Dear Sir/Madam,

The Cabinet Member for Central Services (Councillor J.A. Jackson) is to consider the following report and make a decision on Wednesday, 25th April, 2012, at 6.00 p.m. in Interview Room D, Town Hall, Nuneaton.

Yours faithfully,

ALAN FRANKS
Managing Director

INDIVIDUAL CABINET MEMBER DECISION

A G E N D A

PART 1
PUBLIC BUSINESS

1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside the Yorkshire Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.
2. **PUBLIC CONSULTATION** - Members of the public will be given the opportunity to speak on specific agenda items if notice has been received.

3. **DECLARATIONS OF INTEREST** - To receive declarations of personal/prejudicial interests in accordance with the Members' Code of Conduct.

   **Note:** Following the adoption of the new Code of Conduct, members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a prejudicial interest the member must withdraw from the room unless dispensation has been given by the Standards Committee.

4. **HUMAN RESOURCES POLICY DOCUMENTS** - report of the Head of Human Resources attached (Page 3).
Date: 25 April 2012
Subject: Human Resources Policy Documents
Portfolio: Central Services (Councillor J. Jackson)
From: Head of Human Resources

Summary: To seek approval of a number of Human Resources Policy Documents.

Recommendations
1. That the following Human Resources Documents be approved:
   - Business Mileage and Subsistence Policy (Appendix A)
   - Car User Criteria (Appendix B)
   - Maternity Policy (Appendix C)
   - Paternity Policy (Appendix D)

2. That the Pay Policy Statement (Appendix E) be approved and referred to Council for ratification.

Reasons: To ensure that the Council complies with employment legislation and good practice by providing clear, concise and up to date Human Resources documentation to assist consistency across the Council.

Options:
1. Accept the recommendations
2. Approve some Human Resources documentation. This may result in the Council not complying with employment legislation and good practice which may produce inconsistency in approach across the Council
3. Not approve any of the Human Resources documentation. This may also result in the Council not complying with employment legislation and good practice which may produce inconsistency in approach across the Council.
<table>
<thead>
<tr>
<th>Subject to call-in:</th>
<th>Yes</th>
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<tbody>
<tr>
<td>Forward plan:</td>
<td>No</td>
</tr>
<tr>
<td>Corporate priorities:</td>
<td>Aim 4 priority 3</td>
</tr>
<tr>
<td>Relevant statutes or policy:</td>
<td>General Employment Legislation and the Localism Act 2011.</td>
</tr>
</tbody>
</table>

**Equal Opportunity Implications:**
All Human Resource policies must have a consistent approach to allow the inclusion of all employees. An equalities impact assessment has been undertaken and the recommended amendments have been made. This process ensures that there are no inequalities by the introduction of the documentation.

The introduction of the Human Resources documentation will assist consistency in approach across the Council.

**Financial Implications:**
None

**Health Inequalities Implications:**
None

**Risk Management Implications:**
None

**Environmental Implications:**
None

**Legal implications:**
None

**Contact details:**
Paul Lynch - Head of Human Resources  
Tel. No.: 02476376190  
paul.lynch@nuneatonandbedworth.gov.uk
1. **Purpose of the Report**

1.1 To present and seek approval of a number of new and revised Human Resources Policy Documents.

2. **Recommendation**

2.1 That the following Human Resources Documents be approved:

- Business Mileage and Subsistence Policy (Appendix A)
- Car User Criteria (Appendix B)
- Maternity Policy (Appendix C)
- Paternity Policy (Appendix D)

2.2 That the Pay Policy Statement (Appendix E) be approved and referred to Council for ratification.

3. **Background**

3.1 The development and review of Human Resources policy documentation provides a framework to assist a consistent approach across the Council and enhance the equalities agenda. An equalities impact assessment has been undertaken to assess the potential equalities impact the policy documentation may have upon the workforce.

3.2 The provision of good quality documentation promotes and develops good Employee Relations with Trade Union Representatives.

4. **Policy Documents**

4.1 **Business Mileage and Subsistence Policy (Appendix A)**

In August 2011, an internal audit report recommended that a Business Mileage and Subsistence Policy be developed and issued to all employees.
This policy has been produced to ensure that all employees submit accurate, timely and appropriate business mileage and subsistence claims.

4.2 **Car User Criteria (Appendix B)**

In March 2012, the Council implemented Single Status and removed the Essential Car User Allowance and changed the Business Mileage Rates.

This criteria has been produced to ensure that there is a consistent approach across the Council in determining car user classification.

4.3 **Maternity Policy (Appendix C)**

This Policy has been reviewed and updated to reflect current legislation in terms of statutory maternity pay and allowances.

4.4 **Paternity Policy (Appendix D)**

This Policy has been reviewed and updated to reflect current legislation in terms of statutory paternity pay and conditions.

4.5 **Pay Policy Statement (Appendix E)**

In accordance with Section 38 of the Localism Act 2011, the Council is required to produce and advertise a Pay Policy Statement relating to the remuneration of all employees.

This statement satisfies the requirements of the act and shall be subject to ratification by Council.

5. **Consultation**

5.1 Appropriate consultation has been undertaken with the Council’s Corporate and Extended Management Teams and the relevant Trade Union Representatives on the five policies. In addition, this report and the 6 documents have been brought to the attention of all staff so that they may make any comments or views.

6. **Conclusion**

6.1 The Human Resources Service regularly produces, reviews and amends policy documentation where necessary to conform to changes in employment legislation and best practice.

6.2 The provision of appropriate Human Resources Strategies, Policies and Procedures will assist consistency across the Council and promote good Employee Relations with the Trade Unions.

Paul Lynch
Head of Human Resources
Business Mileage and Subsistence Policy

Issued by Human Resources
April 2012

EMP. 34
NUNEATON & BEDWORTH BOROUGH COUNCIL

Business Mileage and Subsistence Policy

Quality Record

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<th>Date</th>
<th>Comments</th>
<th>Agreed</th>
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<td>19 March 2012</td>
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This document is available in larger print.

Please contact Human Resources for a larger copy.
NUNEATON & BEDWORTH BOROUGH COUNCIL

BUSINESS MILEAGE AND SUBSISTENCE POLICY

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<td>5. Parking Charges</td>
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Nuneaton and Bedworth Borough Council

Business Mileage and Subsistence Policy

1. Introduction

1.1 This policy applies to all employees, including temporary staff, casuals and agency workers, who incur reasonable and necessary expenses whilst travelling on authorised Council business. This policy does not apply to contractors or Elected Members.

1.2 The purpose of this policy is to provide clarity on the mileage, subsistence and related expenditure that can be claimed. Failure to comply with this policy may result in disciplinary action.

1.3 The objective is to ensure that all employees are treated fairly and consistently, and are not discriminated against any personal characteristics they have.

2. Business Mileage Claims

2.1 Business mileage is any official journey to enable the person to carry out the duties for which they are employed.

2.2 Employees travelling from home to a place of work other than their normal place of work (and vice versa) will be reimbursed for the actual mileage travelled less their commuting mileage. Commuting mileage is any travel from home to your normal place of work.

2.3 When travel on behalf of the Authority is necessary, it is the employee’s responsibility to use the most cost effective mode of travel. This could be by car, bus, train or taxi.

2.4 Where an employee works at home on a discretionary basis but is called out to attend an urgent job the rule at 2.2 still applies. Only if the day in question is a non-working day (eg Saturday, Bank Holiday, or a weekday when a part time person does not normally work) would it possible to claim the whole mileage.

2.5 Employees must use the most reasonable direct route to travel between places. In this context, reasonable takes account the quality, safety and timeliness of the route.

2.6 Where more than one employee is attending the same destination, they must car share whenever it is feasible to do so.

2.7 All claims must be submitted on a timely basis using the Transforms system on CLIP, particularly at the end of the financial year. Detailed guidelines on how to make a claim is available on the Transforms system using the hyperlink at the top of the electronic claim form.
3. **VAT**

3.1 All business mileage claims must be supported by a valid VAT receipt, standard receipts are not acceptable. The receipt must:

- Show the date, VAT rate, description of the goods and the VAT number and name and address of the supplier
- Pre-date the business journey(s)
- Evidence the purchase of sufficient fuel to cover the number of business miles being claimed, in some cases, it may be necessary to have more than one receipt
- Be retained in a secure place by the claimant, the claim ID reference number must be recorded on the receipt to enable them to be cross checked.

4. **Insurance, Driving Licences and MOT Certificates**

4.1 If you are using your own car for business purposes, you must ensure that your motor insurance specifies use in connection with your business or profession. You must have a valid driving licence, a current MOT certificate if appropriate and ensure that your vehicle is maintained in a roadworthy condition.

5. **Parking Charges**

5.1 When you are away from your normal place of work and incur a parking fee, you may reclaim this as part of your business expenditure on production of a receipt. However, parking fines will not be reimbursed.

6. **Speeding Offences and other Infringements**

6.1 Nuneaton and Bedworth Borough Council will not be responsible for any fines incurred for traffic offences. If the offence results in the loss of your driving licence this must be reported immediately to your line manager. Committing a traffic offence whilst on official business that impacts on your ability to carry out the full duties of your job role may result in formal action through the Dismissal and Disciplinary Policy.

7. **Subsistence Payments**

7.1 Subsistence payment is not an allowance but a reimbursement of expenses. The cost of purchase of breakfast, lunch or evening meal will be reimbursed, up to the value stipulated, subject to evidence of the expenditure being incurred. Payment cannot be made without receipts and no payment will be made for the purchase of alcoholic drinks.

7.2 Subsistence payments are only made to officers who are prevented by their official duties from taking a meal at home or where they normally take their meals in the workplace. Payment will be reimbursed for the amount actually incurred in line with subsistence rates at 7.9. Receipts must be produced.
7.3 Payment cannot be made where a meal is provided free of charge.

7.4 In exceptional circumstances, and only with the authorisation of an Assistant Director or above, a sum higher than the subsistence ceiling may be claimed if substantiated by receipts.

7.5 **Breakfast payment**
- The employee must be absent from their normal workplace for a period in excess of 4 hours commencing before 7.00 am.

7.6 **Lunch payment**
- The employee must be absent from their normal workplace for a period in excess of 4 hours, including the lunchtime, 12 noon to 2.00 pm.

7.7 **Evening meal payment**
- The employee must be absent from his/her normal workplace for a period in excess of 4 hours ending after 7.00 pm.

7.8 In exceptional circumstances subsistence may be paid for expenses that are not covered in paragraphs 7.5 – 7.7. This payment would be at the discretion of the line manager and may be subject to tax and national insurance.

7.9 The maximum amount that can be claimed is as follows (but see 7.4 above):

- Breakfast £ 6.00
- Lunch £ 8.00
- Evening Meal £10.50
Appendix B

Car User Criteria

Issued by Human Resources
April 2012
<table>
<thead>
<tr>
<th>Issue No.</th>
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<th>Comments</th>
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<tr>
<td>Draft</td>
<td>19 March 2012</td>
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This document is available in larger print.

Please contact Human Resources for a larger copy.
Car User Criteria

1. Introduction

1.1 The Council has two levels for Car Users

- Level 1 - Where it is essential that a motor vehicle is required for the efficient and effective performance of duties. A car parking permit will be provided; that has restricted usage and does not allow entry through the barrier system at the rear of the town hall;

- Level 2 - Where it is merely desirable that a motor vehicle is required. No car parking permit will be provided, however, a daily car parking pass will be available for those staff who occasionally use their vehicle for Council Business. Where staff purchase a car parking permit through the monthly Payroll System, a payment of 1/365th of the annual charge will be payable.

1.2 The Council's Assisted Vehicle Purchase Scheme (Car Loan) is only available to those employees designated as Level 1 Car Users.

2. Guidance

2.1 A position will be regarded as a Level 1 Car User under the following circumstances:

- There is a need to have the vehicle available at all times to respond immediately to work situations or

- Regular / frequent journeys (Average of three separate journeys / locations per working week over 52 week period – pro rata for part time staff)

2.2 All other positions shall be regarded as Level 2 Car Users

3. Authorisation

3.1 All Car Users shall be authorised by the relevant Assistant Director in consultation and agreement of the Head of Human Resources. Assistant Directors shall ensure that all Managers / Supervisors monitor car usage to ensure that only necessary journeys are made and that the most cost effective transport is used.

3.2 Where there is to be a withdrawal / change of car user classification, the post holder will be entitled to three months notice.

4. Mileage Rates

4.1 Car Allowances will be paid in accordance with the HMRC mileage allowances regardless of Car User classification. An additional allowance will be payable for passengers

4.2 As an alternative, authorised Car Users will be eligible to make use of a Motor Cycle / Pedal Cycle for which a different HMRC mileage rate applies.

4.3 An Allowance of 20p per mile will be payable for staff attending College / University under the Councils Post Entry Training Scheme.
MATERNITY LEAVE POLICY

Issued by Human Resources
April 2012

EMP. 18
NUNEATON & BEDWORTH BOROUGH COUNCIL

MATERNITY LEAVE POLICY

QUALITY RECORDS

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>Stage</th>
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<tr>
<td>1</td>
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<td>Approval by Single Member</td>
<td>20/10/2004</td>
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<tr>
<td>2</td>
<td>13/07/2011</td>
<td>Revised First Draft by N Safdar</td>
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</table>
NUNEATON AND BEDWORTH BOROUGH COUNCIL

MATERNITY LEAVE POLICY

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Antenatal Care and Medical Appointments  6
Health and Safety  6
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Policy Statement – Introduction

This document outlines the policy and provisions to which employees may be entitled during maternity leave. This includes a period of leave and pay for a specified period subject to eligibility, the retention of certain contractual benefits and a right to return to work.

During and after pregnancy, Nuneaton and Bedworth Borough Council may make special provisions for the employee’s personal safety whilst at work. Please refer to the Nuneaton and Bedworth Borough Council’s Risk Assessments Procedure for more information on new and expectant mothers.

This policy and any associated documentation will be reviewed on a regular basis. Nuneaton and Bedworth Borough Council reserves the right to make changes as required in line with changes in Employment Legislation. Significant changes will be subject to the appropriate process of consultation.

Objectives

This document outlines Nuneaton and Bedworth Borough Council’s Maternity policy in relation to:

- Maternity leave;
- Maternity pay;
- Benefits during maternity leave;
- Antenatal leave;
- Returning to work.

Although the basic principles and procedures are outlined within this document, the legislation is complex and liable to frequent change. Further information and advice is available from the HR Team.

Scope

Definitions

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HR</td>
<td>Human Resources</td>
</tr>
<tr>
<td>OML</td>
<td>Ordinary Maternity Leave (26 weeks)</td>
</tr>
<tr>
<td>AML</td>
<td>Additional Maternity Leave (further 26 weeks in addition to OML)</td>
</tr>
<tr>
<td>SMP</td>
<td>Statutory Maternity Pay</td>
</tr>
<tr>
<td>EWC</td>
<td>Expected Week of Childbirth (i.e. the week the baby is due, starting on a Sunday)</td>
</tr>
<tr>
<td>QW</td>
<td>Qualifying Week (i.e. 15 weeks before the EWC)</td>
</tr>
<tr>
<td>MPP</td>
<td>Maternity Pay Period (the period during which SMP can be paid)</td>
</tr>
<tr>
<td>MAT B1</td>
<td>Maternity certificate issued by a Doctor or Midwife that confirms the pregnancy and the EWC</td>
</tr>
<tr>
<td>MA</td>
<td>Maternity Allowance: Paid by Jobcentre Plus if employee has less than 26 weeks continuous service up to QW</td>
</tr>
</tbody>
</table>
Eligibility

In order to exercise rights to maternity leave and if eligible, maternity pay, employees must notify the Council that they are pregnant as soon as it is reasonably practicable and certainly no later than the QW (qualifying week), they must also:

- Notify in writing of the fact that they are pregnant;
- Provide a MAT B1, signed by a Doctor or Midwife (this is usually issued on or shortly after the 26th week of pregnancy);
- Notify in writing of the date they wish maternity leave to commence.

Employees should complete a Maternity leave form to confirm the above (see Appendix A).

The HR team will respond, in writing, within 28 days, confirming the start date of the maternity leave, details of the maternity pay (if eligible) and the expected date of return.

Employees who are dissatisfied with any decision made in respect of maternity rights should inform HR, who will liaise with the Warwickshire County's Payroll Team.

Maternity Leave

Irrespective of length of service or hours of work, employees are entitled to 26 weeks OML and 26 weeks AML, a total of 52 weeks maternity leave.

Leave may commence at any time, after the 11th week before the EWC.

Any employment period during maternity leave will not be treated as a break in service.

Employees reserve the right to change the pre-arranged dates of when the maternity leave will start, provided at least 28 days notice is given to HR Services.

Employees who are absent due to a pregnancy related illness during the four weeks before the start of the EWC, will begin maternity leave at that time rather than at a later date nominated by the employee.

Maternity leave will commence on the actual date of birth if this is earlier than the notified leave date.

Maternity Pay

In order to qualify for maternity pay employees must:

- Have 26 weeks continuous service up to QW;
- Still be pregnant at the 11th week before the EWC or have already given birth;
- Have stopped working because of pregnancy or childbirth. Maternity pay can only be paid when employees are not working. If employees return to work early, maternity pay is not payable for the whole of the week in which the work is done;
- Have average weekly earnings of not less than the lower earnings limit in force during the QW;
Maternity pay is calculated in weeks and depends on length of service with the Council as outlined in the table below:

<table>
<thead>
<tr>
<th>Length Of Service</th>
<th>Maternity Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 26 weeks service (by the QW)</td>
<td>None - the local Jobcentre plus will provide further advice on Maternity Allowance</td>
</tr>
<tr>
<td>26 weeks service (by the QW)</td>
<td>39 weeks (statutory) (6 weeks at 90% of normal earnings plus a further 33 weeks at the standard rate of SMP)</td>
</tr>
</tbody>
</table>
| 52 weeks service (by the QW) | • 39 weeks of OMP (Occupational Maternity Pay), *if the employee is intending to return to work following MPP*:  
  • First 6 weeks paid at 90% of normal earnings;  
  • Further 12 weeks of 50% of normal earning plus SMP, unless your 50% earnings and SMP combined exceeds your normal full pay;  
  • In that instance the relevant deduction will be offset. Then for a further 21 weeks at the standard rate of SMP;  
  • Remaining 13 weeks will be unpaid, should the employee intend to take full 52 weeks maternity leave period. |

Maternity leave may commence on any day of the week.

The Council's liability to pay maternity pay could end sooner:

- If the employee starts work for a new employer after the birth of the baby but before the end of the MPP;
- If the employee is taken into legal custody at any time during the MPP. Maternity pay will not be resumed on discharge of custody. Entitlement is not affected if voluntary assistance is given to the police to help with their enquiries;
- In the event of the death of the employee. Maternity pay cannot be paid to the employee’s family.

Maternity pay cannot be paid any earlier than the eleventh week before the EWC, even if the employee has stopped work by that date. Employees that are absent from work wholly or partly because of pregnancy or childbirth within the four weeks prior to the EWC, the MPP will start from that date.

Employees that cease employment before the QW will not qualify for maternity pay.

Employees that are expecting more than one baby will not receive any additional maternity pay.

All maternity pay is subject to the usual deductions for Income Tax and National Insurance.

Employees that are not eligible for maternity pay will receive a form SMP1 for the application of Maternity Allowance through Jobcentre plus.

**Benefits During Maternity Leave**

During maternity leave, all contractual Terms, Conditions and Benefits are preserved with the exception of the employee’s salary.
Other voluntary deductions, e.g. trade union subscriptions, social clubs etc. If an employee is a member of a Trade Union, then she must contact the local office to ascertain what is required to maintain her membership during the maternity leave period.

If the employee falls pregnant during maternity leave, the provisions may change. Further information can be obtained from the HR Team.

**Holiday**

The employee will continue to accrue both statutory and contractual holiday entitlement during all maternity leave, even if the employee does not return to work.

If the employee has any accrued but unused holiday entitlement before starting maternity leave, she should be encouraged to take it prior to maternity leave commencing.

**Wherever possible, employees should take all of their holiday prior to the end of the holiday year.**

Depending on circumstances and subject to management approval, employees may:

- Extend her return to work date by the number of untaken accrued holidays;
- Carry holiday leave forward to the next holiday year (the amount of leave and the period in which such leave is to be taken must be agreed with his or her manager);
- Receive payment in lieu of holiday where the employee has not taken her proportional holiday entitlement, to support the operational requirements of the business (exceptional circumstances only).

**Bank Holidays**

Employees will be entitled to payment at basic rate or time off in lieu for all bank holidays which occur during a period of paid maternity leave, subject to Terms and Condition of employment. Payment for bank holidays will be processed on first salary payment after return to work.

**Pension**

The total period of maternity leave may still be counted as pensionable service, provided the employee chooses to pay any missed contributions during any period of unpaid leave.

Current members of the scheme are permitted to cease contributions during periods of reduced pay if they so wish (e.g. ordinary maternity leave), however, they must inform the HR Team. Similarly, employees must inform the HR team if they wish to re-start contributions at a later stage. During unpaid maternity leave, contributions will normally cease automatically.

**Contributory Pension Scheme(s)**

Where applicable, the Council will continue to contribute to the pension, based on the normal percentage contribution. The actual sums will obviously reduce in line with the reduction in earnings. Personal contributions can continue until SMP ends.

Under normal circumstances, contributions are set as a percentage of pensionable earnings, therefore in situations where pay is reduced during OML (first 26 weeks off work), the pension contribution based on the actual pay the employee receives during this period. For any AML the employee takes, the contribution are based on the actual
pay the employee receives during this period or may be ceased. During this period the employee’s membership will not count unless she have the right to return to work, in which case the employee can choose to pay to cover the unpaid period and make it count. The employee must inform HR if she intends to do this, within 30 days of returning to work (or within 30 days of leaving, the employee does not return to work) or longer. The cost of the amount that is paid back will be based on the last rate of pay that the employee received ignoring any increases in pay, due to working a ‘Keep in Touch day’.

Further information and options can be obtained from the HR Team or the Local Government Pension Scheme (L.G.P.S) on 01902 410 410.

**Essential Car User Allowance**

Employees that are eligible for their Essential Car user allowance will retain this entitlement for the duration of their maternity leave. However, there will be no entitlement to any fuel benefit for this period.

**Antenatal Care**

**Medical Appointments**

Irrespective of length of service or hours of work employees are entitled to reasonable paid time off for antenatal appointments e.g. hospital check up, scan, antenatal classes, midwife appointment etc.

This will normally be paid provided that an appointment card or some other document confirming that the appointment has been made is produced. Pay will be at employee’s normal rate of pay.

**Health And Safety**

Some workplace hazards can affect pregnancy at a very early stage. The Council will consider if any work is likely to present a particular risk to pregnant women. Employees are urged to inform their line manager or the HR Team as early as possible of the fact she is pregnant so that risks and further actions can be identified.

Once the Council is aware of the pregnancy, a risk assessment must be carried out if the nature of the work places risk to the expectant mother or her baby in accordance with the Risk Assessments Procedure which is normally conducted by the employee’s line manager. Employee specific work will be assessed to identify potential risks, such as:

- Lifting or carrying heavy loads;
- Standing or sitting for long periods;
- Exposure to toxic substances;
- Use of Display Screen Equipment;
- Long working hours;
- Night working.

Adjustments to your role, working conditions or your hours of work may be made where appropriate.

Regular risk assessments may be made at regular intervals throughout employee pregnancy.

The Council’s Risk Assessment procedure notes that specific risk assessments for new and expectant mothers should be carried out by the line manager jointly with the HR
Services. The Occupational Referral group (Team Prevent) can be used to assess any further precautions, if required.

Miscarriages And Stillbirths

In the unfortunate event that a baby is stillborn or miscarried after the 24th week into a pregnancy, the employee is entitled to the remainder of her maternity leave and pay.

The employee or the employee’s family may feel the need for extra support following a stillbirth or miscarriage. This is normally provided through the midwife/health visitor or the GP surgery. Support is also available through the following organisations:

The stillbirth and Neonatal Death Charity (SANDS) – www.uk-sands.org or helpline@uk-sands.org or 020 7436 5581

The Miscarriage Association – www.miscarriageassociation.org.uk or info@miscarriageassociation.org.uk or 01924 200799.

Contact During Maternity Leave

Employees should agree with their manager, the extent to which they wish to be kept up to date with the work situation during maternity leave, e.g. receiving bulletins, staff magazines, home visits etc. Employees should be advised of any relevant promotion / job opportunities which arise during maternity leave.

Home Visit

As part of the Council’s maternity support service to the employee, a member of the HR team will arrange a home visit, at the employee’s request. This visit will be accompanied by their line manager, to ensure that the employee’s return to work is smooth and welcoming, to enable the employee to return with confidence.

Keeping In Touch Days (KIT)

During the period of maternity leave, the Council may contact employees about the possibility of KIT days. Employees may also write to their line manager or the HR Services to request KIT days.

Whilst there are no obligations by either the Council or employees to offer / attend KIT days, employees are encouraged to keep in touch with their line manager and consider the use of KIT days. However, it is entirely the employee’s decision and employees will not be subjected to any form of detriment if they do not wish to attend work.

Up to a maximum of ten KIT days can be exercised during maternity leave (which can be taken as a full or half working day but must equate to a total of 10 days).

KIT days may be used for ‘normal’ work as well as to discuss return to work plans (including ease for return to work), training, team meetings or updates on work developments.

KIT days will be paid at the basic contractual rate of pay together with any maternity pay if applicable or the employee may choose to take paid time off work in lieu upon return from maternity leave. It is the employee’s responsibility to inform Payroll, if the time off in lieu is not taken, as this may result in the employee not to be paid for KIT day(s).

If employees exceed the statutory KIT day allowance during maternity leave, this may have implications on any entitlement to maternity pay.
KIT days are not permitted during the first two weeks (or four weeks for craft employees) after the date of birth.

**Returning To Work**

Unless the employee specifies otherwise, the Council will assume employees will take the full maternity leave entitlement and the expected date of return will be calculated according to these entitlements and confirmed to employees in writing.

Employees do not have to write to the Council to confirm the expected date of return unless the employee wants to return to work before the end of the AML. In these circumstances, employees must give a minimum of eight weeks notice. If the employee fails to give this notice, the Council may delay the return date for up to 8 weeks.

Having commenced maternity leave, if an employee wishes to change her return to work to an earlier / later date, she may do so, provided the employee gives at least 8 weeks’ notice in writing to the Assistant Director.

**Right To Return To The Same Role**

After OML, employees have the right to return to the same role. This also applies when employees return after AML, unless it is not reasonably practicable (for example, because the role no longer exists). In these circumstances, a suitable alternative will be offered and the terms and conditions will be no less favourable than before.

If, during maternity leave the employee’s role becomes redundant, the normal redundancy procedures will apply. Every effort will be made to find a suitable alternative role position.

**Compulsory Maternity Leave**

Employees are not permitted to return to work within:

- Two weeks (for office based employees) after the birth of the baby or;
- Four weeks (for other employees) after the birth of the baby, subject to Risk Assessment.

An employee returning to work before the end of the OML may be asked to produce a Doctor’s certificate to ensure the employee is fit for work.

**Transfer Of Remaining Maternity Leave To Fathers**

Where an employee returns from maternity leave early, any remaining, untaken OML/AML may be transferred to the baby’s father, up to a maximum of twenty-six weeks.

Please refer to the Paternity leave policy for further detail.

**Flexible Working**

Whilst employees do not have a legal right to return to work on different terms, the request will be given full consideration and the Council will endeavour to accommodate individual needs wherever possible.

Should an employee wish to return to work on different terms and conditions, for example, reduced hours or a different role, she should make a request in writing, giving at least 14 weeks notice to the Assistant Director or in accordance with the Flexible Working Directive.
Not Returning To Work

If the employee does not want to return to work at the end of the maternity leave this must be confirmed in writing with a minimum notice period as stated within the contract of employment.

Employees do not have to return to work at the end of the leave in order to receive SMP provided contractual notice is given.

If the employee decides not to return to work following maternity leave, she will be paid for holiday entitlement accrued during maternity leave (statutory and contractual). Equally if the employee resigns rather than returning to work following maternity leave, and at that time she has taken more holiday than she has accrued during the current holiday year, she will be required to repay the equivalent of the excess holiday taken.

If an employee confirms that she would be returning to work and later decide not to, **where the employee has received OMP, then she will be required to repay the 12 weeks half pay.** The employee could however return to work for a period of at least 3 months at the same number of hours as she worked before commencing her maternity leave and not have to repay anything.

It is possible to defer payment of the 12 weeks OMP until the employees knows for certain what she wants to do. If she then decides not to return to work, she would not have to pay anything back. It is advisable that the employee discusses this option with a member of the payroll team as it may have N.I. / Tax implications.

If an employee does not return to work, the last day of service will be classed as the last day actually worked.

Illness Following Maternity Leave

Should circumstances arise whereby an employee does not return to work on the expected notified date due to her own illness, normal absence procedures will apply.

For the purpose of long term absence monitoring, any period of maternity leave will be discounted.

**Responsibilities**

Managers Must:

- Follow the principles of this document and any associated document(s);
- Seek clarification on any points which are unclear;
- Keep up to date with changes to the policy / procedure (maternity legislation is subject to frequent change);
- Conduct Expectant Mother Risk Assessment Form and submit to HR Services
- Ensure the Maternity Notification form, the MATB1, proof of antenatal appointments and a copy of the birth certificate is obtained and submitted to HR Services where applicable;
- Allow reasonable time off for ante natal care;
- Consider any opportunities for employees to utilise KIT days and encourage their use;
- Seek guidance from HR Service as appropriate;
- Advise the HR Services of potential issues / updates to the policy as appropriate.
Employees Must:

- Follow the principles of this document and any associated document(s);
- Seek clarification on any points which are unclear;
- Complete and submit a Maternity Notification form as early in the pregnancy as possible but certainly no later than the 15th week before the EWC;
- Submit a MATB1 as soon as it is received from the GP / Midwife;
- Provide copies of antenatal appointments as appropriate;
- Provide a copy of the birth certificate once the baby is born;
- Seek guidance from HR Service as appropriate;
- Advise the HR Services of potential issues / updates to the policy as appropriate.

Human Resources Must:

- Follow the principles of this document and any associated document(s);
- Keep up to date with changes to the policy / procedure (maternity legislation is subject to frequent change);
- Support employees and line managers, providing guidance in the application of this policy;
- Monitor the application of this policy, ensuring fairness and consistency of treatment;
- Follow the principles of the Council’s New and Expectant Mothers at Work Guidance on New and Expectant mothers within the Risk Assessment Procedure, ensuring compliance throughout the employee’s pregnancy and return to work.

Appendices

- Appendix A: Notification of Maternity Leave form

Associated Documents

- Risk Assessments Procedure;
- NBBC – New and Expectant Mothers At Work Guidelines;
- NBBC – Expectant Mothers Risk Assessment Form.
**MATERNITY NOTIFICATION FORM**

You must complete this form and return it to your service Unit’s Assistant Director as soon as possible but no later than the 15th week before your Expected Week of Child birth, unless it is not reasonably practicable. In addition to the NBBC Council information relating to your maternity leave and pay entitlement, a leaflet can be obtained from the DWP or your Local Job Centre plus. Further information can be obtained from HR.

<table>
<thead>
<tr>
<th>EMPLOYEE NAME:</th>
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<th>ADDRESS:</th>
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<th>EMPLOYEE NO:</th>
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<th>SERVICE UNIT:</th>
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<tr>
<th>NBBC START DATE:</th>
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<th>CONITIOUS LOCAL GOVERNMENT SERVICE DATE:</th>
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<table>
<thead>
<tr>
<th>MEMBER OF L.G PENSION SCHEME:</th>
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</table>

<table>
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<tr>
<th>MATERNITY DETAILS:</th>
</tr>
</thead>
</table>

- My baby’s Expected Date of Childbirth: DD/MM/YY ______________________
- I confirm I am taking maternity leave and stopping work on: DD/MM/YY ______________________
- My first date of maternity leave will be: DD/MM/YY ______________________

N.B. Do not include any holiday you may be taking before or after your maternity leave; this must be authorised separately, in the normal way using the Holiday Request form.

**MATB1:**

Attached: ☐ To Follow: ☐

(MatB1 is required to enable SMP to be paid)
POST MATERNITY INTENTIONS (OPTIONAL):

Please provide an indication of your intentions post maternity leave as a guide for operational purposes only. You are not obliged to provide such information and are not contractually bound by any date or intention you do provide at this stage (except in relation to your resignation). If you do not complete this section the Council will assume you will take your full maternity leave allowance.

I confirm that I intend to return to work after the birth of my baby on, (DD/MM/YY) ___________________ subject to my fitness to resume my normal working duties. I fully understand that if I am not fit to return to work on the due date, I must comply with appropriate sickness absence procedures.

If I want to return to work before the above date, I must give at least 8 weeks notice in writing to my Assistant Director of the date I wish to return. If I do not give this notice, I understand that my manager may have the right to postpone my return.

I also understand that ‘if’ I qualify for 12 weeks half pay, I must return to work for at least 3 months at the same number of hours that I currently work or for 6 months on reduced hours, otherwise I will have to refund all of the half pay I have received.

OR

N.B. I understand that this declaration is not a notice of termination of employment and that I must submit a separate letter to my Assistant Director.

I hereby declare that I do not intend to return to work after leaving for pregnancy, and I have submitted (or will submit) my notice of termination with Nuneaton and Bedworth Borough Council to my Assistant Director.

Resignation Letter: Attached: ☐ To Follow: ☐ N/A: ☐

I certify that the above information is true and I acknowledge that by completing and signing this form, I hereby give Nuneaton and Bedworth Borough Council permission to verify the above information.

SIGNATURE: ___________________________ DATE: ___________________________

Please return this form to your Assistant Director and keep a copy for your records.

ASSISTANT DIRECTOR SIGNATURE: ___________________________ DATE: ___________________________

HR SIGNATURE ___________________________ DATE: ___________________________

THIS FORM SHOULD BE SENT TO HR SERVICES
PATERNITY LEAVE POLICY

Issued by Human Resources
April 20121 EMP. 20
### Quality Record

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<td>6/07/2011</td>
<td>Revised First Draft by N Safdar</td>
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# NUNEATON AND BEDWORTH BOROUGH COUNCIL

## PATERNITY LEAVE POLICY

<table>
<thead>
<tr>
<th>Contents Description</th>
<th>Page No:</th>
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<tr>
<td>Policy Statement - Introduction</td>
<td>2</td>
</tr>
<tr>
<td>Objectives</td>
<td>2</td>
</tr>
<tr>
<td>Definition</td>
<td>2</td>
</tr>
<tr>
<td>Eligibility</td>
<td>3</td>
</tr>
<tr>
<td>Exceptions for qualifying for Paternity leave</td>
<td>3</td>
</tr>
<tr>
<td>Paternity Leave</td>
<td>3</td>
</tr>
<tr>
<td>Paternity Pay</td>
<td>4</td>
</tr>
<tr>
<td>Additional Statutory Paternity Leave (ASPL)</td>
<td>4 / 5</td>
</tr>
<tr>
<td>Benefits During Paternity Leave</td>
<td>6</td>
</tr>
<tr>
<td>Pension</td>
<td>6</td>
</tr>
<tr>
<td>Antenatal Care</td>
<td>6</td>
</tr>
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<td>Miscarriages and Stillbirths</td>
<td>6</td>
</tr>
<tr>
<td>Responsibilities</td>
<td>7</td>
</tr>
<tr>
<td>Paternity Leave Request Form</td>
<td>8</td>
</tr>
<tr>
<td>Paternity Letter Template</td>
<td></td>
</tr>
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</table>
Policy Statement - Introduction

This document outlines the policy and provisions to which employees may be entitled during paternity leave. This includes a period of leave and pay for a specified period subject to eligibility.

This policy and any associated documentation will be reviewed on a regular basis. Nuneaton and Bedworth Borough Council reserves the right to make changes as required in line with changes in Employment Legislation. Significant changes will be subject to the appropriate process of consultation.

Objectives

This document aims to outline Nuneaton and Bedworth Borough Council’s policy in relation to:

- Ordinary Paternity leave;
- Paternity pay
- Additional Statutory Paternity leave and pay

This policy will be applied fairly in all instances.

Although the basic principles and procedures are outlined within this document, legislation is complex and liable to frequent change. Further information and advice is available from HR Services.

Scope

This document applies to all employees within Nuneaton and Bedworth Borough Council. All rights to paternity leave and paternity pay apply, regardless of employee gender (or his / her partner’s gender).

Definitions

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>HR</td>
<td>Human Resources Services</td>
</tr>
<tr>
<td>SPL</td>
<td>Statutory Paternity Leave (two weeks)</td>
</tr>
<tr>
<td>SPP</td>
<td>Statutory Paternity Pay</td>
</tr>
<tr>
<td>ASPL</td>
<td>Additional Statutory Paternity Leave</td>
</tr>
<tr>
<td>ASPP</td>
<td>Additional Statutory Paternity Pay</td>
</tr>
<tr>
<td>APL&amp;P</td>
<td>Additional Paternity Leave And Pay</td>
</tr>
<tr>
<td>SSP</td>
<td>Statutory Sick Pay</td>
</tr>
</tbody>
</table>
Eligibility

In order to qualify for paternity leave and if eligible, paternity pay, employees must:

- Have at least twenty six weeks continuous service by the fifteenth week before the week the baby is due or by the end of the week in which the employee is notified of being matched with a child in the case of adoption;
- Be the biological father of the child or the mother’s husband / partner (including same sex relationships) or the child’s adopter or the partner of the adopter;
- Have or expect to have responsibility for the child’s upbringing and are taking the time off to support the main carer of the baby;
- Inform NBBC of the intention to take paternity leave by the fifteenth week before the week the baby is due, stating when the baby is due and the start and end date of the paternity leave. Employees have the right to change the pre-arranged dates of the start date provided at least twenty-eight days notice is given;
- Complete a Paternity Leave Request form (Appendix A) to confirm an intention to take paternity leave (must provide a copy of the Mat B1 form).

Employees must satisfy all the above conditions in order to qualify for paternity leave.

Exceptions to the qualifying conditions for paternity leave

If the baby is born earlier than the 14th week before it is due and, but for the birth occurring early, the employee would have been employed continuously for the twenty-six weeks, it will be deemed that the employee has the necessary length of service.

If an employee is not eligible for paternity leave or pay, holiday may be authorised in accordance with the procedure. Alternatively, employees should contact the Department for Work and Pensions for further detail on Income Support eligibility.

Paternity Leave

Employees are entitled to take up to two weeks’ paternity leave, either in blocks of one week or two consecutive weeks (not odd days).

Employees can take paternity leave:

- At any time from the date of the child’s birth provided this is completed within fifty-six days of the actual birth of the baby. If the baby is born earlier than expected, leave must be taken (and completed) within fifty-six days after the week the baby was due (not born);
- Starting from any day of the week.

For multiple births within the same pregnancy, employees are only entitled to one period of paternity leave.

Employees must provide the original birth certificate as soon as possible after return to work. This will be copied and returned to the employee without any unnecessary delay.

Paternity leave will not be treated as a break in service.
Paternity Pay

Paternity pay depends on length of service with the Council as outlined below:

<table>
<thead>
<tr>
<th>Length Of Service</th>
<th>Paternity Pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 26 weeks service*</td>
<td>None (The local Benefits Agency can provide further advice on income support)</td>
</tr>
<tr>
<td>26 weeks service to 1 year service*</td>
<td>Statutory (2 weeks at the current SPP amount)</td>
</tr>
<tr>
<td>1 year service and above*</td>
<td>Minimum of 2 weeks (enhanced) (1 week at 100% of normal earnings plus 1 week at the current SPP amount)</td>
</tr>
</tbody>
</table>

*By the fifteenth week before the week the baby is due.

All paternity pay is subject to the usual deductions for Income Tax and National Insurance.

Employees who have average weekly earnings below the Lower Earnings Limit for National Insurance purposes do not qualify for SPP.

Employees who do not qualify for SPP may be able to claim Income Support while on paternity leave.

Additional financial support may be available through Housing Benefit, Council Tax Benefit or Tax Credits. Further information is available from the local Jobcentre Plus office or Department of Work and Pensions (DWP).

Additional Statutory Paternity Leave (ASPL)

Fathers of children due on or after 3 April 2011, have the right to take up to a maximum of twenty-six weeks’ ASPL, which can only be taken if the mother has any remaining statutory maternity leave and she has returned to work.

Employees may be entitled to take up to a maximum of twenty-six weeks ASPL in one single block. This can only be transferred from the rights of the mother (or primary adopter) providing she has returned to work from maternity leave (or adoption leave) earlier than its completion. ASPL may only be taken between week twenty of the child’s birth and his / her first birthday.

To be eligible for ASPL:

1. Employee’s must be eligible for SPL;
2. Employee’s must provide at least eight weeks notice of the desire to take ASPL. If the dates of the intended leave change, or the employee wishes to return to work earlier than indicated, six weeks notice must be provided;
3. The mother (or primary adopter) must have returned to work and both the mother and father provide a signed declaration that the mother has returned to work and that the father is entitled to the remainder of the leave (see Appendix A);
4. The leave must be used to care for the child;
5. The employee must remain in employment until the start of the ASPL.

Employees can undertake work on ten keeping in touch (KIT) days during their ASPL pay period without bringing entitlement to an end. Attendance at work on a KIT days will be paid at the basic contractual rate of pay together with any ASPP, if applicable or the employee may
choose take paid time off work in lieu upon return from paternity leave. It is the employee’s responsibility to inform Payroll, if the time off in lieu is not taken, as this may result in the employee not to be paid for KIT day(s).

If employees exceed the statutory KIT day allowance during paternity leave, this may have implications on any entitlement to maternity pay.

Where the child dies (or the placement is disrupted) APL&P continues for eight weeks. If there are less than eight weeks of leave left it continues until the agreed date that leave was due to end.

Where the main carer (or primary adopter) dies the join carer (or joint adopter) is able to receive all of the outstanding entitlement (i.e. up to fifty-two weeks of leave and pay) provided:

1. The leave will be completed by the child’s first birthday (or the fifty-second week since the child’s placement for adoption);
2. The employee has not already taken their ASPL&P and returned to work before the death occurred.

For multiple births within the same pregnancy, employees are only entitled to one period of ASPL.

ASPL will not be treated as a break in service.

It is the employee’s responsibility to inform the Council if he is no longer eligible to receive ASPL. The provision of fraudulent documentation or inaccurate/misleading information to the Council may result in disciplinary action, up to and including summary dismissal from the Council, in accordance with the Dismissal and Discipline policy / procedure.

**Additional Statutory Paternity Pay (ASPP)**

Where employees are eligible for ASPL, the ASPP will apply as follows:

<table>
<thead>
<tr>
<th>Length Of Service</th>
<th>Additional Statutory Paternity Pay (ASPP)</th>
</tr>
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<tbody>
<tr>
<td>Up to 26 weeks service*</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>(The local Benefits Agency can provide further advice on income support)</td>
</tr>
<tr>
<td>26 weeks service and above*</td>
<td>Up to 26 weeks at the standard rate of SPP</td>
</tr>
</tbody>
</table>

*By the fifteenth week before the week the baby is due.

SSP takes precedence over ASPP.

To be eligible for pay, the father must have earnings of at least the lower earnings limit for national insurance during the eight weeks prior to the fifteenth week before the baby is due.

**Benefits During Paternity Leave**

During paternity leave, all contractual terms, conditions and benefits are preserved with the exception of employee’s earning (salary, allowance etc).
Paternity Leave Policy

Where applicable, the pension contribution will continue to be made during any period when the employee is receiving statutory paternity pay but not during any period of unpaid additional statutory 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 they not gone on additional paternity leave.

Other

Other voluntary deductions, e.g. trade union subscriptions and social clubs cannot be made after paternity pay ceases and employees may need to make other arrangements for these subscriptions to be paid during paternity leave.

Antenatal Care

Prospective fathers have no legal right to time off for antenatal appointments however, holiday may be requested.

Miscarriages and Stillbirths

Provided the employee meets all the other conditions, they can still take paternity leave if the child is stillborn after 24 weeks of pregnancy or is born alive at any point of the pregnancy.

The employee or the employee’s family may feel the need for extra support following a stillbirth or miscarriage. This is normally provided through the midwife/heath visitor or the GP surgery. Support is also available through the following organisations:

The stillbirth and Neonatal Death Charity (SANDS) – www.uk-sands.org or helpline@uk-sands.org or 020 7436 5581

The Miscarriage Association – www.miscarriageassociation.org.uk or info@miscarriageassociation.org.uk or 01924 200799.

Responsibilities

Managers Must:

- Follow the principles of this document and any associated document(s);
- Seek clarification on any points which are unclear;
- Keep up to date with changes to the policy / procedure (paternity legislation is subject to frequent change);
- Ensure the Paternity Notification form, SC3 form and a copy of the birth certificate is obtained (and submitted to HR where applicable);
- Seek guidance from HR as appropriate;
- Advise the HR of potential issues / updates to the policy as appropriate.

Employees Must:

- Follow the principles of this document and any associated document(s);
- Seek clarification on any points which are unclear;
- Complete and submit a Paternity Notification form notifying the Council of the intention to take paternity leave as soon as possible but certainly no later than the timescales outlined in this document;
- Provide the original birth certificate once the baby is born.
Human Resources Must:

- Follow the principles of this document and any associated document(s);
- Keep up to date with changes to the policy / procedure (paternity legislation is subject to frequent change);
- Advise line managers and employees with regard to this policy;
- Support line managers and provide guidance in the application of this policy;
- Monitor the application of this policy, ensuring fairness and consistency of treatment;
- Ensure the Paternity Notification form and a copy of the birth certificate is obtained.

Appendices

- Appendix A: Paternity Notification form;
- Appendix B: Paternity letter.

Associated Documents

- HMRC Statutory Paternity Pay;
- Maternity Policy
- Adoption Policy
- Parental Leave
- Authorised Leave Guidance
# Appendix A

## PATERNITY LEAVE REQUEST FORM

You must complete this form and return it to your Service Unit’s Assistant Director as follows:

- **Paternity Leave**: No later than the fifteenth week before the baby is due;
- **Additional Paternity Leave**: A minimum of eight weeks notice must be provided.

This form should be signed by the relevant Assistant Director before submission to HR Services (if applicable).

<table>
<thead>
<tr>
<th>EMPLOYEE NAME:</th>
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<tr>
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<th>NBBC START DATE:</th>
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</table>

<table>
<thead>
<tr>
<th>CONTINUOUS LOCAL GOVERNMENT SERVICE DATE:</th>
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</tbody>
</table>

### PART A: COMPLETE FOR ALL PATERNITY LEAVE

**TYPE OF PATERNITY LEAVE:**

Tick one only. If both are applied for at the same time, complete two separate forms.

- [ ] Paternity Leave
- [ ] Additional Paternity Leave

### DETAILS OF PATERNITY LEAVE:

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<thead>
<tr>
<th>First Date Of Leave:</th>
<th>Last Date Of Leave:</th>
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<tbody>
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<table>
<thead>
<tr>
<th>Date Of Return:</th>
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<thead>
<tr>
<th>Birth Cert Attached:</th>
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<td></td>
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</tbody>
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- [ ] Yes
- [ ] To Follow
- [ ] Already Submitted

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<thead>
<tr>
<th>SC3 Form Attached:</th>
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</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

- [ ] Yes
- [ ] To Follow
- [ ] Already Submitted
### Part B: Complete for Additional Paternity Leave Only

<table>
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<tr>
<th><strong>Additional Paternity Leave:</strong></th>
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</thead>
<tbody>
<tr>
<td>I have Provided a Minimum of Eight Weeks Notice:</td>
<td>Yes [ ] No [ ]</td>
</tr>
<tr>
<td>Leave is taken for the purpose of caring for the child:</td>
<td>Yes [ ] No [ ]</td>
</tr>
<tr>
<td>I am the biological father of the child or the mother’s spouse / partner or the partner of the child’s adopter:</td>
<td>Yes [ ] No [ ]</td>
</tr>
<tr>
<td>The mother is entitled to statutory maternity leave (SML) and has returned to work before its expiry:</td>
<td>Yes [ ] No [ ]</td>
</tr>
<tr>
<td>Baby’s Date of Birth:</td>
<td></td>
</tr>
<tr>
<td>Date Mother’s SML Began:</td>
<td></td>
</tr>
<tr>
<td>Date of Mother’s Return To Work:</td>
<td></td>
</tr>
<tr>
<td>Mother’s Name:</td>
<td></td>
</tr>
<tr>
<td>Mother’s Daytime Telephone No:</td>
<td></td>
</tr>
<tr>
<td>Mother’s Employer (Name / Telephone No):</td>
<td></td>
</tr>
<tr>
<td>Mother’s Signature:</td>
<td></td>
</tr>
</tbody>
</table>

_A signature must be provided or leave will be refused. Nuneaton and Bedworth Borough Council may contact the mother’s employer to confirm the above._

### Part C: Complete for All Paternity Leave

<table>
<thead>
<tr>
<th><strong>Declaration:</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>I certify that the above information is true and I acknowledge that by completing and signing this form, I hereby give Nuneaton and Bedworth Borough Council permission to verify the above information.</td>
<td></td>
</tr>
<tr>
<td>Employee Signature:</td>
<td>Date:</td>
</tr>
<tr>
<td>Assistant Director Signature:</td>
<td>Date:</td>
</tr>
<tr>
<td>Assistant Director Name:</td>
<td></td>
</tr>
</tbody>
</table>

To qualify for additional paternity leave and pay, the employee must return this form to Service Unit’s Assistant Director not less than eight weeks before the start date chosen by him/her for additional leave and pay.

A partner is a person, whether of a different or 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 mother’s parents, grandparents, sisters, brothers, aunts and uncles.

**This form should be sent to HR Services**
Thank you for your paternity leave application form. I am pleased to confirm your application for one week / two weeks [DELETE AS APPLICABLE] paternity leave is approved.

Please notify HR Services or your line manager, as soon as is reasonably practical after your baby is born and provide a copy of your baby’s birth certificate within six weeks of the birth.

You will be paid as follows:

- Week One: £128.73 (statutory paternity pay) or Normal Pay [DELETE AS APPLICABLE]
- Week Two: £128.73 (statutory paternity pay) [DELETE IF ONLY TAKING ONE WEEK]

Nuneaton and Bedworth Borough Council operates a childcare voucher scheme, which enables you to save tax and national insurance on your registered childcare. The scheme is easy to set up and will save you money, regardless of your salary. The enclosed documentation explains this benefit in more detail but if you have any queries, please contact myself or a member of HR Team.

I would also like to draw your attention to your right to Additional Statutory Paternity Leave (ASPL). Fathers of children due on or after 3 April 2011, have the right to take up to a maximum of twenty-six weeks’ ASPL, which may be transferred from the mother. In circumstances where the mother returns from maternity leave early, any remaining, untaken maternity leave may be transferred to the baby’s father, up to a maximum of twenty-six weeks. If you would like to explore this in more detail, please refer to the Paternity leave policy.

I would like to take this opportunity on behalf of Nuneaton and Bedworth Borough Council to wish you every happiness with your new child.

Meanwhile, if you have any questions about any aspect of your paternity leave, please do not hesitate to speak to HR Services in the first instance.

Yours sincerely,

NAME
JOB TITLE

Enclosed: Paternity Policy
Childcare Voucher Information
Appendix E

Pay Policy Statement

Issued by Human Resources
April 2012

EMP.35
Quality Record

<table>
<thead>
<tr>
<th>Issue No.</th>
<th>Date</th>
<th>Comments</th>
<th>Agreed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Draft</td>
<td>19 March 2012</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This document is available in larger print.

Please contact Human Resources for a larger copy
PAY POLICY STATEMENT

1. Introduction and Purpose

1.1 Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as the authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay in accordance with the requirements of Section 38 of the Localism Act 2011. The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees by identifying the following:

- the methods by which salaries of all employees are determined;
- the detail and level of remuneration of its most senior staff i.e. ‘chief officers’, as defined by the relevant legislation;
- the Panel responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to full Council.

1.2 Once approved by full Council, this policy statement will come into immediate effect and will be subject to review on an annual basis in accordance with the relevant legislation prevailing at that time.

2. Legislative Framework

2.1 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations. With regard to the Equal Pay requirements contained within the Equality Act, the Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role.

3. Pay Structure

3.1 The majority of the workforce is covered by the Council’s local Job Evaluation Methodology that was implemented in March 2012. The Nationally negotiated Salary Pay Spine is used to determine individual Salary Grades. There have been no increases in the national pay spine since April 2009. Further details can be obtained from Human Resources. All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery and/or as determined by Council Policy.

3.2 The Managing Director, Assistant Directors and Local Grading positions are determined by the Council’s Remuneration Panel following consideration of a report from an independent adviser.
3.3 In determining its grading structure and setting remuneration levels for all posts, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

3.4 New appointments will normally be made at the minimum of the relevant grade, although this can be varied where necessary to secure the best candidate. From time to time it may be necessary to take account of the external pay market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector.

4. **Senior Management Remuneration**

4.1 For the purpose of this statement, senior management means ‘chief officers’ as defined within S43 of the Localism Act and include:

   a) Managing Director [Head of Paid Service]
   b) All Assistant Directors reporting directly to the Managing Director [Chief Officers]
   c) All Managers reporting directly to Assistant Directors [Deputy Chief Officers]

4.2 The salary ranges and number of staff for these positions is as follows:

<table>
<thead>
<tr>
<th>POSITION</th>
<th>SALARY RANGE</th>
<th>NUMBER OF STAFF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Head of Paid Service</td>
<td>£85,000 - £95,000</td>
<td>1</td>
</tr>
<tr>
<td>Section 151 Officer [Chief Officer]</td>
<td>£58,459 - £64,306</td>
<td>1</td>
</tr>
<tr>
<td>Monitoring Officer [Chief Officer]</td>
<td>£56,740 - £62,414</td>
<td>1</td>
</tr>
<tr>
<td>Assistant Director [Chief Officer]</td>
<td>£55,020 - £60,522</td>
<td>4</td>
</tr>
<tr>
<td>Managers [Deputy Chief Officer]</td>
<td>£44315 - £47008</td>
<td>2</td>
</tr>
<tr>
<td>Managers [Deputy Chief Officer]</td>
<td>£42156 - £45212</td>
<td>1</td>
</tr>
<tr>
<td>Managers [Deputy Chief Officer]</td>
<td>£40741 - £41616</td>
<td>12</td>
</tr>
<tr>
<td>Managers [Deputy Chief Officer]</td>
<td>£38961 - £39855</td>
<td>3</td>
</tr>
<tr>
<td>Managers [Deputy Chief Officer]</td>
<td>£37206 - £38042</td>
<td>6</td>
</tr>
<tr>
<td>Managers [Deputy Chief Officer]</td>
<td>£35430 - £36313</td>
<td>3</td>
</tr>
<tr>
<td>Managers [Deputy Chief Officer]</td>
<td>£33661 - £34549</td>
<td>3</td>
</tr>
<tr>
<td>Managers [Deputy Chief Officer]</td>
<td>£31754 - £32800</td>
<td>6</td>
</tr>
<tr>
<td>Managers [Deputy Chief Officer]</td>
<td>£24646 - £26276</td>
<td>1</td>
</tr>
</tbody>
</table>

**NOTES**

1. Salary as at April 2012
2. Incremental progression is subject to satisfactory performance
3. Increments are paid every two years on 1 April.
4. Managers [Deputy Chief Officers] are those staff that report directly to Assistant Directors [Chief Officers]
5. **Recruitment of Chief Officers**

5.1 The Council’s policy and procedures with regard to recruitment of chief officers is set out in the Constitution. When recruiting to all posts the Council will take full and proper account of its own Recruitment & Selection, Equal Opportunities, Change Management and Redeployment Policies. The determination of the remuneration to be offered to any newly appointed chief officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment. Where the Council is unable to recruit to a post at the designated grade, it will consider the use of temporary market forces supplements in accordance with its relevant policies.

5.2 Where the Council remains unable to recruit chief officers under a contract of employment, or there is a need for interim support to provide cover for a vacant substantive chief officer post, the Council will, where necessary, consider engaging and utilise individuals under ‘contracts for service’. These will be sourced through a relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service.

6. **Additions to Salary of Chief Officers**

6.1 The Council does not apply any bonuses or performance related pay to its chief officers.

6.2 In addition to basic salary, set out below are details of other elements of ‘additional pay’ which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfillment of duties:

   a) Managing Director - Fees for returning officer duties paid directly by Electoral Commission.

7. **Payments on Termination**

7.1 The Council’s approach to statutory and discretionary payments on the termination of employment of chief officers, prior to reaching normal retirement age, is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 [and if adopted] Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007. A copy of the policy is available from Human Resources.

8. **Publication**

8.1 Upon approval by the full Council, this statement will be published on the Council’s Website. In addition, for posts where the full time equivalent salary is at least £50,000, the Council’s Annual Statement of Accounts will include a note setting out the total amount of:
a) salary, fees or allowances paid to or receivable by the person in the current and previous year;
b) any bonuses paid or receivable by the person in the current and previous year;
c) any sums payable by way of expenses allowance that are chargeable to UK income tax;
d) any compensation for loss of employment and any other payments connected with termination;
e) any benefits received that do not fall within the above

9. **Lowest Paid Employees**

9.1 The lowest paid persons employed under a contract of employment with the Council are employed on full time (37 hours) equivalent salaries in accordance with the minimum spinal column point currently in use within the Council’s grading structure. As at April 2012, this is £12,312 per annum.

9.2 The relationship between the rate of pay for the lowest paid and chief officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.

9.3 The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton ‘Review of Fair Pay in the Public Sector’ (2010). The Hutton enquiry was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure and the Government’s Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median salary of the whole of the authority’s workforce.

9.4 The current pay levels within the Council define the multiple between the lowest paid full time equivalent (FTE) employee and the Managing Director as 1:7 and; between the lowest paid FTE employee and median salary of chief officers as 1:5. The multiple between the median FTE earnings and the Managing Director is 1:5 and; between the median FTE earnings and median salary of chief officers is 1:3

9.5 As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the council will use available benchmark information as appropriate.