

Agenda Item No:

Report No:

Report Title: Adoption Pay

Report To: Employment Committee

Date: 7 June 2010

Ward(s) Affected: All

Report By: Head of Business Services

Contact Officer(s): John Clark, Head of Business Services

Purpose of Report:

To seek approval to pay occupational adoption pay in future.

Officers Recommendation(s):

- 1 That occupational adoption pay should be introduced at the same rate as occupational maternity pay as from 1 July 2010.
- 2 That the Head of Business Services is authorised to amend the Council's adoption policies and procedures as required in order to add occupational adoption pay to the Council's staff benefits

Information

- 1 The Council's adoption policy currently states, "If you adopt a child you will be granted leave in the same way as for maternity leave".
- 2 However, the only pay during this leave is Statutory Adoption Pay which is currently about £125 a week, payable for 39 weeks (eligible staff can take up to 52 weeks' adoption leave).
- 3 During adoption leave, as with maternity leave, all other terms and conditions of employment except pay continue as before.
- 4 Under the Council's maternity scheme staff who have more than one year's service 11 weeks before their 'expected week of confinement' are entitled to Occupational Maternity Pay (OMP). OMP is 6 weeks at 90% pay, followed by 12 weeks at half pay, but has to be repaid if staff do not return to work for at least 3 months.
- 5 In addition to OMP new mothers receive Statutory Maternity Pay (SMP) for 6 weeks at 90% of a week's pay followed by 33 weeks at standard rate SMP.
- 6 So, to summarise, although all new parents are entitled to 52 weeks of leave, whether that be adoption leave or maternity leave, currently parents of adopted children only receive the statutory adoption pay. Parents who are on maternity leave receive not only Statutory Maternity Pay but also Occupational Maternity Pay.

- 7** In law, the statutory provisions apply to local government employees unless the authority has its own contractual scheme. We do not have our own scheme and the National Joint Council for Local Government Services' National Agreement on Pay and Conditions of Service does not contain an adoption scheme.
- 8** Some authorities have introduced their own schemes, while others have kept to the statutory provisions. Locally, East Sussex County Council offer staff who have completed at least one year's continuous service Occupational Adoption Pay which is payable at the same rate as Occupational Maternity Pay.
- 9** I propose that the Council should introduce Occupational Adoption Pay at the same rate as our existing Occupational Maternity Pay, with the policies and procedures for Occupational Adoption Pay consistent with those of the maternity pay scheme. For example, staff must have one year's service and Occupational Adoption Pay would have to be repaid if staff do not return to work for 3 months or more.
- 10** The financial implications are unquantifiable, but are likely to be minimal. In the last 10 years the Council has had one member of staff who has taken adoption leave and currently we have two more who have enquired about the Council's position on adoption and so may be considering it at some time.
- 11** This would be a small addition to our family-friendly policies and may help, in a small way, with retention. It would be a valuable benefit for those considering adoption.