

E-mail:

14 December 2016

Your reference:

Our reference: FOI 2016-1133

Dear

## **FREEDOM OF INFORMATION ACT 2000 - DISCLOSURE**

The council has completed its search relating to your request for information about statutory rates of pay, which was received on 05 December 2016.

The council does hold information within the definition of your request.

### **Question 1**

Do you pay statutory rates of pay for maternity, adoption, paternity and parental leave or do you enhance the pay? If you do enhance the pay, how much do you pay, for how long do you pay the enhanced rate and why do you enhance it?

### **Answer 1**

Occupational Maternity pay / Adoption pay is a national condition of the National Joint Council for Local Authority Employees. Schemes vary for other employees working under other national bodies e.g. Fire and teachers. The information given is based on terms and conditions for the majority of CCC employees. All provisions are subject to qualifying conditions e.g. earnings and length of service:-

- Maternity Pay

SMP is payable for 39 weeks – 6 weeks at 90% of earnings and 33 weeks at the standard SMP rate (or 90% of earnings, whichever is lower).

Occupational Maternity Pay is paid under the County Council's Maternity Scheme and is in addition to SMP. OMP is 6 weeks at full pay paid over a period agreed with the line manager.

- Adoption Pay – as per maternity pay

- Paternity Pay

Maternity support leave – 5 days paid leave at normal pay (pro-rata for part-time employees). This is a National Term and Condition and therefore enhances one week of paternity pay.

Paternity Leave – 2 weeks (although one week is taken as Maternity support leave above) paid at Statutory rate £139.58 or 90% of average weekly earnings whichever is the lower

The Work and Families Act 2006 provides the shared parental leave framework for the introduction of a new right for fathers and partners to take Additional Paternity Leave (APL) and receive Additional Statutory Paternity Pay (ASPP). Provision means the mother must have returned to work and if any of her maternity pay entitlement is left this can pass to the father or partner. Minimum of 2 weeks maximum of 26 weeks.

- Parental Leave – statutory entitlement 18 weeks unpaid leave for each child and adopted child, up to their 18th birthday.

### **Question 2**

Do you pay statutory rates of redundancy pay or do you enhance it?

### **Answer 2**

Redundancy pay is enhanced

### **Question 3**

If it is enhanced, how much do you pay and why do you enhance it?

### **Answer 3**

Voluntary redundancy (VR) is the Council's preferred way of reducing the workforce by voluntary means. The council pays an enhancement to encourage employees to leave on a voluntary basis rather than having to make employees compulsorily redundant.

In cases where employees with two or more years' continuous Local Government Service are granted voluntary redundancy they will receive redundancy pay based on the statutory redundancy pay multiplier, using actual weekly pay instead of the statutory maximum. It should be noted that the actual weekly wage will be capped at £1,000 gross per week. A compensation payment based on a multiplier of 1.5 will be applied to the statutory calculation. So for example where the statutory scheme provides that an employee should receive 10 weeks wages they will receive an additional 50%. This gives a total of 15 weeks (10 weeks redundancy pay and 5 weeks compensation).

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If you are dissatisfied with the way the council has responded to your request you can request an Internal Review. If you would like to request a Review please contact the Information Governance Team using the details at the top of this letter.

Further information can be found on the council's website: <http://www.cumbria.gov.uk/council-democracy/accesstoinformation/internalreviewscomplaints.asp>

Yours sincerely,

Duncan McQueen  
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