



19th March 2024

In accordance with Paragraphs 8 & 10(2) (b) of Schedule 12 of the Local Government Act 1972 I hereby summon you to attend a Meeting of PETERLEE TOWN COUNCIL to be held in the COUNCIL CHAMBER, SHOTTON HALL, PETERLEE, SR8 2PH on MONDAY 25th MARCH 2024 at 6.30pm

Ian Hall
Acting Town Clerk/Chief Officer, (Proper Officer of the Council)

Members of the Committee and members of the public are reminded that the public part of the meeting may be recorded in both audio and video, and photographs may be taken.

Members of the public are very welcome to attend our meetings. Due to ongoing precautions for COVID and other seasonal illnesses we have a limited number of designated public seating and so any members of the public wishing to attend Shotton Hall to observe the meeting are advised to contact the Council in advance so that we can reserve a seat for you: council@peterlee.gov.uk or 0191 5862491

BUSINESS TO BE TRANSACTED

1. Apologies for Absence
2. Public Participation Session
Will be held to allow Members of the public an opportunity to put questions to the Council. This item of business to last no more than 15 minutes, as per Council Standing Orders.
3. To receive declarations of interest
Members are reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. Please seek advice from the Town Clerk or Deputy

Town Clerk prior to the meeting if in doubt. Members are reminded that they can check their published declaration of interests here: <https://bit.ly/2wVyeLA>

4. To Approve the Minutes of the last meeting of the 26th February 2024
The minutes of the previous meeting are attached for consideration and approval as a true and correct record. (attached)

5. Notes of the Finance Sub Committee of the 26th February 2024
To confirm and endorse the resolution of the Finance Sub Committee to approve BACS payments paid (attached)

6. The Minutes of the Resources Meeting 11th March 2024
Matters Arising
Minute Number 61- Insurance cover 2024/25
Deferred from this meeting for further consideration.
The minutes of this meeting are attached for information.
(copy attached)

7. Notes of the Scrutiny Meeting of 15th March 2024
The minutes of this meeting are attached for information.
(copy attached)

8. 2023/2024 Financial Year 3rd quarter Budget Update report
Report of the Interim Town Clerk outlining the Council's budget performance to the end of the third quarter , 31st December 2024
(Copy to follow)

9. Peterlee Town Council Events 2024 – Suppliers' Quotations
Report of the Corporate Services Manager presenting Members with the list of quotes from various companies to provide supplies for Peterlee Town Council Events to be held in 2024
(report attached)

10. Policies
 - (i) Maternity Policy
 - (ii) Flexible Working Policy

Changes to accommodate Government changes, for approval. A hard/paper copy of the policies is available on request to the office.

(policies attached)

11. Code of Conduct Complaint

Report of the Acting Town Clerk/Chief Officer

(attached)

The press and public are welcome to attend this meeting. Space in the public gallery is limited and you are advised to contact the council in advance if you do wish to attend.

Contact: Ian Hall, Acting Chief Officer & Town Clerk, Peterlee Town Council, Shotton Hall, Peterlee Co Durham SR8 2PH

e mail: council@peterlee.gov.uk

PETERLEE TOWN COUNCIL

MINUTES OF THE MEETING OF THE TOWN COUNCIL

HELD IN THE COUNCIL CHAMBER, SHOTTON HALL, PETERLEE

ON MONDAY 26TH FEBRUARY 2024 at 6.30PM

PRESENT: - Cllr A Laing (Chair)

K Liddell, M McCue, S Simpson, R Burnip, S Franklin, R Moore,
D Hawley, R Scott & M A Cartwright

Prior to the start of the meeting the Mayor welcomed Mr Ian Hall, Neighbourhood Services Manager, who would be taking up the position of Interim Town Clerk when Ian Morris left. She also expressed her best wishes to Councillor Stockport.

121. Apologies for Absence

Apologies for absence were offered from Councillors J Black, D Howarth, A Stockport, K Hawley, M Sanderson & E Watson. **RESOLVED Council note the apologies that had been submitted.**

122. Public Participation Session

There were no members of the public present at the meeting. **RESOLVED the information given, be noted.**

123. To receive declarations of interest

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. No interests were declared.

124. To Approve the Minutes of the last meeting of the 22nd January 2024 & Extra Ordinary Meeting held on 12th February 2024

The minutes of the previous meeting and extra-ordinary meeting were attached for consideration and approval as a true and correct record. **RESOLVED the amendment to the extraordinary minutes for the start date of the interim arrangements to be 13th March 2024, be agreed. FURTHER RESOLVED the minutes of both meetings be approved and duly signed.**

125. Notes of the Finance Sub Committee of the 22nd January 2024
RESOLVED the BACS payments be confirmed and endorsed.

126. The Minutes of the Community & Environment Meeting 12th February 2024

The notes of this meeting were attached for information. **RESOLVED the minutes be noted.**

127. Notes of the Event Working Party held on 8th February 2024

To further consider the suggestion of a one day summer music event at Eden Lane

Members considered the verbal report of the Corporate Services Manager outlining the costs of holding such an event. She also provided the various options in terms of tickets ie free, charging a nominal fee, and following discussion it was **RESOLVED a one day summer music event be organised by the Town Council in the grounds of Peterlee & Horden Rugby Club and a small charge be levied for the tickets, where a split would be made to local cancer and mental health charities.**

128. Durham Pride Heart Foundation 2024

Members were advised of receipt of a request for £200 sponsorship towards the event to be held in Durham on 26th May 2024. This request had been sent to all Parish Councils in the County Durham area. **RESOLVED that no donation be made to this event.**

129. Renewal of CCTV

Members considered a report from the Town Clerk on the renewal of CCTV and alarm maintenance and monitoring and response contract for three financial years 2024/5 – 2026/7. Following consideration it was **RESOLVED the contents of the report be noted and it was agreed to waive financial regulations to enable a three year renewal of the current CCTV and fire/intruder alarm maintenance, monitoring and response contract for 2024/5 to 2026/7 to Phoenix Eye Ltd at a total value of £28,149 + VAT (£9,383 + VAT per year for three years).**

130. North Dene Path Repairs

Members were provided with a summary of the repairs required to footpaths in the North Dene Parks and permission was sought to action them as detailed in the report.

RESOLVED approval be given to the works as detailed in the report and the works be completed by Company A, Jem Road Construction at a cost of £9,827.05.

131. Policies

The following policies were reviewed and the updates were confirmed:-

- (i) Code of Conduct
- (ii) Mobile Device Policy
- (iii) TOIL Policy
- (iv) Volunteering Policy Statement
- (v) Disciplinary Policy
- (vi) Whistle Blowing Policy

RESOLVED the amends and updates be accepted and these policies be confirmed and adopted immediately.

132. PTC Final Budget 2024/2025

Members were asked to confirm the final budget for the Town Council for the 2024/25 financial year which in summary was as follows:-

Total projected expenditure 2024/25:	£2,444,935
Total projected income (including precept):	£2,426,370
Contributions to reserves:	£14,834
of which,	
general reserves	(£18,566)
earmarked reserves	£33,400

The final 2024/25 budget (attached) provides for a total turnover (gross expenditure) of £2,444,935 for 2024/25. The forecast income is £2,426,370 of which £1,773,832.91 consists of council tax precept and £652,537 from other sources.

The budget allows for net contribution to reserves of £14,834 of which £33,400 goes to earmarked reserves for future replacement of play areas, Helford Road MUGA and Eden Lane Tennis resurfacing, offset by a forecast £18,566 reduction in general reserves.

RESOLVED the contents of the report be noted and the Budget for 2024/25 as detailed in the report, be approved.

In closing the meeting the Mayor thanked Ian Morris for his seven years at Peterlee Town Council and especially for his support in her year of office. She expressed sincere thanks and wished him all the best for his new role at Spennymoor Town Council.

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PETERLEE TOWN COUNCIL

FINANCE SUB-COMMITTEE

MONDAY 26th FEBRUARY 2024

Present:- R Burnip, K Liddell & S Simpson

10. ACCOUNTS FOR PAYMENT

Members were provided with the accounts and invoices for February 2024 to be paid by BACS in the sum of £20,976.07 Following checking of the documents provided, it was **RECOMMENDED that the accounts presented be paid.**

PETERLEE TOWN COUNCIL

MINUTES OF THE MEETING OF THE RESOURCES COMMITTEE

HELD IN THE COUNCIL CHAMBER, SHOTTON HALL, PETERLEE

ON MONDAY 11TH MARCH 2024 at 6.30PM

PRESENT:- COUN R MOORE (CHAIR)

S Simpson, R Burnip, S Franklin, D Hawley, K Hawley, R Scott, S Simpson,
K Hawley, D Howarth, D Hawley, R Scott, K Duffy, T Duffy, B Fishwick, A Laing,
M A Cartwright & D Howarth

57. Apologies for Absence

Apologies for absence were noted from Councillors K Liddell, S McDonnell, M Sanderson & E Watson.

58. To receive declarations of interest

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise.

59. To approve the minutes of the previous meeting

RESOLVED the minutes of the previous meeting of the Resources Committee held on Monday 15th January 2024, be approved as a true and correct record.

60. Notes of the Scrutiny Meeting held on Friday 1st March 2024

Members noted the information contained in the notes of the meeting, it was **RESOLVED approval be given to the filling of the vacancy in the Facilities Team at The Pavilion.**

61. Town Council Insurance Arrangements 2024/25

Members were asked to confirm the arrangements for the Town Council's insurance cover for 2024/25 following a review of provision by the Interim Town Clerk and Deputy Town Clerk. **RESOLVED this item be deferred for consideration at the next Council Meeting.**

THE MINUTES OF THE MEETING OF THE SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER, SHOTTON HALL, PETERLEE
ON FRIDAY 15th MARCH 2024

PRESENT: COUN K HAWLEY (CHAIR)

D Hawley, A Laing, D Howarth, R Scott, W Fishwick, R Burnip, M A Carwright & R Moore

12. Apologies for Absence

There had been no apologies submitted.

13. The Minutes of the Last Meeting held on 1st March 2024

The minutes of the previous meeting were attached for consideration and approval as a true and correct record. It was noted that the filling of the vacancy at The Pavilion had been agreed at the Resources Meeting. RESOLVED the minutes be accepted and signed as a true record.

14. Exclusion of the Press & Public

RESOLVED in view of the confidential nature of the items to be discussed, the committee passed the formal resolution to exclude the press and public from the meeting, pursuant to the Public Bodies (Admissions to Meetings) Act 1960 & the Local Government (Access to Information) Act, Part 1, paragraphs 11.

15. The Pavilion, Helford Road

The Interim Town Clerk reported receipt of a request for flexible retirement and he provided the detail for Members. Members gave full consideration to the request and asked for clarification on certain points. RESOLVED this unfortunately the request be refused.

In considering this matter it was asked that the delegated powers policy be reviewed and re considered by Council.

It was felt the services and building were not advertised enough and this needed to be increased. Perhaps with a campaign targeted at increasing community footfall with new groups, young people etc. It was agreed that when the vacancy was filled a new rota be implemented immediately with an aim to have the building open more. It was suggested that perhaps there could be a type of "re launch" of the building a discounted room hire rates be considered. It was asked could the charges for MUGAs around the area be obtained to compare with our prices. It was suggested promotional events be held eg Euros 24 being

promoted and made available on the big screens. It was asked that the use of the various rooms in the building be re considered and re configured where possible.

For the Bistro there was several ideas including having Macmillan coffee mornings etc considering a franchise/CIC/ community or sports groups, volunteers etc running the Bistro.

Report to: Peterlee Town Council
Date of Meeting: 25th March 2024
Subject: 2023/24 financial year – third quarter budget summary report
Report of: Ian Hall, Acting Chief Officer/Town Clerk

Report Purpose: To provide the Committee with a budget summary report to the end of the third quarter of the 2023/24 financial year, in line the Council's Financial Regulations¹.

Background: Section 5.8 of the Council's Financial Regulations provides that as the Council's Responsible Financial Officer (RFO) I am required to provide a statement comparing actual expenditure to that planned in the budget for each head of the Council's budgets.

The working process that enables this report is as follows:

- End of Quarter budget report produced and circulated to Budget holders by Finance Team;
- 1:1 meeting between budget holders, Town Clerk and Finance Assistant;
- Variance report produced and discussed with each budget holder;
- Report to Council for discussion and approval.

This report represents the Council's position at the end of the third quarter of the 2023/24 Financial Year, i.e. as at 31st December 2023.

Q3 summary: The 2023/24 quarter 3 overall budget outturn per budget head is provided in Appendix 1 to this report. In basic terms, net expenditure is lower than the *pro rata* forecast budget expenditure for the first 9 months by just over £38,000 - equivalent to 1.63% of the total expenditure budget for the year.

Q3 variances: A number of individual budget heads have variances in excess of the 'material' 15% limit prescribed in the Financial Regulations. Summary explanations for these material variances are provided in Appendix 2 to this report.

¹ Council's financial regulations are available from the Town Clerk on request or here: <https://www.peterlee.gov.uk/wp-content/uploads/sites/37/2022/05/Financial-Regulations-Reviewed-May-2022.pdf>

Recommendation: Members are recommended to note the content of this report and Appendices 1 and 2 which set out the quarter 3 variances by budget head and summary explanations for each variance over 15%.

Appendix 1: 2023/24 quarter 3 variance table by budget heads

A: Code	B: Budget Head	C: 2023/24 Budget	Q3 forecast	D: Q3 Actual	E: Variance	F: % of Budget	G: pro rata variance %
					-		
101	Central & Civic HQ Costs	£691,684	£545,770	£514,419	£31,351	-5%	-6%
102	Democratic Costs	£31,000	£22,075	£18,792	£-3,283	-11%	-15%
103	Corporate Management	£22,550	£20,380	£15,421	£-4,959	-22%	-24%
		-	-	-			
105	Other Costs and Income	£1,853,761	£1,854,261	£1,854,911	£-650	0%	0%
201	Shotton Hall banquetting suites	£92,402	£65,647	£62,186	£-3,461	-4%	-5%
		£269,182	£196,559	£224,213	£27,654		
221	The Pavillion	2	9	£224,213	4	10%	14%
240	Sport & Leisure(pitches & equipment, etc)	9	1	£112,575	£4,454	3%	4%
241	Hill Rigg House	£21,669	£15,033	£15,316	£283	1%	2%
242	Lowhills Bowls Pavilion	£499	£0	£-1	£-1	0%	#DIV/0!
261	Rugby Club site	£-7,001	£-7,001	£-6,466	£535	-8%	-8%
262	Eden Lane Parks Depot	£40,322	£32,171	£22,752	£-9,419	-23%	-29%
293	Eden Lane Bowls Pavilion	£2,095	£1,572	£1,130	£-442	-21%	-28%
					-		
280	Woodhouse Park	£80,867	£61,468	£44,133	£17,335	-21%	-28%
290	Sports Development	£49,465	£44,485	£46,331	£1,846	4%	4%
301	Parks Department general budget	£220,180	£151,182	£162,452	£11,270	5%	7%
325	Cemetery Service	£36,982	£31,475	£32,766	£1,291	3%	4%
350	Allotments	£13,457	£7,324	£7,610	£286	2%	4%
410	Town Activies	£14,000	£7,400	£6,303	£-1,097	-8%	-15%
430	Town Events	£35,000	£31,375	£24,696	£-6,679	-19%	-21%
					£14,216		
901	Capital Projects	£66,000	£17,500	£31,716	6	22%	81%
			-	-	-		
	Total budget position		£501,725	£518,567	£16,842		

Appendix 2: material (>15%) variances for quarter 3 by budget head

NB – negative variances are enclosed in (parenthesis) and indicate an underspend, whether through reduced expenditure or increased income or both.

Code	Budget Head	Q3 Variance	Q3 Variance %	Summary Explanation
103	Corporate Management	(£4,959)	24%	Higher than forecast banking service. Internal audit fees not paid yet. Q4
262	Eden Lane Depot	(£9,419)	29%	Underspend on alarms & CCTV recharge
263	Eden Lane Bowls	(£442)	28%	Underspend on wages
280	Woodhouse Park	(£17,335)	28%	Underspend on alarms & CCTV recharge; underspend on staffing recharge
430	Town Events	(£6,679)	21%	Underspend on unallocated events
901	Capital Projects	£14,216	81%	Overspend on consultants fees: Helford Access Rd no budget set members agreed to use reserves

Report to: Peterlee Town Council Full Council Committee

Date of Meeting: Monday 25th March 2024

Subject: Peterlee Town Council Events 2024 – Suppliers Quotations

Report of: Janet Hugill, Corporate Services Manager

Report Purpose: To present Members with the list of quotes from various companies to provide supplies for Peterlee Town Council Events 2024.

Introduction: Emails were sent to different companies inviting them to quote for various supplies for this year’s Town Events.

Detailed below are the quotes received from companies for the various supplies: -

Security – companies were requested to provide quotations for crowd safety stewards for the events.

Company	Steward hourly rate	SIA hourly rate	Supervisor hourly rate	Manager hourly rate	Radio hire
A	£14.50	£16.00		£18.00	Radios - £7.00 per radio
B	£16.00	£17.00	£17.00		Radios - £8.00 per radio

RECOMMENDED that the quotation from Company A, Hinton Security from Trimdon, for the 2024 events be accepted.

Medical Cover – companies were requested to provide quotations for medical cover for the events. They were provided with a specification for all events. It is up to the individual companies to inform us of what medical cover we need in place based on numbers attending, event activities, duration of the event and if alcohol is being consumed.

Company	Peterlee Music Event	Emergency Services Day	Remembrance Parade	Total
A	£1,505.25	£397.50	£148.00	£2050.75
B	£1303.00	£659.75	£203.00	£2165.75
C	£2056.50	£978.25	Free	£3034.75

RECOMMENDED that the quotation from Company A, Medics UK from Stockton, for the total amount of £2,050.75 for the events be accepted.

Toilets – companies were requested to provide a quotation for the hire of portaloos for Peterlee Music Event.

Company	Quote
A	£1,198.00
B	£1,250.00
C	£1384.80
D	Castlewood?
E	

RECOMMENDED that the quotation from Company A, Teesdale Event and site Services from Barnard castle, for the amount of £1,198.00 be accepted.

Risk and Implications

Finance – Peterlee Music Event, Emergency Services Day and Remembrance Day draft budgets would cover the above quotations, if approved.

Staffing - None

Risk – companies recommended are mostly what we have used in the past for events.

Equality and Diversity / Public Sector Equality Duty - None

Accommodation - None

Crime and Disorder - None

Human Rights - None

Consultation - None

Procurement – followed the standing orders/financial regulations policy

Disability Issues - None

Legal Implications – None

Biodiversity - none



Maternity / Paternity/Adoption & Surrogacy Policy

Version 6: March 2024

SUMMARY

This document sets out the support and guidance Peterlee Town Council have in place for employees during Maternity/Paternity/Adoption and Surrogacy.

Janet Hugill

Corporate Services Manager

Please think before printing this document.

Where printing is necessary, please ensure that it is printed double sided and in greyscale.

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Introduction

Peterlee Town Council recognises the need to balance family responsibilities with paid work. We recognise the need for adequate maternity provision to provide pregnant employees with peace of mind and to ensure their and the child's health and welfare during the maternity period.

What is the Policy About?

The Council is committed to ensuring that working parents have a greater choice in balancing work and family life.

This policy provides guidance on the Council's Maternity, Paternity, Adoption and Surrogacy provisions. This includes risk assessment, leave and pay arrangements and provisions for return to work.

Who Does the Policy Apply to?

This policy covers all employees.

Maternity, Paternity, Adoption & Surrogacy

Frequently used terms/abbreviations

AML/AAL	Additional maternity/adoption leave - the last 26 weeks of a maximum of 52 weeks maternity/adoption leave
EWC	Expected week of childbirth - the week beginning on a Sunday, in which the doctor or midwife expects your child to be born
KIT Days	Up to a maximum of 10 days during maternity leave where an employee, by mutual agreement with their manager, carries out work or attends work related events, without bringing their maternity leave to an end (paragraphs 63-67)
LEL	Lower Earnings Limit - £184.03 per week tax year 2024-2025. To be entitled to statutory payments (SMP or SAP) the employee must have earnings of not less than the LEL. This is calculated based on the average normal pay prior to the 15th week before the baby's birth date.

MATB1	A form given to a woman by their doctor or midwife after the 20th week of pregnancy that provides medical evidence of pregnancy and shows the expected date of childbirth.
MA	Maternity Allowance – an allowance usually paid to mothers who don't qualify for statutory maternity pay (SMP) A claim form is available at the UK Government website (www.gov.uk) or Job Centre Plus.
OML/OAL	Ordinary maternity/adoption leave – the first 26 weeks of a maximum of 52 weeks maternity/adoption leave.
Partner	Your spouse, civil partner or someone living with you in an enduring family relationship but who is not a relative of the mother/primary adopter (sibling, child, parent, grandparent, aunt, uncle, niece or nephew)
Primary Adopter	A person who has been matched with a child for adoption and who has elected to be the main carer for the child
Primary Parental Order Parent	A person in a legal surrogacy arrangement who is entitled to and intends to apply for a Parental Order under the Human Embryology and Fertilisation Act 2008, and who has elected to be the main carer for the child.
SMP/SAP/OMP	Statutory Maternity/Adoption Pay – a legal entitlement to a certain amount of statutory pay to qualifying employees which lasts for up to 39 weeks. As of 6 April 2024 the statutory SMP/SAP rate is £184.03 per week (paragraphs 14-19) Qualifying week OMP is Occupational Maternity Pay, weeks 7-18 50% of the weekly earning will be paid on the condition the employee returns to work for a period of 3 months following the end of the maternity leave
Qualifying week	The 15th week before the EWC

Leave Entitlement

All pregnant employees and primary adopters (the parent who has elected to be the main carer of the child, usually the child's adoptive mother) have the right to 52 weeks leave, regardless of the number of hours they work or their length of service. This period of leave is made up of 26 weeks Ordinary Maternity/Adoption Leave (OML/OAL) and 26 weeks Additional Maternity/Adoption Leave (AML/AAL). Where a couple are adopting; only one parent, the primary adopter (main carer), can request adoption leave.

Adoption leave is also available to the primary carer in a legal surrogacy arrangement (primary Parental Order parent) for babies due on or after 5 April 2015 who has applied for, or intends to apply for, a Parental Order in respect of the child under the Human Embryology and Fertilisation Act 2008.

Employees starting maternity or adoption leave may also wish to consider Shared Parental Leave. Further details can be found in the separate policy on Shared Parental Leave.

5.1 Maternity

It is up to each employee to choose when to start maternity leave and how long to stay off work, subject to the following restrictions:

Maternity leave can start no earlier than 11 weeks before the Expected Week of Childbirth (EWC), as confirmed by the employee's MATB1 certificate;

An employee cannot return to work during the 2 weeks after giving birth, this is compulsory maternity leave;

If an employee has not started their maternity leave, it can be automatically triggered by either childbirth or pregnancy related absence during the 4 weeks before the EWC.

Adoption and Surrogacy

Only one person in an adopting or surrogate couple is entitled to take adoption leave. The other partner may be entitled to take paternity leave and/or maternity support leave/shared parental leave if they meet the qualifying criteria (see paragraphs 19 and 20).

Adoption leave can be taken by the primary adopter for any child placed for adoption up to the age of 18 via an official adoption agency; however, only one period of adoption leave can be taken at any time, regardless of the number of children being adopted. Adoption leave is not available in circumstances where the child is not newly placed for adoption i.e. a stepparent adopting a partner's child. Leave can also be taken by the primary parent in a legal surrogacy arrangement.

It is up to each employee to choose when to start adoption leave and how long to stay off work, subject to the following restrictions:

For UK adoptions, adoption leave can start no earlier than 14 days before the date the child is expected to be placed and up to the date the child is placed with the family;

For Overseas adoptions, adoption leave can start when the child arrives in the UK or within 28 days of this date;

For surrogacy arrangements it can start no earlier than 14 days before the expected date of birth of the surrogate child and up to the date the child is born;

An employee cannot return to work during the first 2 weeks of adoption leave.

Dual approved prospective adopters (sometimes referred to as fostering to adopt) may be eligible for adoption leave and pay where they have agreed to have a child placed with them in accordance with section 22C of the Children Act 1989 with a view to them adopting that child.

Pay Entitlement

Pregnant employees with over one year's local government service at the 11th week before the EWC plus 26 week's continuous service with Peterlee Town Council at the 15th week before the EWC, plus earnings over the national insurance lower earnings limit are entitled to:

- 90% of average weekly earnings for the first 6 weeks
- OMP is Occupational Maternity Pay, which is paid in weeks 7-18, 50% of the weekly earning. This will be paid on the condition the employee returns to work for a period of 3 months following the end of the maternity leave
- SMP will be paid for the remainder 19 to 39 weeks.

During weeks 7 – 18 if employees have provided written notification that they will return to work, they also receive half their normal pay (OMP). These will be without deduction unless the combined half pay and SMP exceed full pay in which case the half pay will be reduced accordingly. **(This pay will be reclaimed if the employee does not return to work for at least three months)**

Statutory maternity/adoption pay (SMP/SAP)

The Council pays SMP/SAP to employees on behalf of the Government, where certain qualifying conditions are met. SMP is paid for up to 39 weeks during an employee's maternity or adoption leave as follows:

Pregnant employees with less than one year's local government service at the 11th week before the EWC but more than 26 week's continuous service with Peterlee Town Council at the 15th week before the EWC, plus earnings over the national insurance lower earnings limit are entitled to:

- 90% pay (i.e. higher rate SMP) for the first 6 weeks

- Basic rate SMP for the remaining 33 weeks.

Pregnant employees with less than 26 weeks service at Peterlee Town Council at the 15th week before the EWC and earnings over the national insurance lower earnings limit may be entitled to:

- 39 weeks Maternity Allowance (Length of service insufficient to qualify for SMP)

Pregnant employees with more than 26 week's service with Peterlee Town Council but below the national insurance lower earnings limit may be entitled to:

- 39 weeks Maternity Allowance (Earnings insufficient to qualify for SMP)

As at 6 April 2024 the statutory SMP/SAP rate is £184.03 per week. Details of the current SMP/SAP rate can be found by visiting www.gov.uk/maternitypay-leave or www.gov.uk/adoption-pay-leave.

To qualify for SMP/SAP the employee must have:

Average weekly earnings (before tax and NI) at least equal to the Lower Earnings Limit (£184.03 per week as at 6 April 2024);
Given the appropriate notice.

In addition the following qualifying conditions apply depending on the particular situation:

Maternity

26 weeks' continuous service by the 15th week before the EWC;
Provided proof of pregnancy including EWC (MATB1 certificate).

If an employee does not qualify for SMP then her original MATB1 form will be returned to her along with an SMP1 form which explains why she can't receive SMP within 7 days of the Council making their decision. If an employee does not qualify for SMP, they may qualify for Maternity Allowance (MA) which can be accessed via Job Centre Plus or via a claim form on the UK Government website (www.gov.uk).

Adoption

26 weeks continuous service by the week the adopter is notified of being matched with a child;

- provided official proof of the date of placement e.g. letter from the adoption agency;
- provided a copy of the matching certificate provided by the adoption agency; for overseas adoptions only, provided proof of the date the child arrives in the UK.

Surrogacy

- 26 weeks' continuous service by the 15th week before the EWC;
- provided proof of pregnancy including EWC (copy of birth mother's MATB1 certificate);
- the intended parents must have applied for, or intend to apply for, a Parental Order and expect to obtain this;
- provided a copy of the parental order within 6 months of the child's birth;

If requested must provide a 'statutory declaration' (written statement signed in the presence of a legal professional) confirming you have applied or will apply for a parental order in the 6 months after the child's birth.

Maternity and Surrogacy

More than one year of continuous service at the start of the 11th week before the Expected Week of Childbirth (EWC).

Adoption

More than one year of continuous service by the date notice is given that they are matched with a child.

Notification requirements

If the employee does not give the required notification, they lose their right to start maternity/adoption leave on their chosen date. The only exception to this is where it is not reasonably practicable for the employee to give notice any earlier e.g. if the baby is born much earlier than expected.

If the employee changes their mind and wishes to change the start date of their leave, they must give 28 days' notice.

Written confirmation of the end date of their maternity/adoption leave will be sent to the employee within 28 days of their notification form being received. It will be assumed that the employee is taking 52 weeks leave unless they have given a different end date in their notification.

Maternity

Pregnant employees are advised to notify their manager of their pregnancy as soon as possible, however, as a minimum employees are asked to notify their manager, in writing, no later than 28 days before they want to commence their maternity leave. This form includes the following information:

Confirmation of the pregnancy and the EWC. This is usually via a MAT B1 certificate;
The date they wish to commence maternity leave.

As soon as is practicable after the birth, the employee should notify their manager of the baby's date of birth in writing.

If maternity leave is triggered by the birth of the child or pregnancy related absence during the 4 weeks prior to the EWC the maternity leave will start on the day following the first day of sickness absence or the day of childbirth. The employee must inform their manager of the date of birth as soon as reasonably practicable and any absence should be reported to their manager in line with the sickness reporting procedures.

Adoption

The primary adopter should advise their manager as soon as possible; however, as a minimum, employees should notify their manager, in writing, within 7 days of being told that they have been matched with a child, which includes the following information:

Confirmation of the adoption i.e. through the provision of a matching certificate;

- The date the child is to be placed with the employee;
- The date they wish to commence adoption leave.

Surrogacy

The primary surrogate parent is advised to notify their manager of the surrogate's pregnancy as soon as possible, however, as a minimum, employees are asked to notify their manager, in writing, no later than 28 days before they want to commence their adoption leave. This form includes the following information:

- Confirmation of the birth mother's pregnancy and the EWC. This is usually via a copy of the birth mother's MATB1 certificate;

- The date they wish to commence adoption leave.

A Parental Order parent is also required to provide a copy of the Parental Order within 6 months of the adoption leave/pay commencing. The Council reserve the right to reclaim any payment made and to be compensated for leave taken, if the employee fails to provide a copy of the Parental Order within 6 months of the start of the adoption leave/pay.

Adoption leave would be triggered for parents in a surrogacy arrangement if the child was born earlier than the adoption leave start date.

As soon as is practicable after the birth, the employee should notify their manager of the baby's date of birth in writing.

Other Time Off

This section details entitlement to time off for pregnant employees, primary adopters, and primary parental order parents.

Employees must produce evidence of all appointments if requested to do so.

Antenatal Care/Appointments

All pregnant employees, regardless of hours worked, pay or length of service are entitled to reasonable paid time off for antenatal appointments.

Antenatal appointments may include any of the following, provided they have been recommended by a doctor or midwife:

- medical appointments
- parent craft
- relaxation classes

All time off will be paid at the employee's normal hourly rate of pay. Where an employee does not have normal working hours, the rate of pay during any time off should be the average rate in the last 12 complete weeks prior to the time off.

Pre-adoption Leave

The primary adopter is entitled to paid time off to attend up to 5 pre-adoption appointments after they have been matched with a child.

A maximum of up to 6.5 hours is allowed per appointment.

Pre-surrogacy Leave

Employees in a legal surrogacy arrangement have the right to unpaid time off to attend 2 antenatal appointments with the surrogate mother.

A maximum of up to 6.5 hours is allowed per appointment.

Sickness

If an employee has not started their maternity leave, it can be automatically triggered by a pregnancy related absence during the 4 weeks before the EWC, however, before this time, a pregnancy related absence would not automatically trigger maternity leave to start. Occupational sick pay or SSP may still be allowable during the 4 weeks before the EWC if the absence is due to anything other than a pregnancy related condition.

Employees who are sick during their maternity/adoption leave period are not entitled to sick pay as they will be receiving SMP/SAP, unless they end their maternity leave. Where an employee cannot attend work at the end of their maternity/adoption leave due to sickness, the normal contractual arrangements for sickness absence will apply.

Risk assessments

The Council's responsibility for the health and safety of our employees comes into sharp focus when considering the requirements for an expectant or new mother and therefore it is important that the manager carries out a formal risk assessment for an employee when she declares her pregnancy. A New and Expectant Mothers Risk Assessment form is attached.

The risk assessment should be reviewed on a regular basis throughout the pregnancy and upon her return to work to ensure the operating environment is considered. Where risks that may adversely affect the health and safety of the employee or their baby are identified, the manager should consider temporary adjustments to the employee's working conditions and/or hours or offer suitable alternative work, if available.

The employee's normal rate of pay continues during any period of adjustment. Managers should be aware that if adjustments are not deemed to be feasible, the employee is entitled to paid leave for as long as necessary to protect her and/or the child's health and safety.

The following are examples of the type of risks that can arise in the workplace:

For pregnant women or women who have had a caesarean section, lifting heavy items can lead to injury therefore the amount of physical work should be reduced, or suitable aids supplied physical fatigue from standing or poor posture position for long periods of times can lead to miscarriage, premature birth and low birth weight. Potential remedies

include avoiding excessive volume and hours of work, seating being made available, longer rest breaks or workstations being adjusted. Work involving substantial vibration or movement may lead to miscarriage, therefore tasks should be avoided if they risk whole body vibration or jolts to the abdomen. Exposure to radiation, chemical and biological agents, lead, infectious diseases, work related stress or extremes of cold and heat should also be avoided.

The following table gives some examples of the aspects of pregnancy that may lead to changes in the work environment:

Aspect of Pregnancy	Work Factor to Consider
Morning sickness	Early shift work, exposure to nauseating smells
Backache	Standing, manual handling, posture
Varicose veins	Standing, manual handling, posture
Haemorrhoids	Working in hot conditions
Frequent visits to toilets	Difficulty in leaving work area
Increasing size	Use of protective clothing, work in confined spaces, manual handling, speed of movement and reach
Tiredness	Overtime, evening work
Balance	Working on uneven, wet or slippery surfaces

Breastfeeding

Should you be continuing to breastfeed your child when you return to work, you should notify your Manager in writing prior to your return. A risk assessment can then be carried out, prior to your return to work.

The Council has limited suitable rest facilities for breastfeeding mothers. However, employees are not entitled to take time off to breastfeed.

Employees should arrange for childcare close to work, and/or enable breastfeeding to take place before and after work. The Council does not provide facilities for breastfeeding employees to express and store milk.

Special Circumstances

Premature Births

If an employee has their baby prematurely, the Council will consider each case on an individual basis as to what assistance may be relevant. For example, it may be appropriate to extend the maternity leave arrangements.

Stillbirth and Miscarriage

In the unfortunate event that the baby is stillborn or lost through miscarriage after 24 weeks, the employee is entitled to take maternity leave.

Where a miscarriage or termination takes place before 24 weeks the Council will give sympathetic consideration to the individual circumstances. Where necessary, sick leave or other leave may be appropriate, depending on the needs of the employee and any medical opinion.

Adoption Placement Ends

Adoption leave will end where the adoption placement does not take place or breaks down or where the child dies. The adoption leave will end 8 weeks after such an event.

Parental Order is Refused

Where the intended parents' application for a Parental Order is refused by the court, the employee's entitlement to adoption leave will end 8 weeks later or at the end of the adoption leave, whichever is earlier.

For surrogacy arrangements the Council reserves the right to reclaim any payment made and to be compensated for leave taken, if the employee fails to provide a copy of the Parental Order within 6 months of the adoption leave/pay commencing.

Keeping in Touch (KIT) Days

All employees on maternity or adoption leave can participate in up to 10 KIT days where an employee can work without bringing their leave to an end. KIT days are not limited to the employee's normal job and can include attending training events, appraisals, meetings, as well as enabling an employee to return to work gradually at the end of their leave.

Any KIT days must be mutually agreed, therefore just as an employer cannot insist that work is carried out during a maternity or adoption leave period, an employee cannot insist on working during the period.

Working any part of a day will count as one full day for the purpose of calculating the number of KIT days taken or pay received. The employee's normal rate of pay offset against any SMP or SAP received will be paid for such days. Payment per day will be based on the number of days in the month the KIT day is worked i.e. 1/28th, 1/29th, 1/30th or 1/31st of the person's monthly full-time equivalent salary.

Payment arrangements should be discussed and clearly understood and agreed before any work is undertaken and efforts should be made to ensure both the employee and manager are fully aware of the work to be carried out on the day.

Where an employee has multiple posts within the Council only 10 KIT days can be taken in total as they are allocated per person, not per job. In addition, in the case of employees on maternity leave, KIT days cannot be taken during the first two weeks following the birth.

Returning to Work Following Maternity/Adoption Leave

It will be assumed that an employee will take their full 52 weeks of maternity or adoption entitlement and will return to work at the end of their AML/AAL, unless they have stated otherwise on their notification form. If the employee intends to return to work sooner than this, they must notify their manager at least 8 weeks before the date they intend to return. If less than 8 weeks' notice is given, the Council can postpone the return to ensure there is 8 weeks' notice, although any postponement cannot go beyond the end of the 52-week maternity or adoption leave period.

If the employee does not want to return to work after their maternity/adoption leave, they are required to give the Council notice in line with their contract of employment.

The manager should ensure they meet with the employee either prior to their return or immediately upon their return to aid their smooth return to the workplace and discuss any particular needs or wishes they may have e.g. changes to the working environment to assist with breastfeeding (see above).

Maternity Leave Flowchart/Timeline

This timeline provides a helpful summary of the main times to be aware of where a maternity situation occurs within the workplace.

Employee completes Notification of Maternity Leave form advising their manager of the forthcoming absence:

- No later than 28 days before a maternity absence begins
- Notification includes details of the pregnancy and the expected absence



Formal advice to the employee:

- Within 28 days, the Manager / HR Adviser advises the employee about her return to work date



Starting maternity leave:

- The earliest starting point is 11 weeks before the EWC.
- Leave is triggered by childbirth or if a pregnancy related absence occurs from the start of the 4th week before EWC



Pay Entitlement (subject to qualifying conditions being met): **52 weeks** leave and payment as follows: 6 weeks at 90%,

OMP is Occupational Maternity Pay is paid weeks 7-18, which is 50% of the weekly earning. This will be paid on the condition the employee returns to work for a period of 3 months following the end of the maternity leave . SMP will be paid for the following 19-39 weeks. Weeks 40-52 no payment will be made.



Returning to work early:

Employee to provide **8 weeks' notice** before they intend to return to work.

Adoption /Surrogacy flowchart/ timeline

This timeline provides a helpful summary of the main times to be aware of where an adoption situation occurs within the workplace.

Employee completes Notification of Adoption Leave form advising their manager of the forthcoming absence:

- No later than 7 days after being notified of being matched with a child or for surrogacy, within 28 days before adoption absence begins.
- Notification includes details of the adoption matching certificate and expected absence



Formal advice to the employee:

- Within 28 days, the Manager/HR Adviser advises the employee about her return to work date



Starting Adoption leave:

- For adoption, on the date the child is placed or another predetermined date which should be no more than 14 days before the date the child is expected to be placed ☒
- For surrogacy, on the date the child is born or no earlier than 14 days before the birth



Pay Entitlement (subject to qualifying conditions being met): **52 weeks** leave and payment as follows: 6 weeks at 90%,
OMP is Occupational Maternity Pay is paid weeks 7-18, which is 50% of the weekly earning. This will be paid on the condition the employee returns to work for a period of 3 months following the end of the maternity leave . SMP will be paid for the following 19-39 weeks. Weeks 40-52 no payment will be made.



Returning to work early:

Employee to provide **8 weeks' notice** before they intend to return to work.

Paternity Leave Policy Introduction

Peterlee Town Council recognises that employees may wish to take time off work to support the mother of a baby or look after the baby.

Who Does the Policy Apply to?

The policy applies to all Peterlee Town Council employees.

Authority

The Town Clerk is accountable for the proper application of the Paternity Leave Scheme.

Legal Framework

These provisions take account of the framework of statutory rights as set out in the Employment Rights Act 1996, as amended by the Employment Relations Act 1999 and the Employment Act 2002. The details of these rights are set out in supporting regulations: The Paternity and Adoption Leave Regulations 2002, as amended by the Paternity and Adoption Leave (Amendment) Regulations 2006, The Children and Families Act 2014 and The Paternity and Adoption Leave (Amendment) (no 2) Regulations 2014.

Provisions

The Council provides one type of paternity leave, Ordinary Paternity Leave

Ordinary Paternity Leave

To be eligible for Ordinary Paternity Leave an employee must:

- Have, or expect to have responsibility for the child's upbringing;
- Be the biological father of the child or the mother's husband or partner;
- Have worked continuously for the Council for 26 weeks leading into the 4th week before the baby is due and be employed continuously during the pregnancy up to the actual date the baby is born.
Employees may choose to take leave (as outlined below) any time up to 8 weeks after the date of birth. The leave is based on the employee's normal working week, pro rata for part time employees. one or two whole weeks.

Process

Employees must complete the Application for Ordinary Paternity Leave Form (Appendix 1), arrange for it to be authorised by their line manager and return it to: Finance Section, giving 28 days' notice. The Line Manager will confirm authorisation of leave.

If the baby is born early the employee can choose to take their leave any time in the 52 weeks after the birth or adoption of their child. The employee can separate their leave into separate one-week blocks.

Where the employee has chosen to start his/her leave on the date the child is born and he/she is at work on this date, his/her leave will begin on the following day. The employee must notify the Line Manager of the date the child was born, as soon as is reasonably practicable.

The employee may change the proposed date providing he/she gives 28 days' notice.

Payment

Employees will receive Statutory Paternity Pay for each week of their Paternity Leave. This will be the lower of 90% of average weekly earnings or the current SPP rate. The employee must have average weekly earnings which are no less than the current National Insurance lower earnings limit in the 8 weeks prior to the qualifying week.

Shared Parental Leave

Shared Parental Leave (SPL) is a new legal entitlement for eligible parents of babies due, or children placed for adoption, on or after 5 April 2015. It provides both parents with the opportunity to consider the best arrangement to care for their child during the child's first year. The amount of leave available is calculated using the mother's entitlement to maternity/adoption leave, which allows them to take up to 52 weeks' leave. If they reduce their maternity/adoption leave entitlement, then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.

More details on shared parental leave can be obtained by reading the Shared Parental Leave Policy.

Time Off for Ante-Natal Appointments

An expectant father or partner of a pregnant woman is entitled to take unpaid time off work to accompany the woman to up to 2 of her ante-natal appointments. Employees and qualifying Agency Workers (workers are required to have been doing the same kind of job for the Council for at least 12 weeks) are entitled to time off to accompany an expectant mother to her ante-natal appointments if they are:

- The baby's father
- The expectant mother's spouse, her civil partner, or partner (of either sex) in an enduring relationship; or

- Intended parents of a child in a surrogacy arrangement if they expect to be entitled to and intend to apply for a parental order in respect of that child.

Employees are entitled to unpaid leave for 1 or 2 appointments. The time off is capped at 6.5 hours for each appointment.

The employee is not required to provide evidence of such appointments, as they are considered the property of the expectant mother attending the appointment. However, the employee should complete the attached declaration (Appendix 2) stating the date and time of the appointment, that they qualify for the unpaid time through their relationship with the mother or child and that the time off is for the purpose of attending the ante-natal appointment.

There is no qualifying period for employees – they are entitled to receive this entitlement from day one, providing they meet the qualifying criteria.

Contractual Benefits

You are entitled to the benefit of your normal terms and conditions of employment, except for terms relating to wages or salary throughout your paternity leave. You may however be entitled to SPP for this period.

You will continue to remain bound by any obligations arising under your contract of employment.

Return to Work After Paternity Leave

You are entitled to return to the same job following no more than two weeks' paternity leave. If, however, you take two or more consecutive periods of statutory leave (which could include additional adoption leave or parental leave of more than four weeks), you will be entitled to return to the job in which you were employed before your absence or, if that is not reasonably practicable for the Council, then to return to another job which is both suitable and appropriate in the circumstances.

You have the right to return:

- with your seniority, and similar rights
- on terms and conditions not less favourable than those which would have applied if you had not been absent.
- You will not be subject to any detriment by the Council because you took or sought to take paternity leave.

Appendix 1

PETERLEE TOWN COUNCIL

Application for Ordinary Paternity Leave

Part A to be completed by the member of staff - Please complete the form in BLOCK CAPITALS.

Title: Mr / Mrs / Miss / Ms	
First Name	
Surname	
Job Title	
Department/Section	
Home Address	
Tel Number (Work)	
Tel Number (Home)	Mobile:

I wish to inform you that I intend to take Ordinary Paternity Leave as follows:

Expected date paternity leave period to commence* _____

Expected return to work date ** _____

Partner's Expected Week of Childbirth (EWC) or expected date of placement for adoption:

*Your paternity leave cannot begin prior to the baby's birth/date of placement for adoption, but you can state that you wish your paternity leave to start on the day your child is born.

**Ordinary paternity leave must be taken in blocks of either one or two weeks

I declare that I:

- am the baby's biological father / married to the mother / living with the mother in an enduring family relationship, but am not an immediate relative (please delete as applicable)
- will have responsibility for the child's upbringing
- will take time off work to support the mother or care for the child.
- have provided a copy of my partner's MAT B1/matching certificate with this form

Signed:

Date:

PTO

Please ensure you have discussed this application with your Line Manager and provided them with a copy of this form.

This form must be returned to the Corporate Services Department 28 days before your baby's due date, or within 7 days of receiving a matching certificate for adoption.

Section to be completed by Line Manager

Approved by: Manager Signature:

Date:

Employee informed of approval by:

Date:

DRAFT

Appendix 2

PETERLEE TOWN COUNCIL

Request for time off to accompany a pregnant woman at an antenatal appointment

Title: Mr / Mrs / Miss / Ms	
First Name	
Surname	
Job Title	
Department/Section	
Home Address	
Tel Number (Work)	
Tel Number (Home)	Mobile:

Date of appointment: Time of appointment:

I have the following relationship with the pregnant woman I am accompanying to an antenatal appointment or her expected child (please tick as appropriate)

- I am the husband/Civil partner
- I live with the pregnant woman in an enduring family relationship
- I am the father of the expected child
- I am the intended parent in a surrogacy situation

Section B: I declare the following to be true (please tick each box)

- My purpose in taking time off is to accompany the above pregnant woman at an antenatal appointment
- The ante-natal appointment has been made on the advice of a medical practitioner, midwife or nurse

Employee Signature:

Date:

Section to be completed by Line Manager

Approved by (Manager Signature)

Date:

Employee informed of approval by:

Date:

Risk Assessment for New and Expectant Mothers

Name of New/Expectant Mother:	Department, Division:	Location:
Job Title:	Details of work activities:	
Date of initial assessment:	Review 1 (between 14 & 26 weeks):	Assessment carried out by:
Review 2 (after 27 weeks):	Return to work review:	

Review the Hazard Profile for the Worker Type (job title above) and consider whether the controls in place are adequate to protect new & expectant mothers. Work through the table below, which highlights some particular risks to consider.

NB in all cases where it is not possible to adequately reduce risks by making changes to the working conditions or hours of a new or expectant mother, she must be suspended from work on full pay for as long as necessary to protect her health & safety and that of her baby.

**Has the new or expectant mother's Doctor or Midwife identified any health issues that may affect her work?
If yes, please detail below.**

THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
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PHYSICAL RISKS

Movement and Posture

How will you reduce the risks to a new & expectant mothers due to standing or sitting for long periods of time? e.g. dizziness/faintness/fatigue/thrombosis/embolism	Allow regular rest breaks		
	Allow changes in activities, ie. alternating between standing and sitting		
	Adjust workstation		
	Arrange alternative work		
What adjustments can you make to the New & expectant mothers workstation to take into account of increased size?	Redesign layout of office/workstation to allow sufficient room		

Manual Handling

How will you eliminate the need for the new/expectant mother to carry out manual handling tasks with risk of injury?	Review Manual Handling Assessments		
	Provide lifting/handling equipment		
	Eliminate the need for MH – allocate tasks to others		
	Arrange alternative work		

THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
Working at Heights			
How will you eliminate the need for the new/expectant mother to work at heights e.g. ladders, MEWPS?	Eliminate the need to work at height – allocate jobs to others		
	Arrange alternative work		
Extremes of Heat/Cold			
What will you do to control any exposure to extremes of temperature?	Ensure sufficient rest/refreshment breaks are possible		
	Ensure there is an unrestricted supply of drinking water		
	Arrange alternative work		
RISK OF INFECTION			
	Many biological agents can affect the unborn child during pregnancy or pass from mother to child during childbirth or breastfeeding.		
How will any risk of infection be eliminated? e.g. Hepatitis B, HIV, Herpes, Syphilis, Chickenpox, Typhoid, Rubella (German measles) & Toxoplasma	Review Infection Control Risk Assessment		
	Additional hygiene controls		
	Arrange alternative work		

THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
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CHEMICAL AGENTS

Hazardous Substances	A number of substances have hazardous properties indicated by Risk Phrases (cancer risk, genetic risks, harm to the unborn child etc.)		
How will you eliminate the risk from exposure to substances hazardous to health? Those labelled R40 (limited evidence of carcinogenic effect), R45 (may cause cancer), R46 (may cause heritable genetic damage), R49 (may cause cancer by inhalation), R61 (may cause harm to the unborn child), R64 (may cause harm to breastfed babies) & R68 (possible risk of irreversible effects) e.g. mercury; lead; carbon monoxide, and those listed 'Sk' – absorbed through the skin.	Review COSHH assessments		
	Eliminate risk by substituting substances		
	Arrange alternative work		
	Once pregnancy is confirmed, women must be suspended from the work that exposes them significantly to lead. The ACOP Control of Lead at Work sets out exposure limits for women of reproductive capacity, to prevent harm to a foetus before a pregnancy is confirmed.		

THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
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WORKING CONDITIONS			
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Facilities			
What facilities are there for new & expectant mothers to rest?	Somewhere for new & expectant mothers to sit or lie down		
	Adequate access to drinking water		
	Some flexibility in frequency & timings of breaks		
How will you provide adequate hygiene facilities for new & expectant mothers?	Easy access to toilets (& associated hygiene facilities)		
	Facilities for breastfeeding mothers to express & safely store milk		
Working hours			
How will the risk to new/expectant mothers from working long hours or night shifts be controlled?	Rearrange shift patterns		
	Shorter shifts		
	Arrange alternative work		
	If a medical certificate is received from the employee's doctor/midwife stating night work is affecting her H&S or that of her unborn child, alternative day work must be organised.		

THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
Lone Working	Pregnant women are more likely to need urgent medical attention.		
How will lone working be eliminated for the expectant mother?	Review Lone Working Risk Assessment		
	Arrange alternative work		
Violence & Aggression			
How will any risk of violence or aggression at work be eliminated?	Review Personal Safety Risk Assessment		
	If the risk of violence cannot be Significantly reduced, new or expectant mothers should be offered suitable alternative work		
Work Equipment	Some work equipment may be uncomfortable or unsafe for use e.g. where mobility, dexterity or co-ordination is impeded by pregnancy		
Have you considered any potential problems with the new/expectant mother's use of work equipment?	Review your work Equipment Risk Assessments, taking into account changes in risks as pregnancy progresses		
	Arrange alternative work		

THE HAZARDS (to Mother/Baby/Foetus)	CONTROLS	Please Indicate Y/N or N/A	PLEASE DETAIL ACTION TAKEN/ NEEDED TO CONTROL THE RISK
Other Hazards			
Please indicate which other hazards are applicable and how they are controlled	Significant exposure to noise		
	Shocks/vibration		
	Radiation (ionising or non-ionising)		
	Occupational Stress		
	Passive smoking		
	Personal Protective Equipment (suitability)		
	Travelling for work		
	Other (please list)		

ACTION PLAN

Summary of steps to be taken, if any, as a result of this risk assessment, to reduce level of risk for the mother, foetus or baby
(continue on a separate sheet if required)

Ref.	Action	Responsibility	Completion Date

Have the controls implemented, reduced the risk to an acceptable level? (please indicate)

If 'no', please seek further advice from the departmental H&S function or the Corporate H&S unit.

Action plan completed by:

Position:

Date:

Appendix 3



Maternity/Adoption Leave Notification Form

Please discuss your plans for maternity/adoption leave with your line manager before completing this form and please send them a copy of this form, along with the MAT B1/SAP 1 certificate by the end of the 15th week before the Expected Week of Childbirth (EWC). If you haven't received the MAT B1/SAP 1 Certificate you should send it once received. Please ensure that you have read the Maternity/Paternity/Adoption & Surrogacy Policy before completing this form.

Incomplete forms will not be accepted, please ensure all sections are fully completed.

Employee Details (please enter the following details)			
Title		First Name	Surname
Home Address			
Contact Number			
Email Address			
Payroll number			
Job Title			
Dates for Maternity/Adoption Leave			
Date Baby Due			
Expected start date of Maternity/Adoption Leave			
A MAT B1 Certificate confirming the above details			
Your doctor or midwife will give you a MAT B1 certificate which will give you the expected week of childbirth (EWC). You must provide a copy of the original form to your line manager days before you wish to start your maternity leave.			
Expected Return date (back on payroll)			
I understand that if I am taking less than the full 52 weeks' maternity/adoption leave entitlement, I should provide at least 8 weeks' notice in writing if I wish to return to work earlier or later than the date agreed above with my line manager and I will need to complete a Return to Work Form.			
Maternity Pay			
Employees are eligible for Contractual Maternity/Adoption Leave and Pay if they have continuously worked for Peterlee Town Council for 26 weeks at the beginning of the 15 th week before EWC. If I am paid Occupational Maternity Pay in weeks 7-18, I agree to return to work for a minimum period of 3 months following my maternity leave. Failure to do so will result in the money being reclaimed back.			
Declaration of Employee			
I wish to apply for maternity/adoption leave, as set out above and I confirm the information provided is correct. I understand that should I wish to take annual leave in the standard leave year, I will book this in the usual manner. Any holiday hours left on commencement of your maternity/adoption leave will be carried over into the next holiday year.			
Name		Position	
Signature		Date	



FLEXIBLE WORKING POLICY

Version 4: March 2024

ABSTRACT

This Policy sets out guidance for employees requesting flexible working and the process and procedure for requesting the various options.

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Corporate Services Manager

Please think before printing this document.

Where printing is necessary, please ensure that it is printed double sided
and in greyscale.

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1. Introduction

This policy aims to encourage staff to consider flexible working arrangements. The organisation recognises that a better work-life balance can improve employee motivation, performance and productivity, and reduce stress. Therefore, the organisation wants to support its employees achieve a better balance between work and their other priorities, such as caring responsibilities, leisure activities, further learning and other interests. The organisation is committed to agreeing any flexible working arrangements, provided that the needs and objectives of both the organisation and the employee can be met.

It is the organisation's policy to encourage open discussion with employees. An employee that thinks they may benefit from flexible working is encouraged to contact their line manager to arrange an informal discussion to talk about the options.

2. What is flexible working?

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

The following flexible working options are considered to be the typical arrangements that employees will request but the organisation recognises that there may be alternatives or a combination of options which are suitable to both the organisation and the employee:

- Home/hybrid working
- Job-sharing
- Part-time working

3. Types of flexible working

- **Home/hybrid working** is when an employee regularly carries out all, or part of, their duties from home or another location rather than the employer's premises. The organisation can consider home/hybrid working being an occasional agreed day, a mix of home and office based work each week or a full time arrangement (See Homeworking Policy).
- **Job-sharing** is an arrangement where a full-time post is divided into two part-time roles. The two job holders then share the overall duties and responsibilities. Their skills and the hours each employee wishes to work must be compatible, and meet the needs of the organisation. Pay and

benefits are shared in proportion to the hours each works. Job sharing can be considered where the creation of a single part-time post is difficult, or where two individuals wish to work part-time. The suitability of posts for job-sharing will be stated in any internal or external advertisements.

- **Part-time working** covers any arrangement where an employee is contracted to work anything less than typical full time hours for the type of work in question. For example, an employee who only works Monday to Wednesday. The organisation believes that all posts will be available on a part-time basis, except where a critical examination by line management proves this to be impracticable. The suitability of posts for part-time working will be stated in any internal or external advertisements.

4. The needs of the organisation

The organisation is committed to providing a range of appropriate working patterns. However, employees and management need to be realistic and to recognise that not all flexible working options will be appropriate for all roles.

Where a flexible working arrangement is proposed the organisation will need to take into account a number of criteria including (but not limited to) the following:

- the costs associated with the proposed arrangement
- the effect of the proposed arrangement on other staff
- the need for, and effect on, supervision
- the existing structure of the department
- the availability of staff resources
- details of the tasks specific to the role
- the workload of the role
- whether it is a request for a reasonable adjustment related to a disability
- health and safety issues

5. Eligibility

As of April 6th 2024 any employee has a statutory right to request flexible working from the first day of employment. Two flexible working requests can be made in a year and the employer must respond within 2 months.

6. Submitting a flexible working request

An eligible employee is entitled to submit two flexible working request in a 12 month period (an employee is entitled to additional requests if they relate to a statutory entitlement, for example the Equality Act 2010 right to request reasonable adjustments).

All requests must be made by completing the application form that is available from line managers and Corporate Admin. Any request made must 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

What effect the employee thinks the requested change would have on the organisation

How, in their view, any such effect could be dealt with

Whether this is a statutory or non-statutory request

Whether a previous application for flexible working has been made

The dates of any previous applications

If the employee is making the request in relation to the Equality Act, e.g. as a reasonable adjustment relating to a disability, this should be made clear in the application.

If an application does not contain all of the required information the line manager will explain to the employee what additional or amended information they need to provide and ask the employee to resubmit the request.

7. Meetings regarding flexible working

Upon receiving a written request for flexible working the line manager will usually seek to arrange a meeting with the employee to:

- discuss the request
- find out more about the proposed working arrangements
- how it could be of benefit to both the employee and organisation

If a meeting is arranged it will be held within 28 days of the organisation receiving the request. This time limit may be extended with the agreement of both the employee and line manager.

The employee will be given advance notice of the time, date and place of the meeting. If the initial date is problematic then one further date will be proposed. If a face to face meeting is difficult to arrange then, if agreed by the employee and line manager, the meeting may be held over the telephone.

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 without good reason, their application will be deemed to have been withdrawn.

Where a request can, without further discussion, be approved as stated in the employee's written application a meeting to discuss the request may not be necessary. The employee will be informed of the organisation's agreement to the request by a confirmation letter as outlined in the section 'Responding to a flexible working request' within 2 months of the organisation receiving the request. This time limit may be extended with the agreement of both the employee and line manager.

8. Responding to a flexible working request

The line manager and Town Clerk will consider the proposed flexible working arrangements, looking at the potential benefits and adverse effects to the employee and to the organisation in implementing the proposed changes.

Each request will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar change to their working pattern.

The employee will be informed in writing of the organisation's decision as soon as is reasonably practicable, but no later than 14 days after the meeting.

The request may be granted in full, in part or refused. The organisation may propose a modified version of the request, the request may be granted on a temporary basis, or the employee may be asked to try the flexible working arrangement for a trial period. If the request is agreed then the employee will be sent a confirmation letter which will include details of the new arrangements. The employee should contact the line manager within 14 days if they wish to discuss the new arrangements further or have any concerns.

9. Right to appeal decision

The employee has the right to appeal the decision if their request is refused or is only agreed in part.

The employee may lodge an appeal within 14 days of being notified of a decision on their application. This should be done in writing and clearly state the grounds on which they are appealing. The appeal will be heard within 28 days. The employee will then be informed of the outcome to their appeal within 14 days of the appeal meeting. These time limits may be extended with the agreement of both the employee and the line manager.

10. Trialling new working arrangements

Where there is some uncertainty about whether the flexible working arrangement is practicable for an employee and/or the organisation a trial period may be agreed. If a trial period is arranged the organisation will allow sufficient time for an employee and their manager to implement and become used to the new working practices before taking any decisions on the viability of a new arrangement.

11. Varying an employee's contract

Where flexible working practices are agreed as a permanent change, a variation will need to be made to the employee's contract of employment. A new contract of employment will be sent to the employee within 28 days of the change to the employee's working pattern being agreed.

If the employee has any questions or concerns about the new contract of employment they should contact the Corporate Services Manager to discuss the matter further.

Where a trial period has been arranged the organisation will provide the employee with a document that details their new working pattern and makes clear that it is only a temporary variation to the terms of the employee's contract. The employee will be informed in writing of the start and end dates of the trial period (although the organisation may reduce or lengthen the trial period where necessary with the agreement of the employee). The organisation will reserve the right, at the end of the agreed trial period, to require the employee to revert to their previous working arrangement.

12. Complaints and further information

The organisation is strongly opposed to any form of victimisation of individuals who work, or request to work under flexible working arrangements.

If an employee feels that they have been treated unfairly or are dissatisfied with any stage of the flexible process, they should raise their concerns informally with the Corporate Services Manager.

If informal discussions do not resolve the matter to an employee's satisfaction, they should raise a grievance under the organisation's grievance procedure.

For further information an employee should refer to the documents listed below and/or contact the Corporate Services Manager.

For more advice about flexible working, visit the Acas website www.acas.org.uk.]

Law relating to this document:

- Employment Rights Act 1996
- Equality Act 2010
- Flexible Working Act 2023

Author of Policy;	Corporate Services Manager
Date effective from;	March 2024
Policy review;	March 2027
Version Control;	V4

Appendix 1

Peterlee Town Council Flexible Working Application Form

Note to the Employee

You can use this form to make an application to work flexibly under the right provided in law to eligible employees. Before completing this form, read the guidance on the right to request flexible working in the Flexible Working Policy, and check that you are eligible to make a request.

You should note that under the right it may take up to 2 months for your employer to consider a request and possibly longer where you have agreed to a longer decision period with your employer. You should therefore ensure that you submit your application to the appropriate person well in advance of the date you wish the request to take effect.

It will help your employer to consider your request if you provide as much information as you can about your desired working pattern. It is important that you complete all the questions as otherwise your application may not be valid. When completing sections 3 and 4, think about what effect your change in working pattern will have both on the work that you do and on your colleagues.

Once you have completed the form, you should immediately forward it to your employer (you might want to keep a copy for your own records). If the request is granted, this will be a permanent change to your terms and conditions unless otherwise agreed.

Note to the employer

This is a formal application made under the legal right to apply for flexible working and the duty on employers to consider applications in a reasonable manner. You have three months after the day you received this application in which to decide whether to grant the request. This period can be extended if you agree to a longer deadline with the employee; any such agreement must be made either within period in which the decision is to be made or in the three months immediately following the end of that deadline.

You should confirm receipt of this application using the attached confirmation slip.

1. Personal Details

Name:

Staff or payroll number:

Manager:

National Insurance No:

To the employer

I would like to apply to work a flexible working pattern that is different to my current working pattern under my right provided under section 80F of the Employment Rights Act 1996. I confirm I meet each of the eligibility criteria as follows:

I have not made 2 requests to work flexibly under this right during the past 12 months.

Dates of any previous request to work flexibly under this right:

If you are not sure whether you meet any of the criteria, information can be found in the Flexible Working Policy

If you are unable to tick the relevant box, then you may not qualify to make a request to work flexibly under the statutory procedure. This does not mean that your request may not be considered, but you will have to explore this separately with your employer. Many employers offer flexible working to their staff as best practice.

2a. Describe your current working pattern (days/hours/times worked):

2b. Describe the working pattern you would like to work in future (days/hours/times worked):

2c. I would like this working pattern to commence from:

Date:

3 Impact of the new working pattern

I think this change in my working pattern will affect my employer and colleagues as follows:

4 Accommodating the new working pattern

I think the effect on my employer and colleagues can be dealt with as follows:

Name:

Date:

Job Title:

NOW PASS THIS APPLICATION TO YOUR EMPLOYER

✂-----

Cut this slip off and return it to your employee in order to confirm your receipt of their application

Employer's Confirmation of Receipt (to be completed and returned to employee)

Dear:

I confirm that I received your request to change your work pattern on:

Date:

I shall notify you of my decision on this application within two months of this date unless we agree a longer deadline for this decision.

From:

Job title:

Report to: Peterlee Town Council

Date: 25th March 2024

Report title: Code of Conduct Complaint

Report of: Ian Hall, Acting Town Clerk

Report Purpose: To inform members on the result of an investigation by the Monitoring Officer into a Code of Conduct complaint against a Town Councillor. The investigation has concluded that no further action is to be taken by the Monitoring Officer.

Background: The Town Council's Standing Orders require that all Code of Conduct investigations by the Monitoring Officer relating to Town Council Members be reported to the Council for information.

On 30th October 2023 The Town Clerk was notified by the Monitoring Officer at Durham County Council that a complaint had been made by a member of the public about social media posts by a Peterlee Town Councillor that which the Complainant describes as defamatory. On 7th March 2024 the Monitoring Officer issued a decision notice of 'no further action' following her investigation into the complaint.

The Governance Lawyer considers that there is no evidence to support that some of the messages which the Complainant addresses within his complaint were sent while the Subject Member was acting in her capacity as town councillor, due to this fact therefore the Code of Conduct was not engaged and are beyond the scope of this complaint, therefore, no further action will be taken in relation to these messages. The Governance Lawyer also notes that the Subject Member was acting in response to complaints and concerns that had been raised by residents, however, social media was not the correct forum to voice these concerns. In light of the above, the Governance Lawyer recommends Code of Conduct training to be delivered within three months of the date of this decision notice for the Subject Member with a focus on social media.

The Monitoring Officer has sent copies of her report to the complainant and the Member against whom the complaint was made.

Recommendation: Members are asked to note the contents of this report and the 'no further action' conclusion.

Appendix 1: Implications

Finance – no direct implications

Staffing – no direct implications

Risk – no direct implications

Equality and Diversity, Cohesion and Integration – no direct implications

Crime and Disorder – no direct implications

Consultation & Communication – no direct implications

Procurement – no direct implications

Legal – Code of Conduct complaints are governed by the provisions set out in the Localism Act 2011.