

Notice of Meeting

Employment Committee

Councillor Pickering (Chair),
Councillor Gillbe (Vice-Chair),
Councillors Allen, Frost, McLean, O'Regan, P Thompson and Watts



Wednesday 5 July 2023, 7.30 pm
Council Chamber - Time Square, Market Street, Bracknell, RG12 1JD

Agenda

All councillors at this meeting have adopted the Mayor's Charter which fosters constructive and respectful debate.

Item	Description	Page
1.	Apologies	
	To receive apologies for absence and to note the attendance of any substitute members.	
2.	Declarations of Interest	
	<p>Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.</p> <p>Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.</p> <p>Any Member with an affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.</p>	
3.	Minutes from previous meeting	3 - 6
	To approve as a correct record the minutes of the meeting of the Committee held on 08 February 2023 and the minutes of the Annual Meeting of the Committee held on 24 May 2023.	
4.	Urgent Items of Business	
	Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.	
5.	Update from the Chairman of the Local Joint Committee	

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	A verbal update from the Chairman of the Local Joint Committee.	
6.	Minutes of Sub Groups	7 - 8
	The Committee is asked to note the minutes of the Local Joint Committee held on 8 February 2023	
7.	Employment Committee Overview Presentation	
	To receive an overview from Paul Young, Assistant Director of HR and Organisational Development on the Employment Committee role and responsibilities. Reporting: Paul Young	
8.	HR Policy Review	9 - 66
	To review and agree the revised policies for; <ul style="list-style-type: none"> • Shared Parental Leave • Trans and Non-Binary • Adoption Leave • Right to Request Flexible Working updated policies Reporting: Paul Young	

Sound recording, photographing, filming and use of social media is permitted. Please contact Jamie Beardsmore, 01344 325000, jamie.beardsmore@bracknell-forest.gov.uk, so that any special arrangements can be made.

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**EMPLOYMENT COMMITTEE
8 FEBRUARY 2023
7.30 - 7.46 PM**

Present:

Councillors Leake (Chair), Allen (Vice-Chair) and Wade

Present Virtually:

Councillors Angell, Bhandari, Dudley and Porter

Non-Voting Co-optee Present Virtually:

Councillors Heydon

26. Declarations of Interest

There were no declarations of interest.

27. Minutes from previous meeting

Councillor Heydon attended the meeting of the 14 December 2022 virtually, and the minutes would be amended accordingly.

RESOLVED, with the addition of the above amendment, the minutes of the meeting of the Committee held on 14 December 2022 were approved.

28. Urgent Items of Business

There were no urgent items of business.

29. Update from the Chairman of the Local Joint Committee

The Committee was advised that the Local Joint Committee had discussed items 7 and 8 on the agenda. There had been some complimentary comments but no requests for amendments or adverse comments.

30. Minutes of Sub Groups

The Committee received and noted the minutes of the Local Joint Committee held on 14 December 2022.

31. Annual Update of The Council's Pay Statement

The Committee considered a report to agree the 2023/24 Pay Policy Statement.

Since 2012, and in accordance with the 2011 Localism Act, the Council has been required to publish an annual Pay Statement which is also aligned with the requirements of the Transparency Regulations.

The annual pay statement had previously been produced towards the end of the financial year in which it applied. As the statement confirms how the Council will apply the pay arrangements, it should be produced prior to the financial year in

which it applies.

Employment Committee had received the pay statement for the current financial year (2022/23) in July 2022 before it proceeded through to Council. The production of the statement would enable the 2023/24 statement to be applied for the beginning of the new financial year.

Once agreed through Employment Committee, the statement would be taken to Council for agreement.

RESOLVED that having reviewed, the Employment Committee agree the Pay Policy Statement for 2023/24.

32. **HR Policy Review - Substance Misuse Policy**

The Committee received the revised policy for Substance Misuse for consideration. The Human Resources team are undertaking a review of the HR policies with a view to updating and, where applicable, rationalising the number of policies required.

The process for reviewing the policies has included engagement with stakeholders across the Council and trade unions. The future development for this activity would include establishing a sub-group of the Workforce Board to facilitate engagement across the Council so the pressures and challenges of each subject area could be considered.

The following amendments had been made to the policy:

- Equality section amended
- Amendment to scope
- Addition of guidance for managers if an employee discloses a substance misuse problem (Section 6.3)
- Addition of a section on Support available for employees (Section 6.5)

It was recognised that the policy and procedure alone did not provide the confidence and competence to manage workforce situations. The HR/OD Team would be supporting the effective management of these procedures through a programme of development for managers.

RESOLVED that having reviewed, Employment Committee agree the revised policy for Substance Misuse.

CHAIRMAN

**EMPLOYMENT COMMITTEE
24 MAY 2023
8.33 - 8.36 PM**



Present:

Councillors Pickering (Chair), Frost (Vice-Chair), Allen, Gillbe, McLean, O'Regan, P Thompson and Watts

1. Election of Chair

RESOLVED that Councillor Pickering be appointed Chair of the Employment Committee for the municipal year 2023-24.

2. Appointment of Vice-Chair

RESOLVED that Councillor Gillbe be appointed Vice-Chair of the Employment Committee for the municipal year 2023-24.

3. Appointment of Sub Committee and Advisory Groups

RESOLVED that the following sub-committees and advisory group to the Employment Committee are established for the 2023-2024 municipal year:

Education Employment Sub Committee of Employment Committee (7 Councillors)	
Labour (4) Gillbe – Vice-chair-elect O'Regan Pickering – Chair-elect Watts	Conservative (2) Allen McLean
Liberal Democrat (1) P Thompson	
Non-voting Members of the Teachers Associations: David Allais (UNISON) Vacancy (NASUWT) Paul Tatum (NEU) David McMullan (GMB)	
Substitute Members Labour (1) Frost	Conservative (3) Barnard Mossom Robertson
Liberal Democrat (0)	

**Councillor Appeals Panel
– Sub Committee of Employment Committee
(5 Councillors)**

Five councillors drawn from the Employment Committee in the first instance as follows:

- At least one Executive Member and one opposition Member
- Three other Members
- Up to three substitutes per political group(s)

Members must not have had any previous involvement in the matter being considered.

Chief Executive to agree the appointments in accordance with the wishes of the political group(s)

**Local Joint Committee
Consultative Committee of Employment Committee
(4 Councillors)**

Labour (2)

Gillbe
Pickering

Conservative (1)

Allen

Liberal Democrat (1)

P Thompson

Staff side representatives

David Allais (Unison)
Pat Kenny (Unison)
David McMullen (GMB)

Substitute Members

Labour

O'Regan

Conservative (1)

McLean

Liberal Democrat (0)

CHAIRMAN



**LOCAL JOINT COMMITTEE
8 FEBRUARY 2023
4.00 - 4.15 PM**

Present:

Councillors Leake (Chair), Allen and Wade

David Allais, UNISON

Thomas Rhodes, UNISON

Apologies for absence were received from:

Councillors Angell

17. Declarations of Interests

There were no Declarations of Interests.

18. Minutes from Previous Meeting

The minutes of the meeting held on 14 December 2022, were approved as a correct record.

19. Urgent Items of Business

There were no urgent items of business.

20. Employment Committee: Agenda and Related Matters

i. Annual Update of The Council's Pay Statement

The Assistant Director: Human Resources & Organisational Development, Paul Young, advised the Sub-Committee that the annual pay statement had previously been produced towards the end of the financial year in which it applied.

As the statement confirmed how the Council would apply the pay arrangements, it should be produced prior to the financial year in which it applies. The pay statement for the current financial year (22/23) had been agreed in July 2022 before proceeding through to Full Council. The production of this statement would enable the 23/24 statement to be applied for the beginning of the new financial year.

Once agreed through Employment Committee, the statement would be taken to Full Council.

ii. HR Policy Review - Substance Misuse Policy

The Assistant Director: Human Resources & Organisational Development, Paul Young, advised the Sub-Committee Young, that the Human Resources team were undertaking a review of the HR policies with a view to update and, where applicable, rationalise the number of policies required.

The process for reviewing the policy included engagement with stakeholders

across the Council and trade unions. The future development for this would include establishing a sub-group of the Workforce Board to facilitate engagement across the Council so the pressures and challenges of each subject area could be considered.

The following amendments have been made to the policy:

- Equality section amended
- Amendment to scope
- Addition of guidance for managers if an employee discloses a substance misuse problem
- Addition of a section on Support available for employees

It was recognised that the policy and procedure alone did not provide the confidence and competence to manage workforce situations and therefore the HR/OD Team would be supporting the effective management of these procedures through a programme of development for managers.

UNISON were supportive of the policy and that their suggestions had been included within the policy.

21. **Matters to be Raised by Trade Unions**

Unison's National Bargaining Group were currently negotiating the pay increase for officers and staff.

CHAIRMAN

To: **EMPLOYMET COMMITTEE**
5 July 2023

HR POLICY REVIEW **Executive Director of Resources**

1 Purpose of Report

- 1.1 The Human Resources team have an established programme in place to review/update existing HR policies/procedures. As part of this process, policies and procedures are being consolidated, wherever possible, and new policies and procedures created to reflect changes to legislation or best practice. The policies are presented to gain agreement for the updated policies to be implemented.

2 Recommendation(s)

- 2.1 That Employment Committee review and agree:
- i) The newly created Trans and Non-Binary Policy
 - ii) The revisions to the Adoption, Shared Parental Leave and Flexible working policies

3 Reasons for Recommendation(s)

- 3.1 To ensure relevant and up-to-date policies/procedures are available to assist managers throughout the Council in effectively managing and, where necessary, supporting their workforce, whilst complying with legal requirements and best practice.

To support members of our workforce who identify as non-binary and those who may be transitioning or wish to go through transition.

To ensure that requests for Adoption Leave, Shared Parental Leave and Flexible Working are handled consistently and authorised or declined in line with service need.

4 Alternative Options Considered

- 4.1 To retain the existing policies relating to Flexible Working, Adoption and Shared Parental leave.

5 Supporting Information

- 5.1 It is recognised that the HR policies require regular reviews to ensure they; remain up to date and meet current legislation, follow best practice, effectively support managers in dealing with associated cases and meet the Council's legal duties. As a result, a schedule has been established to review the current HR policies some of which have not been reviewed for some time. This has resulted in the creation of a Trans and Non-Binary policy and the revision of the following policies:

- Adoption Leave Policy
- Shared Parental Leave Policy
- Flexible Working Policy

Additionally, new policies need to be created and established to reflect changes in legislation, best practice and to support our employees' lifestyle choices.

- 5.2 A schedule has been established to prioritise policies for review and/or creation.
- 5.3 The process for reviewing the policies has included engagement with stakeholders, trade unions and our equality team, as well as checks against current legislation/best practice.
- 5.4 The following amendments have been made to the Adoption Policy:
 - Moved to new template
 - Equality statement added
 - Changes to wording for clarity and the use of more inclusive language
- 5.5 The following amendments have been made to the Shared Parental Leave Policy:
 - Moved to new template
 - Equality statement added
 - Changes to wording for clarity and the use of more inclusive language
 - Terminology updated from mother/adopter to birth parent/primary adopter
 - Link to flexible working policy added.
- 5.6 The following amendments have been made to the Flexible Working Policy:
 - Moved to new template
 - Equality statement added
 - Changes to wording for clarity
 - Appeals procedure updated - appeals will now be heard by a different manager to the line manager who originally made the decision if refused.
- 5.6.1 Additionally, for this policy there are further developments proposed later in 2023 which will provide the following changes:
 - Allowing employees to request flexible working from Day 1 of their employment – currently flexible working requests can only be made after 26 weeks of employment
 - removing the requirement for employees to explain in their applications what effect they think it will have on their employer,
 - allowing employees to make two flexible working requests per 12 months instead of the one currently allowed,
 - reducing the deadline for an employer decision on flexible working requests from three months to two months.
- 5.6.2 Rather than wait for these changes to be imposed under the direction of the legislative update, CMT have agreed to a proposal to make the changes through this policy update. This supplements the flexible arrangements already in place with the agile working procedures whilst also underlining the Council as a forward looking employer of choice for candidates.
- 5.7 The Trans/Non-Binary Policy has been created:
 - To support the Council's commitment to equality of opportunity for trans and non-binary people throughout their recruitment and employment, including supporting trans employees through any transitioning process and to ensure that they are treated with dignity and respect within the workplace.

- 5.8 It is recognised that policy and procedure alone does not provide the confidence and competence to manage workforce situations. The HR/OD Team are supporting the effective implementation of these procedures through a programme of development for managers.

6 Consultation and Other Considerations

Legal Advice

- 6.1 As a responsible employer it is incumbent upon the Council to ensure that it has in place policies and procedures which provide a framework for enabling it to discharge its legal responsibilities in the field of employment law. These responsibilities are framed around a need to ensure employees have access to fair and transparent processes HR processes. The updated policies provide a framework for decision making which (when followed) will mitigate the risk of successful legal challenges.

Financial Advice

- 6.2 Not required for this paper

Other Consultation Responses

- 6.3 The policies have been through a consultation exercise with trade unions, a cross section of managers and through the equalities team. Any comments or suggestions received have either been incorporated into the policy or an explanation provided as to why it was felt inappropriate to do so.

Equalities Impact Assessment

- 6.4 The performance of these policies is monitored and included with the annual workforce monitoring report.

Strategic Risk Management Issues

- 6.5 The policies being presented could have a significant impact on the Council where either poor people management or failure to follow due process could present legal challenges. This is aside the personal impact this can have on either individuals or wider teams where these important areas are not addressed well.

Climate Change Implications

- 6.6 The recommendations in Section 2 above are expected to have no impact on emissions of CO₂.

The reasons the Council believes that this will have no impact on emissions are the fact that these are employment procedures in place to support attendance and fair treatment for staff at work.

Health & Wellbeing Considerations

- 6.7 It is recognised that implementation of these policies can create significant challenges for all staff involved. It is essential that consideration for the health and wellbeing for staff is always considered and the appropriate support is provided including involvement with occupational health

Background Papers

- Trans and Non-Binary Policy
- Adoption Leave Policy
- Shared Parental Leave Policy
- Flexible Working Policy

Contact for further information

Paul Young, Human Resources and Organisational Development, Resources Department
Paul.young@bracknell-forest.gov.uk

Shared Parental Leave Policy

Document Control

Current Version:	1.1	Date Modified:	July 2023
Revision due	The service aims to review policies and procedures every two years to ensure documents are up to date		
Owning Service	Human Resources		

Approvals (if required)

Date Employment Committee gave authorisation for changes (where necessary)

Change History

Version	Date	Description	Changes made by
1.1	July 2023	Changes to policy, changed terminology from mother/adopter to birth parent/primary adopter, checked legal terms – all up to date, inserted link to flexible working policy	
1.0	1 April 2018	Creation and Implementation of policy	

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BRACKNELL FOREST COUNCIL SHARED PARENTAL LEAVE POLICY

1 INTRODUCTION

Shared Parental Leave enables birth parents/ primary adopters to end their maternity leave and pay in order to share the untaken balance of leave and pay as Shared Parental Leave and pay with their partner or to return to work early from maternity or adoption leave and opt in to shared parental leave/pay at a later date.

Shared Parental Leave replaces additional paternity leave and pay.

2 EQUALITY

At Bracknell Forest Council we are committed to encouraging equality, diversity and inclusion amongst our workforce, and eliminating unlawful discrimination. We want everyone that works for us to feel that their individuality is respected, and their unique contributions are valued.

The aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

The Council - in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of customers or the public.

3 PURPOSE

The Shared Parental Leave Policy sets out the Council's procedure to be followed to request Shared Parental Leave and/or pay.

The Council's policy exists to ensure that all requests are managed effectively and fairly and in line with legislative requirements.

4 PRINCIPLES

This policy is based on the following general principles:

- The entitlement to shared parental leave and pay is in line with the entitlements to maternity/adoption leave and pay.
- The birth parent/primary adopter and partner meet the eligibility criteria.

5 SCOPE

This procedure applies to all employees of Bracknell Forest Council, with the exception of:

- School based staff (see separate School policy)
- Individuals undertaking casual work.

6 ELIGIBILITY

ELIGIBILITY FOR SHARED PARENTAL LEAVE (SPL)

6.1 For employees to be eligible to take SPL, both parents must meet the following eligibility requirements. Only one parent/adopter/carer needs to be employed by the Council for this to apply

The birth parent is eligible for SPL if they:

- have, at the date of the child's birth/placement date, the main responsibility, apart from the partner, for the care of the child;
- qualify for statutory maternity/adoption leave **OR** statutory maternity/adoption pay or maternity allowance;
- give the relevant maternity/adoption leave curtailment and shared parental leave notice and evidence;
- still be working for the Council at the start of each period of the SPL;
- have a minimum of 26 weeks' service at the end of the 15th week before the child's expected due date.

6.2 The partner is eligible for shared parental leave if they:

- have, at the date of the child's birth/placement date, the main responsibility, apart from the birth parent/primary adopter, for the care of the child;
- comply with the relevant shared parental leave notice and evidence requirements;
- there is no qualifying service for this leave, but to qualify for pay they must in the 66 weeks leading up to the child's expected due date have worked for at least 26 weeks and earned an average, currently of at least £30 a week in any 13 of those weeks.

ELIGIBILITY FOR SHARED PARENTAL PAY (SHPP)

6.3 The employee has already established that they meet the eligibility requirements for SPL. An employee seeking to claim ShPP must also:

- intend to care for the child during the week/s in which ShPP is payable;
- give proper notification in accordance with this Policy.

7 AMOUNT/FREQUENCY OF SHARED PARENTAL LEAVE

7.1 Eligible parents can get up to 50 weeks of SPL and up to 37 weeks ShPP

7.2. The birth parent must take the minimum of two weeks compulsory maternity leave following the birth and the primary adopter must take at least two weeks of adoption leave.

- 7.3 The amount of shared parental leave to which an individual is entitled will depend on how much maternity leave the birth parent has taken OR how much adoption leave the primary adopter has taken.
- 7.4 An employee taking shared parental leave can split their leave into **a maximum of three** separate blocks instead of taking it all in one go, even if they are not sharing the leave with their partner. **Shared parental leave must be taken in blocks of at least one week.** Notices can be submitted one at a time or all at the same time.
- 7.5 Employees can request to take SPL in
- a) *Continuous blocks of leave notifications:* An employee has the right to take a continuous block of leave so long as it does not exceed the total number of weeks of SPL available to them and the employer has been given at least eight weeks' notice. The manager cannot refuse this request.
- OR
- b) *Discontinuous blocks of leave notifications:* A single notification may instead contain a request for a pattern of weeks of leave over a period of time, with breaks between the leave where the employee returns to work (for example, an arrangement to work every other week for a period of three months).
- The Council will consider a discontinuous blocks of leave notification but reserves the right to refuse the request. If the leave pattern is refused, the employee can either withdraw the request within 15 days of giving it or can take the leave in a single continuous block.
- 7.6 All SPL can only be taken in complete weeks but may begin on any day of the week. For example, if a week of SPL began on a Tuesday it would finish on a Monday.
- 7.7 A period of SPL can be taken at any time from the date of the child's birth/placement (but partners are still entitled to take up to two weeks' ordinary paternity leave following the birth/date of placement of a child under the current paternity policy).
- 7.8 The partner can take shared parental leave simultaneously while the birth parent/ primary adopter is still on maternity / adoption leave, but this counts towards the total amount of leave available.
- 7.9 Any shared parental leave not taken by the first birthday or first anniversary of placement for adoption will be lost.

8 NOTICE REQUIREMENTS FOR SHARED PARENTAL LEAVE

8.1 The employee is required to give at least eight weeks' notice, before the intended start date of each SPL 'leave' period, and produce three types of information to support the request:

1. The curtailment notice of the birth parent/primary adopter's maternity/adoption leave for themselves and their partner to access SPL
2. Provide the Council with provisional dates for leave.
3. Provide the Council with confirmed leave dates which become a binding agreement.

There are three main forms (known as Notices) to use

- **The Curtailment Notice - ([Appendix A](#))** - This notice is to inform the council that the birth parent/primary adopter wishes their maternity/adoption leave and pay (or just your maternity pay if you are no longer in employment) to end, in order that the person who shares main responsibility to care for the child can take SPL. However, it does state the intention to surrender the maternity/adoption leave entitlements and change to an SPL basis. The partner/other parent is not entitled to take shared parental leave until the birth parent/primary adopter has submitted this notice of curtailment.

Or use:

- **The Curtailment Notice combined with notice of entitlement and intention - ([Appendix B](#))** from the employee giving an initial, non-binding indication of dates required for each period of SPL and includes a declaration from both parents/carers/adopters, that they meet the eligibility requirements.

And:

- **A Period of Leave notice** - ([Appendix C](#)) from the employee which sets out the start and end dates of each period of SPL that they are requesting. Unlike the earlier notices which are indications, this is binding for the dates given.

Forms required to make variations or cancellations are also available below.

9 CURTAILMENT NOTICE- ([APPENDIX A](#))

9.1 Before the parties can take SPL, the birth parent/adopter must either return to work before the end of their maternity/adoption leave or provide a maternity/adoption leave curtailment notice, which is in writing and states the date when the maternity/adoption leave will end.

This date must be:

- after the two week compulsory maternity leave period or two week adoption leave;
- at least eight weeks after the date on which the curtailment notice has been given in;
- at least one week before the 52 weeks of maternity/adoption leave is due to end.

9.2 Withdrawal of maternity/adoption leave curtailment notice

The birth parent/primary adopter can withdraw their curtailment notice providing that they give eight weeks notice, it may be set aside for the following reasons;

- If the maternity leave curtailment notice was given before the birth/placement of the child and the birth parent/primary adopter withdraws that notice within six weeks of the child's birth/placement; or
- If the other parent/carer/adopter has died; or
- In any other circumstance where there are significant difficult personal circumstances such a request will not be unreasonably refused.

10 CURTAILMENT NOTICE, COMBINED WITH NOTICE OF ENTITLEMENT AND INTENTION TO TAKE SHARED PARENTAL LEAVE [APPENDIX B](#)

10.1 Part of the eligibility criteria requires the employee to provide the Council with correct notification. It must be in writing and include each of the following:

- the name of the employee;
- the name of the other parent/carer/adopter;
- the start and end dates of any maternity/adoption leave or pay, or maternity allowance, taken in respect of the child and the total amount of SPL available;
- the date on which the child is expected to be born and the actual date of birth or, in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the date of placement for adoption;
- the amount of SPL each parent/carer/adopter intends to take;

- an indication of when the employee expects to take the leave.

10.2 It also includes a signed declaration from the employee stating:

- that they meet, or will meet, the eligibility conditions and are entitled to take SPL;
- that the information they have given is accurate;
- if they are not the birth parent/adopter they must confirm that they are either the child's biological parent or the spouse, civil partner or partner of the birth parent/ primary adopter;
- that should they cease to be eligible they will immediately inform the Council.

10.4 It also includes with a signed declaration from their partner confirming:

- their name, address and national insurance number (or a declaration that they do not have a national insurance number);
- that they are the birth parent/primary adopter of the child or they are the child's biological parent or are the spouse, civil partner or partner of the birth parent/primary adopter;
- that they satisfy the 'employment and earnings test' and had at the date of the child's birth or placement for adoption the main responsibility for the child, along with the employee;
- that they consent to the amount of SPL that the employee intends to take;
- that they consent to the Council processing the information contained in the declaration form; and
- (in the case where the partner is the birth parent/primary adopter), that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

10.5 It must have evidence of eligibility attached as follows or provided within 14 days of the request –

- the name and business address of the partner's employer (where the employee's partner is no longer employed or is self employed their contact details must be given instead);
- in the case of biological parents, a copy of the child's birth certificate (or, where one has not been issued, a declaration as to the time and place of the birth);
- in the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.

11 NOTICE OF VARIATION OR CANCELLATION OF ENTITLEMENT AND INTENTION TO TAKE SPL – (HAVING PREVIOUSLY SUBMITTED A 'NOTICE OF ENTITLEMENT AND INTENTION TO TAKE SPL') – ([APPENDIX C](#))

11.1 The employee can vary or cancel their proposed SPL provided that they provide the Council with a written notice. The written notice must contain:

- an indication as to when the employee now intends to take shared parental leave;
- details of any periods of leave that have been notified already;

- details of any periods of statutory shared parental pay that have been already and are now being changed or cancelled;
- a declaration signed by the birth parent and the partner that they agree to the variation.

11.2 There is no limit on the number of variations of notice of entitlement and intention that the employee can make.

12 PERIOD OF LEAVE NOTICE – THIS IS BINDING – ([APPENDIX D](#))

12.1 In addition to the above an employee must complete this notice as confirmation they wish to take a period of SPL again stating the specific dates required. They must have previously submitted a notice of entitlement and intention to take leave form. This Notice will be a binding agreement.

12.2 A period of leave notice must be given at least eight weeks before the start date of the first period of shared parental leave requested in the notice.

13 PERIOD OF LEAVE VARIATION OR CANCELLATION OF NOTICE – (HAVING PREVIOUSLY SUBMITTED A ‘PERIOD OF LEAVE NOTICE’) – ([APPENDIX E](#))

13.1 The employee can vary or cancel their proposed SPL dates following the submission of a ‘period of leave notice’, provided that they provide the Council with a written notice not less than eight weeks before any period of leave varied or cancelled by the notice is due to commence. This variation will count as one of the employee’s three periods of leave.

The written notice can:

- vary the start date or the end date of any period of shared parental leave or cancel a request for leave;
- request that a continuous period of leave become discontinuous periods of leave; or
- request that discontinuous periods of leave become a continuous period of leave.

14 LIMIT ON NUMBER OF REQUESTS FOR LEAVE

14.1 The employee has the right to submit three notifications specifying leave periods they are intending to take.

14.2 If the employee submits a period of leave notice requesting one continuous period of leave, they will be entitled to take that period of leave.

14.3 If the employee submits a period of leave notice requesting discontinuous periods of leave, the Council, has 14 days to:

- consent to the pattern of leave requested;
- propose an alternative pattern of leave; or
- refuse the pattern of leave requested.

14.4 If agreement is reached within those two weeks, the employee is entitled to take the leave on the dates agreed.

The manager has the right to refuse the request for discontinuous leave on the same grounds as they do in the Bracknell Forest Council Flexible Working Policy, [Intranet - Right to Ask for Flexible working.pdf - All Documents \(sharepoint.com\)](#)

- 14.5 If the leave pattern is refused or no agreement has been reached, the employee can either withdraw the application within 15 days of giving it, or can take the leave in a single continuous block. The employee must notify the Council of that date within five days of the end of the two-week discussion period. If the employee does not choose a start date within five days of the end of the two-week discussion period, the period of continuous leave will start on the date of the first period of leave requested in the period of leave notice.
- 14.6 A notice for discontinuous leave that has been withdrawn before it has been considered/is agreed does not count towards the total number of requests for leave that an employee can make.

15 RESPONDING TO A “PERIOD OF NOTICE”

- 15.1 On receipt of the notice, it will be dealt with as soon as possible, but a response will be provided no later than the 14th day after the leave request was made. All notices for continuous leave will be acknowledged in writing.
- 15.2 All requests for discontinuous leave will be carefully considered, on a case by case basis, weighing up the potential benefits to the employee and to the Council against any adverse impact to the service delivery (See paragraph 14.4). If refused, reasons must be given in writing.

16 SHARED PARENTAL PAY (SHPP)

- 16.1 ShPP is available for eligible parents/carers/adopters to share between them while on shared parental leave.
- 16.2 Maternity/adoption pay or allowance will be paid to the birth parent/primary adopter from the start of their maternity/adoption leave and will be paid in accordance with the Council’s maternity/adoption policy until such time as SPL starts. When the SPL commences the sharing partners will receive the remaining weeks of ShPP at the ShPP rate only. This principle will apply at whatever point in the 50 weeks the SPL commences.
- 16.3 The Council’s maternity/paternity entitlements - may be paid at a higher rate than ShPP. Once the birth parent has ended their maternity leave in favour of SPL, those entitlements to enhanced pay end. The birth parent would therefore be advised to consider using up any maternity pay over the SHPP pay level before embarking on SPL. Similarly, the partner/carer/adopter, should also consider using up Paternity leave or Maternity Support leave before embarking on SPL as this too will be lost when SPL begins.

17 RIGHTS DURING SHARED PARENTAL LEAVE

- 17.1 During shared parental leave, all terms and conditions of the employee's contract except normal pay will continue. Employees should receive all non-pay

related contractual benefits during their SPL. They shall be consulted about planned changes to their workplace in the same way as other staff.

18 ANNUAL LEAVE ENTITLEMENT

- 18.1 Annual leave continues to accrue during shared parental leave.
- 18.2 Bank Holiday entitlements still continue to accrue during shared parental leave

19 PENSION

- 19.1 Pension contributions will continue to be made during any period when the employee is receiving ShPP but not during any period of unpaid SPL. If an employee wishes to make contributions for any unpaid period of SPL they may either make a lump sum payment on their return to work or alternatively, increase the level of contribution until the outstanding sum has been paid off. Please ask HR for details.

20 CONTACT DURING SHARED PARENTAL LEAVE

- 20.1 Employees and managers are encouraged to maintain communication during SPL.

Employees should agree how to stay informed of job vacancies, any changes within their department and updates on issues facing the Council as a whole.

- 20.2 The Council reserves the right to maintain reasonable contact during SPL

21 SHARED PARENTAL LEAVE IN TOUCH (SPLIT) DAYS

- 21.1 An employee can agree to work (or to attend training) for up to 20 days during shared parental leave without that work bringing the period of their shared parental leave and pay to an end. These are known as "shared-parental-leave-in-touch" (SPLIT) days. Working part of a day counts as one day from the 20 allowed. An employee will only be paid for the hours worked once they return to work.
- 21.2 The Council has no right to require employees to carry out any work and employees have no requirement to undertake any work during their shared parental leave.
- 21.3 SPLIT days are in addition to the Maternity Keep In Touch Days (KITs) for those parties accessing SPL.

22 RETURNING TO WORK FOLLOWING SHARED PARENTAL LEAVE

- 22.1 The end date of any period of SPL will have been confirmed in writing by the manager. The employee is expected to return on the next working day after this date, unless they notify the manager otherwise. If they are unable to attend work due to sickness or injury, normal arrangements for sickness absence will apply.

The employee may have agreed with the manager to use accrued annual leave or unpaid parental leave. In any other case, late return without prior authorisation will be treated as unauthorised absence.

- 22.2 If the employee wishes to return to work earlier than the expected return date, they must provide a written notice to vary the leave and must give at least eight weeks' notice of their date of early return. The notice must be at least eight weeks' before both the original end date and the new end date.
- 22.3 This will count as one of the employee's three allowed notifications. If they have already used their three notifications to vary leave then the Council does not have to accept the notice to return early - but may do if the Council considers it reasonably practicable to do so. Such requests will not be unreasonably refused.

23 SPECIAL CIRCUMSTANCES

23.1 Early birth

- If the child is born or placed before the expected due date or placement date and the employee had booked to take SPL within the first eight weeks of the due date, they may take the same period of time off after the actual birth without having to provide eight weeks' notice, by submitting a notice to vary their leave as soon as is reasonably practicable.
- Any leave arranged after the first eight weeks of the due date is still bound by the eight-week notice required to vary leave.
- If the child is born more than eight weeks before their expected due date and notice has not yet been given, then there is no requirement to give eight weeks' notice before the period of leave starts. The notices should be given as soon as is reasonably practicable after the actual birth.

23.2 Death of the child before or during birth, or within the first year

- Should the child die before the parents have submitted a notice of entitlement to take SPL then they cannot opt into SPL because a qualifying condition is caring for a child. The employee may remain entitled to maternity, paternity or adoption leave.
- If the parents have opted into SPL and they have already booked leave, they will still be entitled to take the booked leave. No further notice booking leave can be submitted but one variation notice could be given to reduce a period of leave or to rearrange a discontinuous leave arrangement into a single block of leave.

23.3 Partner no longer caring for the child

- If the circumstances of an employee who has booked SPL change so that they will no longer be responsible for caring for the child (unless it is because the child has died), their entitlement to both SPL and ShPP will immediately cease and they must tell the Council.
- If the employee has any SPL arranged within eight weeks of their entitlement ceasing, the Council can still require them to take it as SPL if it is not reasonably practicable for the Council to have their employee in work, for example because

cover has been arranged. Any weeks of SPL arranged after eight weeks of their entitlement ceasing must be cancelled.

- If the remaining parent will be continuing to care for the child then they will still be eligible to take their SPL entitlement. If the other parent, who is no longer caring for the child had any SPL leave entitlement outstanding, the remaining parent will only be able to transfer it into their own entitlement if they can get the signed agreement of the other parent to a notice confirming a variation of leave entitlement or if the Council agrees to such a transfer in light of all the circumstances. Requests for a transfer of entitlement in such circumstances will be considered sensitively and will not be unreasonably refused.

23.4 Death of a parent during the child's first year

- If either parent dies and the other parent is taking, or is entitled to SPL then they will continue to be eligible. Any SPL that was due to be taken by the deceased parent may be transferred to the other parent if the other parent is eligible for SPL.

23.5 Returning to Flexible Working Arrangements

- If an employee wishes to change their hours or other working arrangements on return from SPL they should make a request under the flexible working policy [Intranet - Right to Ask for Flexible working.pdf - All Documents \(sharepoint.com\)](#)

23.6 Resignations

- If the employee decides that they do not wish to return to work they should give notice of resignation in accordance with their contract.

Appendix A

Maternity Leave curtailment notice

Before completing this form, please read carefully the Shared Parental Leave Policy. Speak to your HR Adviser if you have any problems understanding your entitlement or in completing this form.

Please complete and return this form to your Line Manager, who will forward a copy to your HR Advisor.

This notice is to inform the Council that you wish your maternity leave and pay (or just your maternity pay if you are no longer in employment) to end in order **that the person who shares main responsibility to care for the child can take shared parental leave**. Your partner/the other parent is not entitled to take shared parental leave until you have submitted this notice of curtailment.

You must give at least eight weeks' notice of your curtailment date. If you are entitled to maternity leave, the curtailment date must be at least two weeks after the birth of your child and it must be utilised at least one week before the 52 weeks of maternity leave is due to end.

If you are in receipt of maternity allowance you must also submit a curtailment notice to Jobcentre Plus.

Please note that if you are eligible to take shared parental leave you should complete the Notice of Entitlement and Intention to take shared parental leave form instead.

To: Bracknell Forest Council

I wish my maternity/adoption leave/pay to end on _____ (insert date).

Employee name	
Employees Payroll reference number (You will find this on your payslip)	
Department	
Home Address	

Signature:

Date:

Appendix B

This form is for employees who wish to submit a notice of entitlement and intention to take shared parental leave. The form covers all of the required information and declarations necessary to submit a notice of entitlement and intention, including the employee’s basic details, details of the shared parental leave they wish to take, the details of shared parental pay and a declaration confirming that the employee and the other parent meet the eligibility requirements for shared parental leave.

Curtailment Notice (If Appendix A has not been completed), together with the Notice of entitlement and intention to take shared parental leave

Please complete and return this form to your Line Manager, who will forward a copy to your HR Advisor.

Before completing this form, please read carefully the Shared Parental Leave Policy. Speak to your HR Adviser if you have any problems understanding your entitlement or in completing this form.

This notice is to inform the Council that you wish your maternity leave and pay to end in order **that you can take shared parental leave to share main responsibility to care for your child.** Your partner/the other parent is not entitled to take shared parental leave until you have submitted this notice of curtailment.

You must give at least eight weeks’ notice of your curtailment date. If you are entitled to maternity leave the curtailment date must be at least two weeks after the birth of your child and it must be utilised at least one week before the 52 weeks of maternity leave is due to end.

Curtailment Notice (If Appendix A has not been completed).

Employee notice of curtailment of maternity/adoption leave.

Complete this section if you are the employee named in this notice and you are the birth parent or main adopter. You must give at least eight weeks’ notice of your curtailment date. If you are entitled to maternity leave the curtailment date must be at least two weeks after the birth of your child and it must be utilised at least one week before the 52 weeks of maternity leave is due to end.

To: Bracknell Forest Council

I wish my maternity/adoption leave/pay to end on _____ (insert date).

Employee name The birth parent/main adopter	
Employees Payroll reference number (You will find this on your payslip)	
Department	
Home Address	

--	--

Signature:

Date:

Notice of entitlement and intention to take shared parental leave

For Employees who wish to take shared parental leave (SPL) to share the main caring responsibilities with the other parent/partner must submit this form to their manager **at least eight weeks** before the start date of the first period of SPL.

This document provides non binding details of leave at this stage. To be binding then a 'Period of Leave notice' will then be required.

To be entitled to SPL you must:

- be the birth parent, biological parent, or main adopter of the child, or the partner of the birth parent or main adopter (referred to in this form as a parent)
- have (or share with the other parent) the main responsibility for the care of the child
- have at least 26 weeks' continuous service at the 15th week before the expected week of birth or at the week in which the main adopter was notified of having been matched for adoption with the child (known as the 'relevant week')
- still be in continuous employment until the week before any SPL is taken.

The other parent must have at least 26 weeks' employment (employed or self-employed) out of the 66 weeks prior to the relevant week and have average weekly earnings of at least £30 during at least 13 of those weeks.

Please refer to the Shared Parental Leave policy for further information before completing this form.

Section 1 – Basic Details

Employee name The Parent/Partner wishing to request leave	
Employees Payroll reference number (You will find this on your payslip)	
Department	
Home Address	
Child's expected date of birth/date of placement for adoption	
Child's actual date of birth/date of placement for adoption (if known)	
Start date of birth parent/primary adopter's maternity/adoption leave (or pay period*)	
End date of birth parent/primary adopter's maternity/adoption leave (or pay period*)	

--	--

* The start and end dates of the statutory maternity/adoption pay or maternity allowance period if the birth parent/primary adopter is not entitled to statutory leave.

Section 2 - Shared Parental Leave Details

The total amount available is 52 weeks minus the number of weeks' leave/pay already taken by the birth parent (including compulsory 2 weeks) /primary adopter according to the dates given in the previous section.

Total number of weeks' SPL available	
Number of weeks' SPL you intend to take	
Number of weeks' SPL the other parent intends to take	
Indication of start and end dates of SPL that you intend to take <i>This indication is non-binding. You must submit a formal period of leave notice for each period of SPL you wish to request for it to be binding. Complete the section below if you wish your request for any/all of these periods of leave to be treated as a period of leave notice.</i>	
Do you wish the dates indicated for the period(s) of leave to constitute a formal (binding) period of leave notice? (delete as appropriate)	YES / NO / YES, for the following dates only:

Section 3 - Shared Parental Pay Details

The total amount of shared parental pay (ShPP) which may be available is 39 weeks minus the number of weeks' pay already taken by the birth parent/primary adopter according to the dates given in Section 1.

Total number of weeks' ShPP available	
Number of weeks' ShPP you intend to claim	
Number of weeks' ShPP the other parent intends to claim	
Indication of start and end dates of your ShPP periods	

Section 4 – Employee declaration

I confirm that I meet the following conditions:

- I am the birth parent, biological parent, or primary adopter of the child, or the partner of the birth parent or primary adopter
- I have (or share with the other parent) the main responsibility for the care of the child and I am taking SPL in order to care for the child
- I have at least 26 weeks' continuous service at the 15th week before the expected week of birth or at the week in which the main adopter was notified of having been matched for adoption with the child (known as the 'relevant week')
- I intend to be in continuous employment until the week before any SPL is taken
- (If I am claiming shared parental pay) I have average weekly earnings equal to or above the Lower Earnings Limit over the eight week period ending with the relevant week
- I meet, or will meet, the eligibility conditions and are entitled to take SPL;
- The information I have given is accurate;
- If I am no longer eligible for SPP or ShPP, I will immediately inform the Council.

If you are the birth parent/main adopter:

- I have submitted a curtailment of maternity/adoption leave notice by completing Section 4 above.

Signature:

Date:

Section 5 – Declaration of other parent

Name	
Address	
National Insurance Number	
Employer's Name	
Employer's Address	
Employer's Payroll Contact Email Address	
Employer's Payroll Contact Phone number	
Payroll reference number	

I confirm that I meet the following conditions:

- I have least 26 weeks' employment (employed or self-employed) out of the 66 weeks prior to the 15th week before the expected week of birth or at the week in which the main adopter was notified of having been matched for adoption with the child (known as the 'relevant week')
- I have average weekly earnings of at least £30 during at least 13 of the 66 weeks prior to the relevant week
- I agree to inform your employee immediately if I cease to meet the two conditions above
- I consent to your employee taking SPP and ShPP as set out in Sections 2 and 3 above.

If you are the birth parent/main adopter:

- I have curtailed my maternity leave and pay/adoption leave and pay/maternity allowance or will have done so by the time your employee starts shared parental leave

Attached is a copy of:

- Baby's birth certificate
- Name and address of partner's place of work for verification Purposes

If Adoption info

You do have 14 days from the date of the request to provide this to the Council however sending all documentation at the time of submitting the notification would assist the administration of the request.

I consent to you processing the information contained in this declaration.

Signature:

Date:

This document provides non binding details of leave at this stage. To be binding then a 'Period of Leave notice' will then be required.

Appendix C

This form is for employees who have already submitted a 'Notice of Entitlement and Intention to take SPL', who wish to vary the amount of shared parental leave or pay that they and the other parent intend to take. The form covers the details of the shared parental leave, including any dates which the employee or the other employee has already submitted. The form also covers the details of the shared parental pay and indicates that both parents must sign the declaration to indicate their agreement to any variation.

Notice of variation or cancellation of intention to take shared parental leave – having previously submitted a 'Notice of Entitlement and Intention to take SPL'

Please complete and return this form to your Line Manager, who will forward a copy to your HR Advisor.

Use this form regarding the amount of shared parental leave/pay you and the other parent each intend to take to vary the information you have previously provided (i.e. on a 'Notice of Entitlement and Intention to take SPL' and if you have had your entitlement to shared parental leave confirmed.)

If you (or the other parent) have already submitted a binding period of leave notice for any of the periods detailed below, please confirm this where indicated.

Both parents must sign the declaration to indicate their agreement to any variation.

Name of employee	
Employees payroll number	
Department	
Name of other parent	
Other Parent's Employer name	
Other Parent's Payroll number	
Other Parent's Department	

Shared Parental Leave Details

Number of weeks' SPL you intend to take	
Number of weeks' SPL the other parent intends to take	
Indication of start and end dates of SPL that you intend to take	

<p><i>This indication is non-binding. You must submit a formal period of leave notice for each period of SPL you wish it to be binding.</i></p>	
<p>List any dates of SPL which you have already submitted to the Council on a binding period of leave notice</p>	
<p>List any dates of SPL which the other parent has already submitted on a binding period of leave notice to his/her employer.</p>	

Shared Parental Pay (ShPP) Details

<p>Number of weeks' ShPP you have claimed/intend to claim</p>	
<p>Number of weeks' ShPP the other parent has claimed/intends to claim</p>	
<p>Indication of start and end dates of your ShPP periods</p>	

Declaration

We confirm that we agree to the variation(s) detailed above.

Signature of employee:

Date:

Signature of other parent:

Date:

Appendix D

This form is for employees who wish to take a period of shared parental leave. The form outlines the dates of the shared parental leave and the dates on which the employee wishes to receive shared parental pay. The form also outlines that the employee must have previously submitted the notice of entitlement and intention to take leave form, and had your eligibility for shared parental leave confirmed. This form will be a binding agreement.

Period of leave notice

Please complete and return this form to your Line Manager, who will forward a copy to your HR Advisor.

Use this form to give notice to take a period of shared parental leave (and pay if applicable), giving **at least eight weeks'** notice of the start date of the leave. You may submit up to three periods of leave notices.

You must have previously submitted the notice of entitlement and intention to take leave form, and had your eligibility for shared parental leave confirmed.

If a continuous period of leave is requested in a period of leave notice, you will be entitled to take that period of leave and this will be confirmed in writing. If you request discontinuous periods of leave in this notice and it is not practicable to accommodate your requested pattern of leave your manager will discuss alternative options with you.

Please refer to the shared parental leave policy for further details regarding the notification and variation of periods of shared parental leave.

Details

Employee name	
Employees Payroll reference number (You will find this on your payslip)	
Department	

Shared parental leave dates

Start date	End date	Number of weeks

Shared parental pay dates (if applicable)

Start date	End date	Number of weeks

Signature:

Date:

Appendix E

This form is for employees who wish to cancel or vary a period of shared parental leave or pay once they have submitted a Period of Notice Form – the binding agreement. The form outlines the circumstances in which the employee can cancel or vary the period of shared parental leave and also confirms the variation will count as one of the employee's three periods of leave. The form outlines the original and new dates of shared parental leave as well as the details of the new shared parental pay if applicable. If the employee is requesting a variation in shared parental pay entitlement the form states that other parent must also sign the form to signify consent to the variation.

Period of Leave Variation or cancellation of Notice for Shared Parental Leave - having previously submitted a 'Period of Leave Notice'

Please complete and return this form to your Line Manager, who will forward a copy to your HR Advisor.

Use this form to cancel or vary a period of shared parental leave (and pay if applicable) as follows:

- Vary the start or end date of a period of leave/pay, giving at least eight weeks' notice before both the new date and the original date
- Vary or cancel the amount of leave requested, giving at least eight weeks' notice before the leave is due to start
- Request that a single period of leave become discontinuous periods, or vice versa.

A variation will count as one of your three periods of leave notices unless:

- it is made as a result of the child being born earlier or later than the expected week of childbirth
- the Council has requested the variation
- the Council has agreed to accept more than three period of leave notices.

If you are requesting a variation in shared parental pay entitlement the other parent must also sign this form to signify consent to the variation.

Name of employee	
Employees payroll number	
Department	
Name of other parent/adopter	
Other Parent/adopter's Employer name	
Other Parent/adopter's Employer Payroll contact phone number	
Other Parent/adopter's Employer Payroll contact email address	

Original shared parental leave dates to be varied or cancelled

Start date	End date	Number of weeks

New shared parental leave dates

Start date	End date	Number of weeks

New shared parental pay (ShPP) details (if applicable)

Number of weeks' ShPP you have claimed/intend to claim	
Number of weeks' ShPP the other parent has claimed/intends to claim	
Indication of start and end dates of your ShPP periods	

Declaration

I confirm that I agree to the variation(s) detailed above.

Signature of employee:

Date:

Declaration of other parent

(If the number of weeks' shared parental pay is changing)

I confirm that I agree to the variation(s) detailed above.

Signature of other parent/adopter:

Date:

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Trans and Non-Binary Policy

Document Control

Current Version:	1.0	Date Modified:	April 2023
Revision due	The service aims to review policies and procedures every two years to ensure documents are up to date		
Owning Service	Human Resources		

Approvals (if required)

Date Employment Committee gave authorisation for changes (where necessary)

Change History

Version	Date	Description	Changes made by
1.0	April 2023	Created new Policy	Melissa Berry

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BRACKNELL FOREST COUNCIL TRANS AND NON-BINARY POLICY

1 INTRODUCTION

The Council is committed to creating and sustaining a positive and supportive working environment for all staff, where staff are equally valued and treated respectfully. The Council are also committed to equality of opportunity for trans people throughout recruitment and employment, including supporting trans employees through any transitioning process. We value diversity and have a culture where discrimination will not be tolerated.

Trans is an inclusive term for all those whose gender expression falls outside the gender norms. There is a directory of terms in Appendix A.

2 EQUALITY

At Bracknell Forest Council we are committed to encouraging equality, diversity and inclusion among our workforce, and eliminating unlawful discrimination. We want everyone that works for us to feel that their individuality is respected, and their unique contributions are valued.

The aim is for our workforce to be truly representative of all sections of society and our customers, creating conditions where each employee feels respected, can perform at their best, are treated as individuals and celebrated for their uniqueness.

The Council - in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of customers or the public.

3 PURPOSE

Bracknell Forest Council has a duty as an employer to take reasonable care of employees and provide a safe and healthy working environment. The Council is committed to raising employees' awareness of the LGBTQ+ (lesbian, gay, bisexual, transgender, intersex, queer/questioning, asexual and many other terms (such as non-binary and pansexual) communities and by making this policy widely available to all employees, it will fully support and encourage employees to be themselves to reach their full potential.

It is important to read this policy in conjunction with the Equality and Dignity at Work policy.

4 PRINCIPLES

- The Council recognises that that protection under the Equality Act 2010 is extended to trans individuals from the moment they indicate their intention to transition.
- The Gender Recognition Act 2004 enables transgender people to achieve legal recognition in their acquired gender and change their recorded sex on their birth certificate. This is done through applying for a Gender Recognition Certificate.
- All transgender people are entitled to the same dignity and respect, regardless of whether or not they have been able to take any legal or medical steps.
- Gender identity, gender expression, and trans status will not exclude staff from employment or promotion or cause staff to be redeployed against their wishes.

5 SCOPE

This policy applies to all employees of Bracknell Forest Council, with the exception of school based staff

6 SUPPORT FOR EMPLOYEES

6.1 Supporting all employees in the workplace

The Council will work with all employees to promote understanding and respect towards transgender colleagues, residents and service users.

There are three [e-learning packages](#) available to assist with awareness of Trans and non-binary matters

- Trans and Non-Binary (manager version).
- Trans and Non-Binary in practice (team version).
- Trans Awareness.

All staff are encouraged to undertake the e-learning packages.

6.2 Supporting employees who wish to conform to their gender identity – name changes

The Council will be supportive of people who wish to conform to their Gender identity (see Appendix A for terms). Requests to change name or gender on email and how they are referred to, will be handled promptly.

It is the right of the employee to choose how they wish to be known (he/she/they) and other staff should respect their wishes. The employee should choose whether they wish to be open about their gender identity, trans status or trans history.

The ICT records/email address and security pass/ID pass can be amended as soon as the employee chooses to disclose that they wish to be known by a different name.

Once an employee tells us they have legally changed their gender, in line with the principles of the Gender Recognition Act 2004, BFC will update payroll records with changes to the new gender, and any changes to their title and name. We are restricted from changing legal documents, such as the payroll/iWorks@BFC records, until a Gender Recognition Certificate has been obtained.

Additionally, employees may choose to change their title, for example to Mx as opposed to Mr/Mrs/Miss. Similarly, employees may choose not to have a prefix attached to their records.

More details about the legal process can be found here [What to do if an employee changes gender - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/what-to-do-if-an-employee-changes-gender)

6.3 Potential Redeployment

In certain situations, it may be necessary to look at temporary redeployment for the period of a transition, or more permanent redeployment if the situation requires it. Situations may include the employee requesting redeployment or they may no longer be able to undertake their current role. Any potential redeployment would be highlighted during conversations with the manager and employee.

Wherever possible the Council will support such a request in line with the Council's normal redeployment processes. If redeployment is necessary, the employee will be invited to a personal interview with an HR Advisor to discuss the redeployment process. The employee may be accompanied by a Trade Union representative and the manager at this meeting. The individual's skills, experience and abilities will be explored, and discussions will take place around which types of posts may be suitable or unsuitable.

The transitioning employee has an equal responsibility to play a proactive role in the search for redeployment, and HR will ensure they have access to view all job vacancies across the Council.

Where a post is identified as potentially suitable, the employee should submit an application for the post, making it clear that they are in a redeployment situation. The HR Adviser must be informed that the application has been submitted and will be responsible for ensuring that the recruiting manager is aware of the Council's policy on redeployment, which states that, if the individual appears on paper to meet the essential requirements of the person specification, the manager must shortlist them for interview to investigate their suitability for the post. The manager must give careful consideration to the suitability of the potential redeployee, and then make an appropriate selection decision.

There may be the option of a 28 day trial period to ensure that the employee and the manager are satisfied that the employee is capable of carrying out the new role. Further information about this can be provided by HR where appropriate.

The Council cannot employ an individual indefinitely whilst seeking redeployment opportunities. Therefore, the redeployment process will operate for a limited time only, normally up to three months. If no suitable alternative post is found within this timeframe, then further discussion will take place.

6.4 Dress Code

The Council has no gender assumptions around staff dress code at work and will support staff in their choice of dress in connection with their gender identity or expression. Staff are encouraged to dress however they are most comfortable at work, provided their attire is suitable for their role and gives a positive image of the service they provide.

Where a uniform is provided, the employee should be given a choice of preferred style.

6.5 Bathroom facilities

Staff can use the facilities (such as toilets) they feel most comfortable using. The Council will work to provide appropriate facilities for trans staff, including gender-neutral facilities. Employees who are confirming to their gender identity will not be expected to use disabled/accessible facilities as an alternative.

6.6 Time off and Staff Support

Staff undergoing medical treatment related to their trans status, gender identity, or gender expression, will receive support from managers to meet their needs during this period, in line with the [managing attendance policy](#) and in line with the guidance on [hospital appointments](#).

Staff are reminded of the Vivup staff support scheme which is available for all employees [Staff counselling service \(sharepoint.com\)](#).

Additionally, the Council has Equality Allies who can offer workplace support. [Equality allies \(sharepoint.com\)](#)

6.7 Dealing with individual cases

There is an understanding that each person's journey is different, and no two employees will have the same experience. Managers should therefore discuss and support each employee in line with their individual circumstances.

Discussion should include:

- How best to support the employee.
- How they wish to be known moving forward.
- Outlining a plan in terms of communicating the changes to colleagues, other employees and stakeholders.
- Outlining a plan in terms of notes and records held in their previous name – this should be communicated to HR when the employee is comfortable.
- How to access Staff Counselling and Equality Allies.

6.8 Support for employees with a family member who wishes to confirm their gender identity

If an employee is supporting a family member who is transitioning, they may need to take time off to attend appointments and treatment or give assistance following surgical procedures. Some of these may be at short notice and may involve travelling a long distance. Where possible, Managers should be as flexible as possible to accommodate this, however they will also need to consider the needs of the service and whether there is sufficient cover within the team.

Any time off work should be taken as flexitime/TOIL or annual leave. If none of these options are available, then an unpaid leave request in line with the policy will be considered.

7 ROLES AND RESPONSIBILITIES

In line with the guidance above, the following clarifies different roles and responsibilities:

Employee Responsibilities:

- Engage with managers and HR about their personal situation and around the logistics of transitioning in the workplace (where appropriate) at the earliest opportunity.
- Agree with the manager the timescales for communication with colleagues/other parties.
- Report any instances of harassment, victimisation or discrimination towards them.
- If the role involves professional registration, agree with the manager who will check whether the registration body has any specific, confidential processes for gender transition or declaration of non-binary.

Manager Responsibilities:

- Maintain confidentiality at all times.
- Ensure that colleagues are informed about the employee's situation in a manner that best suits the employee.
- Outlining a plan in terms of notes and records held in their previous name – this should be communicated to HR when the person is comfortable.
- If the role involves professional registration, agree with the employee who will check whether the registration body has any specific, confidential processes for gender transition or declaration of non-binary.
- Supporting the employee as appropriate.
- Encouraging colleagues to do the e-learning packages.
- Thoroughly investigate any instances of harassment, victimisation or discrimination.

Human Resources/Payroll

- Maintain confidentiality at all times.
- Provide support and guidance to the manager and employee as necessary. Provide trans equality training as a general part of the equality and diversity training programme.
- When asked to provide a reference, HR should liaise with the employee and

ICT/Facilities

- Maintain confidentiality at all times.
- React quickly when asked to change names, titles, emails on all systems
- Issue updated ID badge

8 RECRUITMENT

Gender, except for Genuine Occupational Requirements, is not relevant to the majority of roles at the Council and therefore is not relevant to selection. Shortlisting for a vacancy is anonymous, with managers only provided with the applicants' name and contact details in preparation for interviewing.

There is no obligation for a transgender or non-binary person to disclose their personal situation as a condition of employment. If they choose to disclose, this is not in itself a reason for not offering employment, and non-disclosure or subsequent disclosure is not grounds for dismissal. Appointing Managers who become aware that an applicant is trans will maintain full confidentiality in relation to this.

8.1 References

Where a reference request is received for an existing employee who has transitioned, the Council will respond using the employee's requested name and gender. However, should there be occasions, if the person has not legally changed their name or gender, where the Council will need to provide details in the legal name this should be done as sensitively as possible and in liaison with the member of staff.

When the Council requests a reference, it should be made using the prospective employee's name and gender identity made during their application. The Council should not mention previous names or gender identity, unless specifically asked to do so by the person.

APPENDIX A – USEFUL TERMS

We acknowledge that language can evolve quickly especially around trans/non-binary issues.

Trans/Transgender	A broad term that can be used to describe people whose gender identity is different from the gender they were thought to be when they were born. “Trans” is often used as shorthand for transgender.
Sex	Is often used in a medical or scientific context. Sex is a label — male or female — that people are assigned by a doctor at birth based on the appearance of the genitals they are born with. It doesn’t define who someone is, or what their gender identity might turn out to be.
Gender Identity	Is an internal knowledge of gender – for example, someone’s knowledge that they are a man, a woman, or another gender.
Gender Expression	Is how a person presents their gender on the outside. That might include behavior, clothing, hairstyle, voice or body characteristics. Everyone has a gender identity, including cisgender – or non-transgender – people.
Cisgender	If someone’s gender identity matches the gender they were assigned at birth.
Non-binary	Is someone who does not identify with a binary gender, they may be neither man nor woman, both man and woman, or take another approach to gender entirely.
Trans sexual	Someone who 'proposes to undergo, is undergoing or has undergone gender reassignment'.
Inter sex	Is a naturally occurring variation of human development and there are a number of intersex variations – in some cases the appearance at birth is neither clearly male nor female.

Source:

[Supporting trans employees in the workplace | Acas](#)

[Understanding Transgender People: The Basics | National Center for Transgender Equality \(transequality.org\)](#)

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Adoption Policy

Document Control

Current Version:	1.1	Date Modified:	April 2023
Revision due	The service aims to review policies and procedures every two years to ensure documents are up to date		
Owning Service	Human Resources		

Approvals (if required)

Date Employment Committee gave authorisation for changes (where necessary)

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Version	Date	Description	Changes made by
1.1	July 2023	Changes to more inclusive terminology, check against current legislation – no changes.	Pauline Meredith
1.0	November 2021	Policy updated	

ADOPTION POLICY

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ADOPTION POLICY

1. INTRODUCTION

The Statutory Paternity Pay and Statutory Adoption Pay (General) (Amendment) Regulations 2014 provides all working parents who adopt one or more children under the age 18 with the statutory right to paid time off for a period directly after the adoption.

This policy aims to provide a supportive and flexible framework to assist eligible employees who wish to adopt a child. It recognises the demands adoption places on these employees and intends to reflect as closely as possible the Council's maternity provisions. Adoptive parents, like natural parents, will also be entitled to parental leave under the provisions of the Employment Relations Act 1999, the Employment Act 2002 and the Work and Families Act 2006. The shared parental leave (SPL) arrangements contained in the Children and Families Act 2014 apply to parents whose babies were due, or who have children placed for adoption, on or after 5 April 2015.

2. EQUALITY

At Bracknell Forest Council we are committed to encouraging equality, diversity and inclusion among our workforce, and eliminating unlawful discrimination. We want everyone that works for us to feel that their individuality is respected, and their unique contributions are valued.

The aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

The Council- in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of customers or the public.

3. PURPOSE

To outline the process and payments in relation to Adoption.

4. PRINCIPLES

This policy is based on the following general principles:

- that as far as possible the adoption provisions reflect the maternity provision i.e. paid leave on the same basis as post-confinement maternity leave
- that the entitlement to adoption pay will depend on the employee's length of service with this authority only. Continuous local government service does not count towards entitlement to statutory adoption pay.

5. SCOPE

This procedure applies to all employees of Bracknell Forest Council, with the exception of:

- School based staff (see separate School policy)
- For individuals undertaking casual work

6. ELIGIBILITY

Employees are eligible for Statutory Adoption leave or Statutory Adoption Pay if they are:

- Adopting a child
- Fostering a child permanently and becoming their legal parent (fostering to adopt)

The entitlements for a secondary carer are detailed in the section headed Adoption Leave for Secondary Adopters.

Dual approved prospective adopters who have a child placed with them under section 22C of the Children Act 1989 with a view to adopting that child (this is sometimes referred to as fostering for adoption) are entitled to the provisions of this policy. The partner of the dual approved adopter or, in the case of joint dual approved adoptions, the parent who will not take adoption leave and pay, will qualify for paternity leave and pay.

The intended parents in a surrogacy arrangement where they are eligible and intend to apply for a Parental Order (or where they have already obtained such an order) making them the legal parents of the child that they are having with the help of a surrogate mother are entitled to the provisions of this policy. One of the Parental Order parents (the parent that does not take adoption leave and pay) will qualify for paternity leave and pay.

This policy is not available in circumstances where a child is not newly matched for adoption, for example when a step-parent is adopting a partner's children.

When fostering a relative, the leave entitlements outlined within this policy (section 7.2) will still apply but there is no statutory right to that leave to be paid, so any periods of adoption leave will be treated as unpaid leave. However, the pre-adoption leave for appointments outlined in Section 7.1 will be paid.

7. TYPE OF LEAVE AND PAY

7.1 Pre-adoption

The main adopter is entitled to paid time off for up to five adoption appointments with the appropriate Social Services Department, adoption agencies, solicitors etc. This can also include attendance at required courses prior to acceptance as adoptive parents.

An employee who is the secondary adopter for the child, as opposed to the primary adopter, is entitled to unpaid time off for up to two appointments.

Parental Order parents are entitled to take unpaid leave to enable them to accompany the surrogate mother to up to two of her antenatal appointments.

Proof of attendance at such interviews/appointments must be provided to management by way of an appointment card, letter, email, or SMS.

7.2 Adoption leave

Adoption leave is a 'day one' right with no qualifying period. Adoption leave is up to 52 weeks. It may be taken when a child starts living with the employee or up to 14 days before placement date (UK adoptions); or when an employee has been matched with a child by a UK agency; or when the child arrives in the UK; or within 28 days (overseas adoption)

7.3 Adoption Pay

To qualify for Statutory Adoption Pay (SAP) the employee must:

- Be continuously employed by Bracknell Forest Council for at least 26 weeks.
- Earn at least the National Insurance lower earnings limit, for at least eight weeks before the week they are matched with a child.
- Tell their manager and give the correct notice.
- Give proof of adoption or fostering to adopt.

Statutory Adoption Pay is paid for 39 weeks. This is the same as for maternity pay.

Adoption pay starts when the employee takes adoption leave.

Week 1 – 6 of Adoption Leave: 90% of your normal pay which forms part of their entitlement to Statutory Adoption Leave.

Week 7 – 39 of Adoption Leave: 33 weeks SAP at the current rate.

Week 40 – 52 of Adoption Leave is unpaid.

If an employee is not eligible for Statutory Adoption Pay, they may still qualify for adoption leave without pay.

8. NOTIFICATION OF INTENTION TO TAKE ADOPTION LEAVE

The employee must produce evidence when the child has been placed with the employee (usually a 'matching certificate' from the adoption agency). This should be produced within seven days, or if this is not possible, as soon as possible afterwards.

Taking Adoption Leave

Adoption leave can be taken from a maximum of 14 days before the date of placement with the carer. As soon as the date of adoption is known, the employee must advise their manager and HR. HR@bracknell-forest.gov.uk

The employee must tell their manager:

- The date the child will be placed with them.
- When the employee wants their leave to start.

9. SALARY DEDUCTIONS/ALLOWANCES

If the employee has regular monthly deductions from pay such as payments in respect of a car loan, childcare or shopping vouchers etc., they should contact HR to discuss the arrangements for payment during periods of no pay.

Employees may still participate in the Council's scheme of buying, selling and banking annual leave whilst on adoption leave. If an employee is either currently in the scheme or would like to buy, sell or bank annual leave during adoption leave, please contact your HR Adviser for further information.

If an employee is an essential car user, the car allowance will continue to be paid in full for the remainder of the first month in which adoption leave started and for the next three months thereafter. It will then be paid at half-rate for the next three months, after this the payment ceases until the employee returns to work.

10. BREAKDOWN OF ADOPTION

If the child's placement ends during the adoption leave period, the employee can continue on adoption leave for up to eight weeks after the breakdown.

11. COMMUNICATION DURING ADOPTION LEAVE

Managers and employees are encouraged to maintain regular communication during the adoption leave period.

Employees should be kept informed of job vacancies, changes within their department, updates on issues facing the Council as a whole.

Staff are encouraged to discuss their intentions regarding return to work with their line manager in order to help with staff planning.

12. KEEPING IN TOUCH DAYS

Employees will be able to work during their adoption leave for up to 10 'keeping in touch' days without losing statutory adoption pay, if they wish to. Any work undertaken will be paid at their normal rate when they return from adoption leave. The employee will be paid only for hours worked and not full days. The manager is not obliged to provide 10 days and the employee is not obliged to attend if they do not wish to.

13. RETURNING TO WORK

An employee has the right to return to the same job on terms and conditions that are no worse than the employee would have been on if there had been no absence.

If the employee intends to return to work before Adoption Leave expires, eight weeks notice must be given. If the employee fails to give notice of an earlier return, then the return to work may be postponed until eight weeks have lapsed.

To qualify for half pay (only payable to those with over a year's service) you must return to work for a minimum of three months after taking Adoption Leave. Repayment of your half pay will be required if you do not return to work for all of this qualifying Adoption Policy

period. Repayment will be calculated pro rata, based on complete months not worked. E.g., if you return for 2 ½ months you will be required to repay 1/3rd of your half pay.

14. GIVING NOTICE

If the employee decides to resign before or at the date of adoption the normal contractual arrangements for termination of the employment contract apply.

If the employee decides whilst on adoption leave not to return to work after all, the date that decision was notified would be treated as the leaving date.

15. ANNUAL LEAVE

During adoption leave, whilst it is still the employee's intention to return to work, annual leave and bank holidays are accrued.

Carrying over leave - More than ten days of annual leave may be carried over into the new leave year however, it is recommended that the employee and manager discuss using this before and/or after their period of leave to ensure that they do not accrue an unmanageable amount of leave.

If the employee decides not to return to work, holiday accrual is calculated in the usual way for a leaver and payment made for any untaken leave.

16. PENSION

Pension contributions are deductible from earnings until the period of SAP expires. The remaining period of adoption leave (i.e., period of no pay) will result in a break of pensionable service unless the employee elects to pay contributions for that period. These will be calculated on the rate of earnings payable immediately prior to the first day of no pay.

The contributions owing can be paid either by way of a lump sum payment or by "doubling up" the rate of contribution upon return to work until the outstanding sum due has been cleared.

17. ADOPTION LEAVE FOR SECONDARY ADOPTERS

An employee who is the secondary adopter for the child, as opposed to the primary adopter, is entitled to unpaid time off for up to two appointments. The secondary adopter may be entitled to take further periods as shared parental leave – see policy for details.

18. PARENTAL LEAVE ENTITLEMENT

Parental leave and shared parental leave may also be applicable in adoption cases – please refer to the Council's Parental Leave & Shared Parental Leave policies.

19. OVERSEAS ADOPTIONS

In cases of overseas adoptions where the process may differ slightly to the UK, please contact your Departmental HR Adviser for further advice.

20. CONCLUSION

Whilst this policy attempts to provide a comprehensive framework for adoption, there may be issues or unforeseen circumstances which require further clarification. If this is the case, the HR Section will be able to advise.

Right to Request Flexible Working

Document Control

Current Version	1.2	Date Modified:	June 2023
Revision due	The service would aim to review policies and procedures every 2 years to ensure documents are up to date		
Owning Service	Human Resources		

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June 2023

Change History

Version	Date	Description	Changes made by
1.2	June 2023	Added details on appeals procedure. Updated formatting. Right to Request Changed to Day 1 right. Removed Reference to employer impact. Added right to request Flexible Working twice in a 12 month period. Reduced timeline for managing request.	Hadie Wynne
1.1	December 2018		Melissa Berry

Version	Date	Description	Changes made by
1.0	1998		Unknown

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BRACKNELL FOREST COUNCIL

RIGHT TO REQUEST FLEXIBLE WORKING

1 INTRODUCTION

The Council recognises that there are occasions when its employees want to request a change to their working arrangements to enable them to achieve a better work life balance or for other reasons such as; caring responsibilities, further learning or other interests. All requests for flexible working will be reviewed promptly and fairly taking into consideration the needs of the council as well as those of the employees requesting the changes.

A request for flexible working can be made from day one of an employee's employment. Managers are required to consult with and respond formally to these requests. It should be noted that whilst the Council gives employees a right to request day one flexible working, there is no automatic right for the request to be granted.

2 EQUALITY

At Bracknell Forest Council we are committed to encouraging equality, diversity, and inclusion amongst our workforce, and eliminating unlawful discrimination. We want everyone that works for us to feel that their individuality is respected, and their unique contributions are valued.

The aim is for our workforce to be truly representative of all sections of society and our customers, and for each person to feel respected and to be able to give their best.

The Council - in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of customers or the public.

3 PURPOSE

This procedure provides guidance to managers and employees on the procedure to follow to request flexible working.

Given the agile working arrangements already in place it should be recognised that working arrangements will incorporate times when staff are working from home/away from their normal office base. Where reference is given to work time, this will include those occasions where an employee is working from home/away from their normal office base. This policy should be read in conjunction with the Council's Agile Working policy. [Intranet - Agile-Working-Policy-October-2022.pdf - All Documents \(sharepoint.com\)](#)

4 PRINCIPLES

Flexible working is any type of working arrangement that gives some degree of flexibility to how long, where and when an employee works.

Examples of changes an employee can request, can include:

- The hours they are required to work.
- The days they are required to work.
- The times they are required to work.
- Their place of work.

An employee should not be subject to detrimental treatment on the grounds that they have made a request for flexible working.

5 SCOPE

The Council gives employees the right to request flexible working from their first day of employment. Two flexible working requests can be made within a 12 month period, (the date is calculated from the date of the first request).

However, an employee may be entitled to additional requests if they relate to a statutory entitlement, e.g. As a reasonable adjustment relating to a disability under the Equality Act 2010.

6 HOW TO MAKE A REQUEST FOR FLEXIBLE WORKING

All requests must be submitted in writing and include:

- the date of the application
- the changes that the employee is seeking to their terms and conditions
- the date from when the employee would like the proposed change to come into effect
- how, in their view, any such effect could be dealt with
- whether a previous application for flexible working has been made
- the dates of any previous applications

If the request relates to an adjustment under the terms of the Equality Act, e.g., as a reasonable adjustment relating to a disability, this should be made clear in the application.

Employees are encouraged to use this template for their request, [Request for Flexible Working form \(002\).doc](#)

7 PROCEDURE FOR DEALING WITH A REQUEST FOR FLEXIBLE WORKING

7.1 Review Request

When a manager receives a formal request, they must arrange a meeting to consult with the employee, within 28 days of receipt of the request, to find out more about the proposed working arrangements and discuss the impact on both the employee and the Council.

The manager may decide to offer the new working arrangements on a trial period, in which case the change would be on a temporary basis.

The employee will be given seven days' notice of the date and time of the meeting, which can be held either face to face or over Teams (with the agreement of both parties).

At the meeting the employee may, if they wish, be accompanied by a workplace colleague or a trade union representative.

If the employee fails to attend a meeting and then fails to attend a rearranged meeting that has been agreed upon, without good reason, their application will be deemed to have been withdrawn.

All meetings, including any appeal hearing, should be completed within two months of the original request, unless extenuating circumstances prevail.

7.2 Flexible Working Request Approved

Once the manager has carefully considered the request and met with the employee they should be notified of the manager's decision in writing, within 28 days of the meeting.

If there are any suggested changes to the arrangements requested these should also be discussed with the employee.

Once the changes are agreed, the manager should notify HR by requesting a Contract Change: [Contract changes \(sharepoint.com\)](#)
Once received, a new contract will be issued confirming the date on which the new arrangements commence.

7.3 Flexible Working Request Refused

If after consideration the manager cannot agree to the flexible working request, the manager must consult with the employee outlining the grounds for refusal before confirming this in writing, which under the legislation can only be on the following grounds:

- The burden of additional costs.
- Detrimental effect on the ability to meet customer demand.
- Inability to re-organise work among existing staff.
- Inability to recruit additional staff.
- Detrimental impact on quality.
- Detrimental impact on performance.
- Insufficiency of work during the periods the employee proposes to work.
- Planned structural changes.

Whilst each case must be considered on its own merits it is important to look at ways in which requests might be accommodated. If a request to change working hours or pattern of work is granted there will be no right for the employee to revert to the former arrangement unless agreed on a temporary basis, if/when their personal circumstances change .. If the exact arrangements requested are not fully acceptable, the manager may consult with the employee on an alternative arrangement.

8 APPEALS PROCESS

The employee has the right of appeal within 14 days of the decision notice giving full details of their reasons for appeal. Where the employee wishes to appeal the decision of their flexible working request, the following process should be followed:

- The appeal will be heard by a different manager from the one who made the original decision.
- The manager hearing the appeal must respond to acknowledge receipt and to schedule a meeting to discuss it within 14 days of receiving their appeal.
- The employee will have the right to be accompanied at the appeal meeting by a work colleague or union representative.
- The outcome of the appeal meeting should be confirmed in writing within five working days.

Managers can contact HR on HR@bracknell-forest.gov.uk if they require any further advice about an employee's right to request flexible working or the procedures for handling requests.