

Personnel Committee

Paternity Leave Policy Update

30 September 2010

Report of the Head of People and Improvement

PURPOSE OF REPORT

To consider the Council's policy in relation to paternity leave.

This report is public

Recommendations

The committee is recommended:

To approve the Council's revised paternity leave policy

Executive Summary

The revised paternity leave policy is attached at appendix 1.

It had been a long-term aim of the previous Government to encourage fathers to take a more active role in their children's upbringing and to enable both fathers and mothers to obtain a better balance between their family responsibilities and their working lives.

In 2002 paternity leave was introduced but limited to two weeks' paid leave. The right to additional paternity leave came into force on 1 April 2010 in relation to parents of children with a due date on or after 3 April 2011.

Essentially it allows the mother of the child to return to work without taking her full year's maternity leave and "donate" the remainder of her leave entitlement to the father, who can then take up to 26 weeks off work to care for the child.

Week one of any period of paternity leave is paid at the employee's usual rate of pay. Any subsequent weeks (up to a maximum of 25 weeks) is paid at the statutory rate – currently a maximum of £124.88 per week.

As per previous legislation and guidance the Council's current paternity leave policy only allows the father of the child to take a maximum of 2 weeks leave. The policy has therefore been updated to reflect the new legislation. The revised policy includes qualification requirements, pay details and the impact on terms and conditions of employment.

Proposals

That the revised paternity leave policy is approved to ensure CDC is compliant with employment legislation.

Conclusion

CDC promote its commitment to family friendly policies. With the ever changing employment law in relation to this area it is imperative CDC keep up to date with amendments to its policy.

This policy has been through consultation with Unison and the staff consultation group.

Key Issues for Consideration/Reasons for Decision and Options

3.1 The Council has an obligation to ensure its policies and procedures remain up to date in relation to employment law

The following options have been identified. The approach in the recommendations is believed to be the best way forward

Option One Approve revised paternity leave policy

Option Two Retain current policy – but face potential challenge

Implications

Financial: There are no financial implications in agreeing this policy and any volunteer requests will be considered by CMT on an individual basis.

Comments checked by Denise Westlake, Service Accountant, 01295 221982

Legal: The policy must be updated to reflect the new legislation to avoid challenge.

Comments checked by Nigel Bell, Solicitor, 01295 221687

Risk Management: The risk of not approving recommendations is not adhering to the new paternity leave legislation and associated legislation and may leave the Council open to legal challenge..

Comments checked by Rosemary Watts, Risk Management & Insurance Officer, 01295 221566

Wards Affected

None

Document Information

Appendix No	Title
Appendix 1	Revised paternity leave policy
Background Papers	
None	
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