



## AGENDA ITEM: 10

### SUMMARY

<b>Report for:</b>	<b>Cabinet</b>
<b>Date of meeting:</b>	<b>24 March 2015</b>
<b>Part:</b>	<b>1</b>
If Part II, reason:	

<b>Title of report:</b>	Shared Parental Leave Policy
Contact:	Neil Harden, Portfolio Holder for Residents and Regulatory Services  Anne Stunell, HR Team Leader - Author  Matt, Rawdon, Group Manager – People - Responsible Officer
Purpose of report:	That Cabinet recommend to Council that the Shared Parental Leave Policy is agreed.
Recommendations	That Cabinet recommend to Council that the Shared Parental Leave Policy is agreed.
Corporate Objectives:	To comply with legislation and therefore avoid the risk of non-compliance
Implications:	<u>Financial</u>  It is difficult to predict the take up of shared parental leave and pay. The present paternity policy allows the father to take additional leave and statutory pay at present; to date nobody has taken this up.  We are planning to pay statutory pay to the father under the shared parental leave policy, and do not expect the take up to be high, therefore the costs will be minimal
'Value For Money Implications'	<u>Value for Money</u>  There is no value for money implications as we are legally required to make this change to our employment policies.

Risk Implications	<p>The risks are that if more employees take up the policy than expected, we will have to pay statutory pay to them.</p> <p>The risk of not implementing the policy is that we would be open to legal challenge.</p>																
Community Impact Assessment	Community Impact Assessment carried out in March 2015																
Health And Safety Implications	The same rigorous health and safety conditions apply to the mother as per the maternity policy																
Monitoring Officer/S.151 Officer Comments	<p><b>Deputy Monitoring Officer:</b></p> <p>The policy is required to ensure that the Council complies with the Shared Parental Leave Regulations 2014.</p> <p><b>S.151 Officer</b></p> <p>The financial risk arising from the Shared Parental Leave policy is limited because statutory payments made to fathers can be reclaimed from government.</p> <p>The operational risk is that the Council will temporarily have to fill the posts of fathers who exercise their right to additional leave. At this stage, take up of the policy is not expected to be high, but it will be closely monitored over the coming months.</p>																
Consultees:	<p>Corporate Management Team</p> <p>Unison and Unite</p> <p>Human Resources</p>																
Background papers:	Shared Parental Leave Policy and Appendices																
Glossary of acronyms and any other abbreviations used in this report:	<table border="0"> <tr> <td>SPL</td> <td>Shared Parental Leave</td> </tr> <tr> <td>ShPP</td> <td>Shared Parental Pay</td> </tr> <tr> <td>SMP</td> <td>Statutory Maternity Pay</td> </tr> <tr> <td>SAP</td> <td>Statutory Adoption Pay</td> </tr> <tr> <td>MA</td> <td>Maternity Allowance</td> </tr> <tr> <td>OMP</td> <td>Occupational Maternity Pay</td> </tr> <tr> <td>HMRC</td> <td>Her Majesty's Revenue and Customs</td> </tr> <tr> <td>SPLIT</td> <td>Shared Parental Leave in Touch days</td> </tr> </table>	SPL	Shared Parental Leave	ShPP	Shared Parental Pay	SMP	Statutory Maternity Pay	SAP	Statutory Adoption Pay	MA	Maternity Allowance	OMP	Occupational Maternity Pay	HMRC	Her Majesty's Revenue and Customs	SPLIT	Shared Parental Leave in Touch days
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## **Background**

1. The legislation introducing Shared Parental Leave (SPL), which will allow parents to share a mother's remaining maternity leave and pay, came into force on the 1 December 2014. It only applies to children expected to be born or placed for adoption on or after 5 April 2015.
2. Where a child is expected to be born on or after 5 April 2015, the mother will be able to take 52 weeks' maternity leave (as is currently the case), or she may choose to end her maternity leave early and thereby create an entitlement to SPL for herself and the father of the child or her partner.
3. The scheme replaces the current additional paternity leave scheme. It is intended to be more flexible, allowing both parents to take leave at the same time and for the leave to be taken more flexibly in discontinuous blocks.
4. The drafting of the policy has been shared between Dacorum and four other local authorities in Hertfordshire. Decisions on whether to pay statutory Shared Parental Leave Pay (ShPP) or enhanced are mixed. Research shows that most local authorities are paying statutory pay; others have not made a decision.
5. Additional paternity leave will not exist from the 5<sup>th</sup> April 2015, but will be replaced by SPL as long as the mother states that she wishes to reduce her leave. To date no-one at DBC has taken additional paternity leave, so it is hard to predict the take up of SPL and the costs, but indications show that it may be minimal.

## **Current Policy**

- 6 The current maternity policy, subject to eligibility criteria, provides for the mother to be paid 6 weeks' pay at 90% of her salary, then weeks 7 – 18 at half pay plus statutory maternity pay (SMP) and weeks 19 – 39 at SMP.
- 7 The current paternity policy pays full pay for the first week of paternity leave, the second week is at statutory pay and any subsequent additional paternity leave (maximum 26 weeks) is paid at the statutory rate. The policy is subject to length of service eligibility criteria.
- 8 Human Resources plan to closely monitor all the cases of maternity and paternity and review the policy and pay accordingly.