY

Cabinet: Policy
Contact: Len Hull
Ext. 4136

1. Public Interest Test

- 1.1 The author of this report Len Hull has determined that the report is not confidential.

2. Purpose of the Report

To present the amendments to the Paternity Leave Policy and Adoption Leave Policy for information to the Joint Employee Council.

3. Background and Discussion

- 3.1 On the 22nd June 2010 and 21st September 2010 a draft Paternity and Adoption Leave Policy was presented and agreed at the JEC.
- 3.2 In April 2011 the legislation will change for those giving birth or adopting on or after the 3rd April 2011. To accommodate this change the Paternity and Adoption Leave Policies have been amended and updated and draft copies are attached.
- 3.3 The change in legislation will provide eligible employees with up to 26 weeks' additional paternity leave within the first year of their child's life provided that the mother has returned to work before using her full entitlement to maternity leave.
- 3.4 Additional paternity leave will also be available to adoptive parents within the first year after the child's placement for adoption, provided that the child's adopter who elected to take adoption leave (the "primary adopter") has returned to work before using his/her full entitlement to adoption leave.
- 3.5 Additional paternity leave must be taken as a single block in multiples of complete weeks, with the minimum period being two consecutive weeks and the maximum period being 26 weeks.
- 3.6 For eligible employees, any statutory pay due during additional paternity leave will be paid at a standard paternity leave rate, currently £124.88 per week, or at a rate equivalent to 90% of the employee's average weekly earnings if this figure is less than £124.88 per week.

3.7 It was also considered that Paternity Leave and Adoption Leave should be individual documents, hence the reason for two separate policies.

3.8 The draft Policies, which are attached at Appendix 1 and 2, are in accordance with current and future legislation and will ensure that paternity and adoption leave is applied consistently throughout the Council.

4. Implications

a) For service users

None

b) Strategic & Policy

As contained within the report.

c) Financial – Ref: 11/150

The current rate for statutory paternity and adoption leave is £124.88 per week and employees will be able to request additional paternity leave of a minimum period of two consecutive block weeks and a maximum period of 26 weeks. The Council is able to reclaim 92% of this pay therefore any payment would cost the Council a maximum of £19.98 for each employee taking this leave. This would be offset by the fact that an employee's normal salary would not be paid during this leave. However, depending on the amount of paternity leave taken and the post affected, services may need to backfill the post and this could incur costs over and above employee salaries. If this were the case these additional costs would be met from existing service budgets.

d) Legal – 357/12/10

As contained within the report.

e) Human Resources

As contained within the report.

f) Community Safety, Equal Opportunity, Environmental

An Equality Impact Assessment will be carried out on the draft procedures prior to presentation at Cabinet.

g) Whether this is a key decision, and if so the reference number.

Not applicable.

5. Options, Risks and Reasons for Recommendations

5.1 Option 1

To receive the updated Paternity and Adoption Leave Policies as appended. This will ensure that the Council manages leave requests in accordance with current and

future practice and legislation, and provides a mechanism for managers to ensure that the leave is applied fairly and consistently.

6. Recommendations

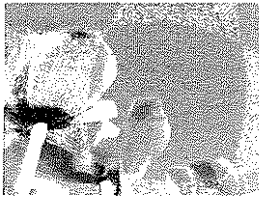
6.1 To receive the attached draft documents for information.

Background Papers

Location

Paternity and Adoption Leave (Amendment)
Regulations 2006

HR Service



PATERNITY LEAVE POLICY

1. Purpose and Scope of the Policy

- 1.1 This policy sets out the statutory rights and responsibilities of employees who wish to take paternity leave in accordance with the Paternity and Adoption Leave (Amendment) Regulations 2006.

2. Principles

- 2.1 The Council recognises that, from time to time, employees may have questions or concerns relating to their paternity or adoption rights. It is the Council's policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As the paternity leave provisions are complex, employees should clarify the relevant procedures with their Line Manager to ensure that they are followed.

3. Ordinary Paternity Leave

- 3.1 An employee whose wife, civil partner or partner gives birth to a child, or who is the biological father of the child, is entitled to two weeks' ordinary paid paternity leave provided that he/she has 26 weeks' continuous service by the end of the 15th week before the week in which the child is expected.
- 3.2 Ordinary paternity leave is also available to adoptive parents where a child is matched or newly placed with them for adoption. Either the adoptive father or the adoptive mother may take ordinary paternity leave where the other adoptive parent has elected to take adoption leave. A separate policy is available in respect of adoption leave. In respect of an adopted child, the employee must have 26 weeks' continuous service by the week in which the child's adopter is notified of having been matched with the child for adoption.
- 3.3 To qualify for ordinary paternity leave, the employee must also have, or expect to have, responsibility for the upbringing of the child and be making the request to help care for the child or to support the child's mother.
- 3.4 Ordinary paternity leave is granted in addition to an employee's normal annual holiday entitlement. Ordinary paternity leave must be taken in a

single block of one or two weeks within eight weeks of the birth or adoption of the child. If the child is born early, it must be taken from the time of the birth but within eight weeks of the expected date of childbirth. Ordinary paternity leave can start either from the date the child is born or placed for adoption or from a chosen number of days or weeks after that date.

4. Notification of Ordinary Paternity Leave

- 4.1 Where an employee wishes to request ordinary paternity leave in respect of a birth child, he/she must give his/her manager 15 weeks' written notice of the date on which his/her partner's baby is due, the length of ordinary paternity leave he/she wishes to take and the date on which he/she wishes the leave to commence. **Form A**
- 4.2 In the case of an adopted child, the employee must give written notice of his/her intention to take ordinary paternity leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency. The notice must specify the date the child is expected to be placed for adoption, the date the employee intends to start ordinary paternity leave, the length of the intended ordinary paternity leave period and the date on which the adopter was notified of having been matched with the child. **Form B**
- 4.3 If an employee subsequently wishes to change the timing of the ordinary paternity leave, he/she must give 28 days' written notice of the new dates. The employee must also, if so requested, complete and sign a self-certificate declaring that he/she is entitled to ordinary paternity leave and ordinary statutory paternity pay. **Form C**

5. Ordinary statutory paternity pay

- 5.1 Pay during ordinary paternity leave will be at a standard rate of £124.88 per week, or at a rate equivalent to 90% of the employee's average weekly earnings if this figure is less than £124.88 per week. However, employees whose average weekly earnings are below the lower earnings limit for national insurance contributions will not be eligible for ordinary statutory paternity pay.
- 5.2 Statutory paternity pay is treated as earnings and is therefore subject to PAYE and national insurance deductions.
- 5.3 Statutory paternity pay can start from any day of the week in accordance with the date the employee starts his/her paternity leave.

6. Additional paternity leave

- 6.1 Eligible employees may take up to 26 weeks' additional paternity leave within the first year of their child's life provided that the mother has returned to work before using her full entitlement to maternity leave.
- 6.2 Additional paternity leave is also available to adoptive parents within the first year after the child's placement for adoption, provided that the child's adopter who elected to take adoption leave (the "primary adopter") has returned to work before using his/her full entitlement to adoption leave.
- 6.3 The earliest that additional paternity leave can commence is 20 weeks after the date on which the child is born, or 20 weeks after the date of placement of the child for adoption, and it must end no later than 12 months after that date. Additional paternity leave must be taken as a single block in multiples of complete weeks. The minimum period is two consecutive weeks and the maximum period is 26 weeks.
- 6.4 Additional paternity leave will generally commence on the employee's chosen start date specified in his/her leave notice, or in any subsequent variation notice (see "Notification of additional paternity leave" below).
- 6.5 During the period of additional paternity leave, the employee's contract of employment continues in force and he/she is entitled to receive all his/her contractual benefits, except for salary. In particular, any benefits in kind (such as life assurance, private medical insurance, permanent health insurance, private use of a company car, laptop, mobile phone and gym membership) will continue and contractual annual leave entitlement will continue to accrue.
- 6.6 Salary may be replaced by statutory paternity pay for some of the additional paternity leave period if the employee is eligible to receive it. The remaining period of additional paternity leave is unpaid.
- 6.7 Pension contributions will continue to be made during any period when the employee is receiving statutory paternity pay but not during any period of unpaid additional paternity leave. Employee contributions will be based on actual pay, while employer contributions will be based on the salary that the employee would have received had he/she not gone on additional paternity leave.
- 6.8 Employees are encouraged to take any outstanding annual leave due to them before the commencement of additional paternity leave. Employees are reminded that holiday must be taken in the year that it is earned and therefore if the holiday year is due to end during additional paternity leave, the employee should take his/her outstanding entitlement before starting his/her additional paternity leave.

7. Eligibility for additional paternity leave

7.1 In order to be eligible for additional paternity leave, an employee must satisfy each of the following criteria:

- He/she must be the father of the child or married to, the civil partner of, or the partner of, the child's mother, married to, the civil partner of, or the partner of, the primary adopter, and, in the case of a birth child, expect to have the main responsibility for the upbringing of the child (apart from the mother's responsibility). In the case of adoption, he/she must have been matched with the child for adoption. In both cases, he/she must be taking the leave to care for the child.
- He/she must have a minimum of 26 weeks' service, as at the end of the 15th week before the week in which the child is due to be born or, in respect of an adopted child, as at the end of the 15th week before the week in which he/she was notified of having been matched with the child.
- He/she must remain in continuous employment until the week before the first week of additional paternity leave.
- The mother of the child must be entitled to one or more of maternity leave, statutory maternity pay or maternity allowance. In the case of adoption, the primary adopter must be entitled to one or both of adoption leave or statutory adoption pay. The mother or primary adopter must have returned to work and forfeited a portion of his/her maternity or adoption leave.

8. Notification of additional paternity leave

8.1 Where an employee wishes to request additional paternity leave and pay, he/she must give his/her manager eight weeks' written notice of the date on which he/she wishes to take the leave and, if applicable, additional statutory paternity pay to commence. The request form must be in writing and specify, in the case of a birth child, the date on which the child was expected to be born and the actual date of birth or, in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the date of placement for adoption. In both cases, the notice must also specify the employee's name and intended start date and end date of additional paternity leave and statutory paternity pay. **Form D**

8.2 The employee must also submit a written and signed self-certification form not less than eight weeks before the proposed start date of additional paternity leave and pay stating that the purpose of the additional paternity leave/statutory paternity pay period is to care for the child and that he/she satisfies the relationship eligibility conditions for additional paternity leave and pay. **Form E**

8.3 At the same time, the mother or primary adopter must submit a written and signed declaration form stating:

- his/her name, address and national insurance number;

- the date that he/she intends to return to work;
- that he/she has given notice to his/her employer of returning to work;
- that he/she is entitled to statutory maternity pay, maternity allowance or statutory adoption pay;
- the start date of his/her maternity or adoption pay period;
- confirmation that the employee satisfies the relationship eligibility conditions;
- that he/she consents to the Council processing the information contained in the declaration form; and
- that the employee is to his/her knowledge the sole applicant for additional statutory paternity pay and, in the case of a birth child, also that the employee is to his/her knowledge the only person exercising the entitlement to additional paternity leave in respect of the child.

8.4 On request by the Council, the employee must produce the name and business address of the mother's or primary adopter's employer and a copy of the child's birth certificate or, in the case of an adopted child, evidence of the name and address of the adoption agency, the date on which he/she was notified of having been matched with the child and the date on which the agency expects to place the child for adoption. The employee must supply this information within 28 days of it being requested.

8.5 The employee is permitted to bring forward his/her additional paternity leave start date, provided that he/she advises the Council in writing at least six weeks before the new start date or, if that is not possible, as soon as reasonably practicable. The employee may also postpone his/her additional paternity leave start date, or cancel his/her additional paternity leave altogether, provided that he/she advises the Council in writing at least six weeks before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

8.6 The Council will formally respond in writing to the employee's notification of his/her additional paternity leave plans within 28 days, confirming the relevant start and end dates of additional paternity leave and pay.

9. Additional statutory paternity pay

9.1 Additional statutory paternity pay may be payable during some of additional paternity leave. An employee is entitled to additional statutory paternity pay if:

- he/she is the father of the child or married to, the civil partner of, or the partner of, the child's mother, married to, the civil partner of, or the partner of, the child's primary adopter, and, in the case of a birth child, expects to have the main responsibility for the upbringing of the child (apart from the mother's responsibility) or, in the case of adoption, has been matched with the child for adoption, and in either case intends to care for the child during the additional statutory paternity pay period;

- he/she has a minimum of 26 weeks' service, as at the end of the 15th week before the week in which the child is due to be born or, in respect of an adopted child, as at the end of the 15th week before the week in which he/she was notified of having been matched with the child (the "relevant week");
 - he/she remains in continuous employment until the week before the additional statutory paternity pay period begins;
 - his/her average weekly earnings for the period of eight weeks ending with the relevant week are not less than the lower earnings limit for national insurance contributions;
 - the mother is entitled to statutory maternity pay or maternity allowance or, in the case of adoption, the primary adopter is entitled to statutory adoption pay, and the mother or primary adopter has returned to work before his/her full entitlement to statutory maternity pay/maternity allowance/statutory adoption pay has been exhausted;
 - the mother or primary adopter has at least two weeks of his/her maternity or adoption pay period that remains unexpired; and
 - he/she gives proper notification in accordance with the rules set out above.
- 9.2 Any statutory paternity pay due during additional paternity leave will be paid at a standard rate of £124.88 per week, or at a rate equivalent to 90% of the employee's average weekly earnings if this figure is less than £124.88 per week.
- 9.3 Statutory paternity pay is payable whether or not the employee intends to return to work after his/her additional paternity leave.
10. Contact during additional paternity leave
- 10.1 Shortly before an employee's additional paternity leave starts, the manager will discuss the arrangements for him/her to keep in touch during his/her leave, should he/she wish to do so. The Council reserves the right in any event to maintain reasonable contact with the employee from time to time during his/her additional paternity leave. This may be to discuss the employee's plans for return to work, to discuss any special arrangements to be made or training to be given to ease his/her return to work or simply to update him/her on developments at work during his/her absence.
11. Keeping-in-touch days during additional paternity leave
- 11.1 An employee can agree to work for the Council (or to attend training) for up to 10 days during additional paternity leave without that work bringing the period of his/her additional paternity leave to an end and without loss of a week's statutory paternity pay. These are known as "keeping-in-touch" days. Any work carried out on a day shall constitute a day's work for these purposes.
- 11.2 The Council has no right to require the employee to carry out any work, and the employee has no right to undertake any work, during his/her additional paternity leave. Any work undertaken, including the amount of

salary paid for any work done on keeping-in-touch days, is entirely a matter for agreement between the Council and the employee. Any keeping-in-touch days worked do not extend the period of additional paternity leave. Once the keeping-in-touch days have been used up, the employee will lose a week's statutory paternity pay for any week in which he/she agrees to work for the Council. It may also bring the additional paternity leave period to an end.

12. Returning to work after additional paternity leave

12.1 The employee will have been formally advised in writing by the Council of the end date of his/her additional paternity leave. The employee is expected to return on the next working day after this date, unless he/she notifies the Council otherwise. If he/she is unable to attend work at the end of additional paternity leave due to sickness or injury, the Council's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

12.2 If the employee wishes to return to work earlier than the expected return date, he/she must give the Council at least six weeks' notice of his/her date of early return, preferably in writing. If he/she fails to do so, the Council may postpone his/her return to such a date as will give the Council six weeks' notice, provided that this is not later than the expected return date.

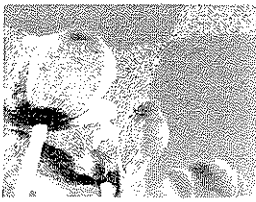
12.3 If the employee decides not to return to work after additional paternity leave, he/she must give notice of resignation as soon as possible and in accordance with the terms of his/her contract of employment. If the notice period would expire after additional paternity leave has ended, the Council may require the employee to return to work for the remainder of the notice period.

13. Rights on and after return to work

13.1 On resuming work after both ordinary and additional paternity leave (in the latter case where it was an isolated period of leave or taken with certain other types of statutory leave), the employee is entitled to return to the same job as he/she occupied before commencing paternity leave on the same terms and conditions of employment as if he/she had not been absent or, if this is not reasonably practicable, to another job that is both suitable and appropriate for him or her to do

14. Adoptions from overseas

14.1 If an employee has adopted a child from overseas, he/she may still be entitled to additional adoption leave provided again that the primary adopter has returned to work before using his/her full entitlement to adoption leave. Special rules apply in these circumstances. For further information, please contact the HR Service.



ADOPTION LEAVE POLICY

1. Purpose and Scope of the Policy

- 1.1 This policy sets out the statutory rights and responsibilities of employees who wish to take adoption leave in accordance with the Paternity and Adoption Leave (Amendment) Regulations 2006.

2. Principles

- 2.1 The Council recognises that, from time to time, employees may have questions or concerns relating to their adoption rights. It is the Council's policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As the adoption leave provisions are complex, employees should clarify the relevant procedures with their Line Manager to ensure that they are followed.

3. Entitlement to adoption leave

- 3.1 The employee must satisfy the following criteria:

- He or she must be the child's adopter (or where the adoption is by a couple, the person who has chosen to take adoption leave in respect of the child).
- He or she must have a minimum of 26 weeks' continuous service with the Council, either ending with the week in which the official notification was received or commencing with the week in which his or her employment with the Council began. (As the official notification may be received a year or more before the child enters Great Britain, and the employee may have changed jobs in the intervening period, the law permits qualification for adoption leave once the employee has completed 26 weeks' continuous service with his or her current employer. The 26-week period can, therefore, be completed either before the official notification is received or before the leave is due to begin.)
- He or she must comply, in writing if so requested, with the notice requirements specified by the Regulations. Within 28 days of receipt of the official notification (or of the date on which he or she completes 26 weeks' continuous service with the Council if this is later), the employee must inform the Council of the date on which the official notification was received and the date on which the child is expected to enter Great Britain. He or she must then provide at least 28 days' notice of the date on which

- the period of adoption leave is to begin, and within 28 days of the child's entry into Great Britain inform the Council of the date the entry occurred.
- If requested the employee must provide the Council with a copy of the official notification and evidence of the date of the child's entry into Great Britain.
- 3.2 If the child's placement is terminated during the employee's adoption leave, he or she will continue to be entitled to adoption leave and pay (if applicable) for up to eight weeks after the placement ends. In many cases where no notice of the termination of the placement is given this will effectively mean the employee should notify the Council of his or her early return on the day the placement ends.
- 3.3 An employee who adopts a child through an approved adoption agency is entitled to up to 52 weeks' adoption leave provided that he/she has at least 26 weeks' continuous service calculated as at the week in which notification of matching is given by the adoption agency.
- 3.4 An employee who adopts a child from overseas and has received "official notification" in respect of that child is entitled to a period of adoption leave provided that he/she has at least 26 weeks' continuous service, ending with the week in which the official notification was received or starting with the week in which his/her employment with the Company began.
- 3.5 An official notification is defined as written notification, issued by or on behalf of the "relevant domestic authority", that it is prepared to issue, or has already issued and sent, a certificate to the overseas authority concerned with the child's adoption, confirming that the adopter is eligible to adopt and has been assessed and approved as being a suitable adoptive parent.
- 3.6 The employee's entitlement is to take up to 26 weeks' ordinary adoption leave followed immediately by up to 26 weeks' additional adoption leave. The employee's maximum entitlement is thus to take up to 52 weeks' adoption leave.
- 3.7 All employees who take adoption leave have the right to return to work at any time during either ordinary adoption leave or additional adoption leave subject to their following the correct notification procedures as set out below.
4. Who qualifies for statutory adoption pay and how much will it be
- 4.1 Employees who qualify for adoption leave will also qualify for statutory adoption pay provided that their average weekly earnings are not less than the lower earnings limit for national insurance contributions. Statutory adoption pay is payable for up to 39 weeks at a rate set by the Government for the relevant tax year, or at 90% of the employee's average

weekly earnings, if this figure is lower than the Government's set weekly rate.

- 4.2 Statutory adoption pay is treated as earnings and is therefore subject to PAYE and national insurance deductions.

5. Timing of Adoption Leave

- 5.1 Adoption leave can start on the day the child is placed for adoption, or up to 14 days earlier.
- 5.2 For adoptions of a child who enters Great Britain this can be on a chosen date no later than 28 days after the child enters Great Britain.
- 5.3 In order to make administration as easy as possible, the employee should discuss the timing of his/her adoption leave with his/her immediate manager as early as possible.

6. Notice requirements (adoption within the UK)

- 6.1 In order to be entitled to take adoption leave and receive statutory adoption pay, the employee is required to give their manager written notification of his/her intention to take adoption leave no later than seven days after the date on which notification of the match with the child was provided by the adoption agency. Notice, which must be in writing if the Council requests it, must specify the date the child is expected to be placed with the employee for adoption and the date the employee intends his/her adoption leave to start.
- 6.2 The employee is permitted to bring forward his/her adoption leave start date, provided that he/she advises the Council in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable. The employee may also postpone his/her adoption leave start date, provided that he/she advises the Council in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable. The employee must also, if the Council requests it, provide evidence of entitlement to adoption leave and pay by producing a "matching certificate" from the adoption agency.
- 6.3 Any failure to give proper notice of an intention to start adoption leave will be regarded as a disciplinary offence, leading potentially to disciplinary sanctions for misconduct if appropriate.
- 6.4 Within 28 days of receiving the employee's notice of intention to take adoption leave, the Council will write to the employee confirming the latest date on which the employee must return to work after adoption leave.

7. Notice requirements (adoption from overseas)

- 7.1 In order to be entitled to take adoption leave and receive statutory adoption pay, the employee is required to give the Council written notification of his/her intention to take adoption leave. No later than 28 days after the date he/she receives the official notification, or the date on which he/she completes 26 weeks' continuous service with the Council (whichever is later), he/she must give notice of both the date the official notification was received and the date the child is expected to enter Great Britain.
- 7.2 At least 28 days prior to the date that he/she has chosen as the beginning of his/her adoption leave period, he/she must give notice of the chosen start date, and a declaration that he/she has chosen to receive statutory adoption pay and not statutory paternity pay (adoption). He/she must also produce a copy of the official notification.
- 7.3 Within 28 days of the child's entry into Great Britain the employee must inform the Council of the date of entry and provide evidence of this date in the form of a plane ticket or copies of entry clearance documents.
- 7.4 The employee is permitted to bring forward his/her adoption leave start date, provided that he/she advises the Council in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable. The employee may also postpone his/her adoption leave start date, provided that he/she advises the Council in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable.
- 7.5 Any failure to give proper notice of an intention to start adoption leave will be regarded as a disciplinary offence, leading potentially to disciplinary sanctions for misconduct if appropriate.
- 7.6 Within 28 days of receiving the employee's notice of the date on which he/she intends to begin his/her adoption leave, the Council will write to the employee confirming the latest date on which the employee must return to work after adoption leave. Where the employee has provided notice of a revised start date, within 28 days of the date on which the employee's adoption leave period began, the Employer will write to the employee confirming the latest date on which the employee must return to work after adoption leave.

8. Rights during adoption leave

- 8.1 During ordinary adoption leave and additional adoption leave, all terms and conditions of the employee's contract except normal pay will continue. Salary will be replaced by statutory adoption pay if the employee is eligible for it.

8.2 This means that, while sums payable by way of wages or salary will cease, all other benefits will remain in place. For example, holiday entitlement will continue to accrue and pension contributions will continue to be paid.

8.3 Employees are encouraged to take any outstanding holiday due to them before the commencement of adoption leave. Employees are reminded that holiday must be taken in the year that it is earned.

9. Contact during adoption leave

9.1 The Council reserves the right to maintain reasonable contact with employees during adoption leave. This may be to discuss employees' plans for return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or to update them on developments at work during their absence.

10. Keeping-in-touch days

10.1 Employees can agree to work for the Council (or to attend training) for up to 10 days during their adoption leave without that work bringing their adoption leave to an end and without loss of a week's statutory adoption pay. These are known as "keeping-in-touch" days. Any work carried out on a day shall constitute a day's work for these purposes.

10.2 The Council has no right to require employees to carry out any work and employees have no right to undertake any work during their adoption leave. Any work undertaken, and the amount of salary paid for any work done on keeping-in-touch days, is entirely a matter for agreement between the employee and the Council.

11. Returning to work after adoption leave

11.1 The employee may return to work at any time during ordinary adoption leave or additional adoption leave, provided that he/she gives the appropriate notification. Alternatively, the employee may take his/her full period of adoption leave entitlement and return to work at the end of this period. If the employee wishes to return before the full period of adoption leave has elapsed, he/she must give at least eight weeks' notice in writing to the Council of the date on which he/she intends to return.

11.2 The employee has the right to resume working in the same job if returning to work from ordinary adoption leave. If the employee returns to work after a period of additional adoption leave, he/she is entitled to return either to the same job, or if this is not reasonably practicable, to another suitable job that is on terms and conditions not less favourable.

- 11.3 Failure to return to work by the end of adoption leave will be treated as an unauthorised absence unless the employee is sick and produces a current medical certificate before the end of the adoption leave period.
- 11.4 If the employee decides during adoption leave that he/she does not wish to return to work, he/she should give written notice of resignation to the Council as soon as possible and in accordance with the terms of his/her

FORM A – REQUEST FOR ORDINARY PATERNITY LEAVE

Name:

Job Title:

Service:

Date of Commencement of Employment with BDC:

I hereby give notice of my intention to take one week's/two weeks' (delete as appropriate) paid ordinary paternity leave from [date] to [date].

The leave requested relates to the birth of a baby which is due on [date].

Employees Signature:

Date:

Please return to your Line Manager at least 15 weeks before the expected week of the child's birth.

(Note to Line Manager – please acknowledge using Letter 1 and copy to HR Service and Salaries Unit)

**FORM B – REQUEST FOR ORDINARY ADOPTION
LEAVE**

Name:

Job Title:

Service:

Date of Commencement of Employment with BDC:

I hereby give notice of my intention to take one week's/two weeks' (delete as appropriate) paid paternity leave from [date] to [date].

I confirm that the leave requested relates to the adoption of a child.

The date on which my wife and I were/my husband and I were/my civil partner was/my partner was (delete as appropriate) notified by the adoption agency of having been matched with the child was [date].

The date on which the child is expected to be placed for adoption is [date].

Employees Signature:

Date:

Please return to your line manager no later than seven days after the date on which notification of the match with the child was given by the adoption agency.

(Note to Line Manager – please acknowledge using Letter 1 and copy to HR Service)

FORM C – REQUEST TO VARY DATES OF ORDINARY PATERNITY LEAVE

Name:

Job Title:

Service:

Date of Commencement of Employment with BDC:

I previously notified you that I wished to take a period of one week's/two weeks' (delete as appropriate) paid ordinary paternity leave from [date] to [date]. I now wish to vary these arrangements. Instead of the above, I would like to take one week's/two weeks' (delete as appropriate) ordinary paternity leave from [date] to [date]. The leave requested relates to the [birth of my baby which is due on [date] / adoption of a child on [date]].

Employees Signature:

Date:

Please return to your Line Manager at least 28 days prior to the date on which you now wish to start your ordinary paternity leave.

(Note to Line Manager – please acknowledge using Letter 1 and copy to HR Service)

FORM D – REQUEST TO ADDITIONAL PATERNITY LEAVE IN RESPECT OF A BIRTH CHILD

Name of employee:	
Job Title:	
Name of child's mother:	
Address of mother:	
Mother's national insurance number:	

I have now given notice to my employer that I am returning to work from my maternity leave and the relevant details are as follows:

I became entitled, by reference to becoming pregnant with my child, to either statutory maternity pay or a maternity allowance.	
The start date of my statutory maternity pay period, or my maternity allowance period, in respect of my child was:	
I intend to return to work from my maternity leave on:	

I confirm that the employee named above is (please tick one box):	
My child's father	<input type="checkbox"/>
Not my child's father, but my spouse, partner or civil partner	<input type="checkbox"/>

In addition, I confirm that (please tick each box):	
He/she has, or expects to have, the main responsibility (apart from my responsibility) for the upbringing of my child	<input type="checkbox"/>
The employee is, to my knowledge, the only person exercising the entitlement to additional paternity leave, and is the sole applicant for additional statutory paternity pay, in respect of my child	<input type="checkbox"/>

I consent to the Company processing such of my information as is contained in this form.

Signed:	Date:
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Notes

To qualify for additional paternity leave and pay, the employee must return this form to their manager not less than eight weeks before the start date chosen by him/her for additional paternity leave and pay.

A partner is a person, whether of a different sex or the same sex, who lives with the mother and the child in an enduring family relationship but is not a relative of the mother. A "relative" for these purposes includes the mother's parents, grandparents, sisters, brothers, aunts and uncles.

FORM E – SELF CERTIFICATION FORM

Name of employee:	
Job Title:	
Date of commencement of employment:	
Address of mother:	
In respect of my written request to take additional paternity leave, and to receive additional statutory paternity pay (if applicable), dated [date], I confirm that (please tick one box):	
I have now given notice to my employer that I am returning to work from my maternity leave and the relevant details are as follows:	
I became entitled, by reference to becoming pregnant with my child, to either statutory maternity pay or a maternity allowance.	
I am the child's father	
I am not the child's father, but am married to, the partner or the civil partner of the child's mother	
In addition, I confirm that (please tick each box):	
I have, or expect to have, the main responsibility (apart from the mother's responsibility) for the upbringing of the child	
The purpose of the period of my additional paternity leave will be to care for the child, and I intend to care for the child during the additional statutory paternity pay period	
The information that I have provided in my written request to take additional paternity leave, and to receive additional statutory paternity pay (if applicable), dated [date] is correct	
Signed:	Date:
Notes	
<p>To qualify for additional paternity leave and pay, you must return this form to your manager not less than eight weeks before the start date chosen by him/her for additional paternity leave and pay.</p> <p>A partner is a person, whether of a different sex or the same sex, who lives with the mother and the child in an enduring family relationship but is not a relative of the mother. A "relative" for these purposes includes the mother's parents, grandparents, sisters, brothers, aunts and uncles.</p>	

FORM 1 – REQUEST FOR ADOPTION LEAVE

Name:

Job Title:

Service:

Date of Commencement of Employment with BDC:

I hereby give notice that I intend to take adoption leave commencing on [date].

The date on which my child is expected to be placed for adoption is [date].

The date on which I was notified by the adoption agency of having been matched with the child was [date].

I intend to return to work after my adoption leave.

Employees Signature:

Date:

Please return to your Line Manager no later than 7 days after the date on which notification of the match with the child was given to you by the adoption agency.

FORM 2 – REQUEST TO VARY DATES OF ADOPTION LEAVE

Name:

Job Title:

Service:

Date of Commencement of Employment with BDC:

I previously notified you that I wished to commence my adoption leave on []. I wish now to vary this date. Instead of commencing my adoption leave on the above date, I would like to start my leave on [date].

The leave requested relates to the adoption of a child which is due to be placed with me for adoption on [date].

Employees Signature:

Date:

Please return to your Line Manager at least 28 days prior to the new start date on which you now wish to start your adoption leave.

