STAVERTON PARISH COUNCIL
Policy 017 – Flexible Working Policy

FLEXIBLE WORKING POLICY

There are no specified hours of work. You are required to work as the job demands. The NALC guideline for a Parish of this size is an estimate of 22 hours per month, but no guarantee is given that this position will conform to the guideline.

MATERNITY/PATERNITY/ADOPTION LEAVE

This policy describes the rights of female members of staff to maternity benefits and reflects current statutory provisions. You must inform the Chairman as soon as it is confirmed that you are pregnant, and you should also state the expected date of birth. As soon as you have notified the Council that you are pregnant, a maternity risk assessment will be carried out. Entitlement to Maternity Leave Ordinary Maternity Leave – Irrespective of your length of service, you may take up to 26 weeks' maternity leave starting at any time from the beginning of the 11th week before the expected week of childbirth (EWC).

Regardless of how much maternity leave you decide to take, there is two week period of compulsory maternity leave after birth.

Additional Maternity Leave - You are also entitled to additional maternity leave, which will start immediately after ordinary maternity leave and continue for up to a further 26 weeks. Eligibility for Maternity Pay Statutory Maternity Pay (SMP) - Provided that you have 26 weeks' continuous service at the 15th week before your EWC and you have been earning on average more than the National Insurance Lower Earnings Limit (LEL), you are entitled to receive SMP at the rate of 6 weeks' pay at 90% of your normal week's pay, followed by 33 weeks at the then current SMP weekly rate (or 90% of your earnings for the full 39 weeks if this is less than the then current SMP weekly rate).

SMP is subject to tax and National Insurance in the same way as your normal pay. These rates may vary in accordance with current legislation.

Maternity Allowance - If you are not entitled to SMP, you may be entitled to receive Maternity Allowance (MA). The Council will notify you if you are entitled to SMP, and you should then contact the Benefits Agency to find out whether you qualify for MA. Notification of Pregnancy.

For both SMP and your maternity leave, you should discuss your leaving date with the Chairman as soon as possible and provide confirmation of the EWC from your doctor or midwife.

You are required to notify us of your intention to take maternity leave by the 15th week before your EWC, unless this is not reasonably practicable.

This notice must state that you are pregnant, the date you intend to start your maternity leave, your EWC (or the date of the birth if this has already occurred). You may also be asked to present Form MAT B1 (which you will receive from your doctor) at any time after the 26th week of your pregnancy.

We will respond to your notification of your leave plans within 28 days. In the letter we will set out the date on which we expect you to return to work if you take your full entitlement to maternity leave.

Start of maternity leave, you must give a minimum of 4 weeks' written notice before you start your maternity leave.
Your maternity leave will start on the date that you notify us that you intend to start your leave unless your baby is born prior to that date, in which case your leave will commence on the actual date of birth of your baby.
Your maternity leave cannot start earlier than the 11th week before the EWC. If you are ill for a non-pregnancy related reason you may remain on sick leave and in receipt of sick pay either until the baby is born or if you have already notified us of your start date of maternity leave, that date, after which you will receive your maternity pay.

Your Contract of Employment (During Maternity Leave)

During your maternity leave your contract of employment will continue and your contractual terms and conditions continue to accrue, but you will not be entitled to remuneration save for SMP (if applicable) as set out above.
Returning to work Unless we hear to the contrary, we will expect you to return to work on the date set out in our letter to you (as noted in the paragraph 'Notification of Pregnancy' above).
If you intend to return to work before the end of your full entitlement, you must give us at least 8 weeks notice.
You have the right to return to your old job when you return from maternity leave (or an equivalent job if there are genuine business reasons why your old job is not available). If you decide not to return to work
If you decide not to return to work after your maternity leave, you must give us notice, the period of which is defined in your contract of employment.
If you have any holiday entitlement outstanding, the Council will pay any outstanding accrued holiday pay on your leaving date.
Keeping in touch while you are on maternity leave Legislation allows the Council to make reasonable contact with you while you are on maternity leave to keep you informed about activities at work. This may be by phone (or home email if you prefer) and the Council will endeavour not to be intrusive.
Please let the Chairman know how you would like to be contacted and preferred times of day.

SHARED PARENTAL LEAVE
Parental Leave was provided for by the Employment Relations Act 1999 and is supplemented by the Maternity and Parental Leave Regulations 1999, as amended from 10 January 2002.
Members of staff with a child who is less than 5 years old on or after 15 December 1999 and who have at least one year's continuous service have a statutory right to unpaid parental leave to look after the child or to make arrangements for the health and well being of the child.
In the case of parents of disabled children for whom a disability living allowance is payable, this right is extended up to the child's eighteenth birthday.

Procedure:
A full time member of staff is entitled to take up to eighteen weeks unpaid parental leave in total for each qualifying child. Part-time staff will be entitled to a pro-rata allowance. Leave may be taken in blocks of one week or more up to a maximum of four weeks in any one calendar year.
If the child has a disability then leave up to the maximum of four weeks in any one calendar year may be taken in single days or blocks of days.
The member of staff remains employed during any period of parental leave and is entitled to return to their original job.

Taking Leave Requests for parental leave should be made to the Chairman, giving at least 2 months notice.
The Chairman should respond promptly and be aware of the legal requirement to respond within 7 working days if postponing the request.
Documentary evidence of parental responsibility must be attached to the application form e.g copy of birth certificate or adoption order. A request can be postponed for up to six months when it is felt that the business needs and/or quality of service would be affected unduly, except where the request is for leave immediately following the birth of the child or adoption placement.

ANNUAL LEAVE POLICY
It is essential to the well being of staff to have time away from the workplace. It is considered to be important that all annual leave allowance is used up to maintain a healthy work/life balance. This policy has been created to provide a framework for accommodating holiday requests, whilst ensuring that the business of the Council is not compromised.
The Council will endeavour, wherever possible, to accommodate the holiday requests of the clerk. However, this may not always be possible.
If emergency leave is required by the clerk, the Council will try to accommodate this.

Policy
• Annual holiday entitlement is shown in your individual Statement of Terms & Conditions of Employment;
• It is our policy that the clerk's holiday entitlement must be taken during the Year. We do not permit holidays to be carried forward, any holidays not taken will be forfeit unless agreed otherwise at the discretion of the Council.
• To request holiday dates, you should ask for it to be an agenda item so that the Council can discuss and put in place cover.
• You should give at least two (2) weeks' notice of your intention to take holiday • You may not normally take more than two working weeks consecutively.
• Your holiday pay is shown in your individual Statement of Terms & Conditions of your contract.