



Report Cover Sheet

Name of Meeting:	Employment Committee
Date of Meeting:	18 th September 2007
Report Title:	Amendment to Adoption Policy
Summary of report:	The recommendation to update the adoption policy with a change to the payments for adoption leave. Making it more in line maternity policy and current legislation.
For Further Information Please Contact (report author):	Karen Warren
Business Unit:	Corporate Personnel Services
Would the recommended decision be contrary to the Policy Framework:	No
Would the recommended decision be contrary to the Budgetary framework:	No
Wards of the District directly affected by this decision:	N/ A
Key Decision?	Yes
Included within the Forward Plan?	No
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No
Background Papers:	No

Consultation Undertaken

Below is a table of the Council's regular consultees. However not all have to be consulted on every matter and if there was no obligation to consult with a specific consultee they will be marked as n/a.

Consultees	Yes/ No	Who
Other Committees	No	
Ward Councillors	No	
Portfolio Holders	No	
Other Councillors	No	
Warwick District Council recognised Trades Unions	Yes	UNISON – Andy Crump GMB / MPO – Jackie Webb
Other Warwick District Council Service Areas	No	

Project partners	No	
Parish/Town Council	No	
Highways Authority	No	
Residents	No	
Citizens Panel	No	
Other consultees	Yes	CMT
Officer Approval		
With regard to officer approval all reports must be approved by the report authors relevant director, Finance Services and Legal Services.		
Officer Approval	Date	Name
Relevant Director(s)		
Chief Executive		
CMT		
Section 151 Officer		
Legal		
Finance	8/08/07	Marcus Miscinis
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. **RECOMMENDATION(S)**

- 1.1 Adoption pay and adoption leave be increased and reconfigured in line with legislation and best practice. This will mean an increased cost of 6 weeks at half pay for each adoption application. Actual cost will differ due to variation in salaries for each individual.

2. **REASON(S) FOR THE RECOMMENDATION(S)**

- 2.1 The adoption policy was introduced ahead of legislation – at that time the provision for pay and leave was generous. In the current climate in comparison to maternity pay and leave, adoption pay is out of line. Legislation recommends that adoption leave mirrors maternity leave in duration and that provision is made for payments at the Statutory Adoption Pay (SAP) level for the duration. As it currently stands, pay, whilst being generous initially does not include SAP and leave is far below the statutory level required.

3. **ALTERNATIVE OPTION(S) CONSIDERED**

- 3.1 There are 3 options that have been considered:

1. Do nothing and leave the policy unchanged – this would mean that the Council was contravening the Work & Families Act 2006 (amendments enforced 01 April 2007) which is deemed as unacceptable and therefore not a viable consideration.

2. Implement a change that reflects exactly the legal requirements – this would entail increasing the leave but a reduction in payments. This would be a satisfactory option as it would dispense our legal obligations. If the committee were unable to agree the recommended option no 3, then this would be the alternative solution.

3. Implement a change that reflects the legal framework but that also retains the generous nature of the Council's original stance – this would reflect the provision set out under maternity legislation and also a best practice approach adopted by many organisations including other local authorities e.g. Dudley MBC and Bristol University.

Recommended Option No 3

4. **BUDGETARY IMPLICATIONS**

- 4.1 See appendix A for a summary of current provision, proposals and legal framework giving comparisons
- 4.2 The difference in costs will be an increase in half pay for 6 weeks for each adoption application
- 4.2 There have been 2 adoptions since the policy was introduced in 1995

5. **POLICY FRAMEWORK**

- 5.1 This supports Warwick District Council's commitment to promoting flexibility in approaching work, family friendly practices, equality and accessibility for all.

APPENDIX A

FINANCIAL INFORMATION REQUIRED IN THE BUDGETARY FRAMEWORK SECTION OF COMMITTEE REPORTS

Current Occupational Scheme	Legal Requirement	Proposal
<p>6 weeks full pay</p> <ul style="list-style-type: none"> • Entitled to occupational scheme after 1 year's service • A request may be made to refund this pay if the employee does not return to work after leave period 	<p>39 weeks at Statutory Adoption Pay (SAP)</p> <ul style="list-style-type: none"> • Must be employed 26 weeks prior to the week in which they have been matched for adoption • Currently paid at £112.75 per week and not required to be repaid if employee doesn't return from leave 	<p>6 weeks at 90% pay (offset against SAP)</p> <ul style="list-style-type: none"> • Actual pay offset against SAP (£112.75) • Entitled after 1 year's service • Mirrors maternity pay
<p>6 weeks half pay</p> <ul style="list-style-type: none"> • Entitled after 2 year's continuous service • A request may be made to refund this pay if the employee does not return to work after leave period 		<p>12 weeks at half pay</p> <ul style="list-style-type: none"> • Half pay offset against SAP • Entitled after 1 year's service • A request may be made to refund this pay if the employee does not return to work after leave period • Mirrors maternity pay
<p>Any further leave is unpaid</p>		<p>11 weeks at SAP only</p> <ul style="list-style-type: none"> • Mirrors maternity pay