



ROCHDALE
METROPOLITAN BOROUGH
COUNCIL

Maternity & Parental Leave

Human Resources Service
Floor 2, Number One Riverside,
Smith Street,
Rochdale OL16 1XU

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1. INTRODUCTION

The procedures laid down in this document apply to all employees within the Authority including non-teaching staff within schools and are regardless of hours worked, length of service and level of earnings. Employees on temporary /casual contracts are also covered by the revised regulations.

The National and Local Conditions of Service relating to Teaching Staff are documented separately.

2. MATERNITY LEAVE AND PAY – QUALIFYING CRITERIA

Qualifying Criteria for Statutory Maternity Pay

The qualifying period for Statutory Maternity Pay is as follows:

- At least 26 weeks service with Rochdale Borough Council at the 15th week before the expected week of childbirth
- Earnings above the lower earnings limit for payment of National Insurance Contributions
- Still be pregnant at 11th week before or have already given birth

Qualifying Criteria for Occupational Maternity Pay

The qualifying criteria for Occupational Maternity Pay are as follows:

- At least one year's continuous service at the 11th week before the EWC
- Employees must have declared in writing that they intend to return to work for at least three months

If you opt not to take the Occupational Maternity Pay and are eligible but subsequently return to work; on your return to work you will then receive the 12 weeks at half pay in a lump sum.

3. MATERNITY LEAVE AND PAY – ENTITLEMENTS

Please note that if you are receiving Child Care Vouchers your Statutory Maternity Leave and your Occupational Maternity leave will be calculated on your salary minus any salary sacrifice if you remain in the scheme in the two months prior to the qualifying week (the qualifying week is 15 weeks prior to EDC).

Less Than 26 Weeks Service

Any employee who has less than 26 weeks service at the 15th week before confinement will qualify for a maximum of 52 weeks **unpaid maternity leave** (26 weeks **ordinary maternity leave** and 26 weeks **additional maternity leave**), which can commence at any time after the 11th week before week of confinement.

26 Weeks but Less Than 1 Years' Service - Statutory Maternity Pay

Any employee who has at least 26 weeks but less than 1 year of service at the 15th week before confinement will qualify for 52 weeks maternity leave (26 weeks **ordinary maternity leave** and 26 weeks **additional maternity leave**) which can commence at any time after the 11th week before week of confinement.

During this time the employee will receive Statutory Maternity Pay if the qualifying criteria are fulfilled. Statutory Maternity Pay consists of the following payments:

- 6 weeks at 9/10ths of average earnings
- 33 weeks flat rate Statutory Maternity Pay or 90% of average weekly earnings

The remaining 13 weeks leave are unpaid.

52 Weeks Service - Occupational maternity pay

Employees with more than 52 weeks service at the 11th week before confinement will be eligible for 52 weeks maternity leave (26 weeks **ordinary maternity leave** and 26 weeks **additional maternity leave**). This 52 week period can commence at any time after the 11th week before confinement.

During this time the employee will receive maternity pay as detailed below:

- 6 weeks at 9/10ths of average earnings (with SMP offset)
- 33 weeks Statutory Maternity Pay (if eligible) or 90% of average weekly
- 12 weeks half pay Occupational Maternity Pay (optional).

The remaining 13 weeks leave are unpaid.

If you the employee is eligible to receive both SMP and OMP when payroll calculate the amount they will receive, if the combined amount is more than their full time pay adjustments will be made. An employee cannot receive more maternity pay than their normal salary.

Payment of Occupational Maternity Pay is made on the understanding that at the end of your maternity leave i.e 52 weeks from your date of commencement or earlier, you must return to local authority employment for a period of at least three months, the three month period will be extended if you return to work on reduced hours (pro rata to the hours you work).

For your information, should you choose to take annual leave immediately following your maternity leave (without returning to work) this period will not count towards fulfilling the conditions of returning to work. Thus the 3-month period will only commence from the date you actually resume your duties. If you fail to return, you will be required to refund the occupational maternity pay (this does not include the first six weeks of pay and the lower rate SMP), together with the amount paid by the Authority to the DSS as employers' National Insurance contributions.

Maternity allowance

If an employee does not qualify for Statutory Maternity Pay, you will be forwarded an SMP1 form. They will need to take this to the DSS and they will inform the employee whether they are eligible to receive Maternity Allowance. The employee may still be entitled to receive Occupational Maternity as detailed in the enclosed Maternity Pack. However, **Maternity Allowance may affect your entitlement to Occupational Maternity Pay**. The employee will need to advise their Headteacher/Line Manager as soon as possible if they are or are not eligible to receive Maternity Allowance. The employee will need to complete and return the tear-off reply slip attached to the letter, which they will find enclosed in their maternity pack.

4. COMMENCEMENT OF MATERNITY LEAVE

Notice of Intention to Take Maternity Leave

An employee will be required to notify their Headteacher/Line Manager of their intention to take maternity leave by the 15th week before their Expected Week of Childbirth giving at least 4 weeks notice, and confirming:

- That they are pregnant
- The week that their baby is due. We will require your Certificate of Expected Confinement (Mat B1), issued from your Midwife/GP the 20th week before your Expected Week of Childbirth
- When they want their maternity leave to commence by completing and returning the application form enclosed in this pack (maternity leave can commence on any day of the week)

28 days' notice is required (by 15th week before expected week of confinement) – of the employees intention to commence maternity leave (form enclosed in pack). If they are eligible to receive Occupational Maternity Pay, before they return your form they will have to indicate which option they would like for their OMP to be paid. When the employee receives their letter indicating which scheme they are eligible for, there will also be a copy, which they should sign and return to HR Shared Services, Human Resource Service as this is their acceptance and refund undertaking.

Within 28 days of receipt of the application to take maternity leave the employee will receive written confirmation of their maternity entitlements and their expected date of return to work should they take their full entitlement to maternity leave.

It is possible for a pregnant woman to commence her maternity leave at any time after the 11th week before her expected date of confinement. The 39 week s maternity pay period (if so entitled) commences the day following her cessation of work and will continue for the full 39 weeks (if so entitled), or until such time that she returns to work, whichever is the earlier.

Whilst it is possible for a woman to work until the day of the baby's birth the Authority would recommend that an employee seeks the advice of her doctor on when she should commence her maternity leave.

Actual date of confinement

Please advise us in writing of the date your baby was born.

5. RETURNING TO WORK FOLLOWING MATERNITY LEAVE

It is possible to return to work at any time after the birth as long as the required notice of intended return (if appropriate) has been given to the employing service/school and to Human Resource Service. However, it is a statutory requirement that a woman does not return to work until at least two weeks after the birth of her baby (known as the compulsory leave period).

The latest return to work date will be in the employee's letter. If there is no notification to the contrary, it will be assumed that the employee intends to take the maximum period of maternity leave and intend to return to work on the date notified in the letter outlining their entitlements. If an employee is intending to take their full maternity leave period (52 weeks) they do not need to inform Human Resource Service. An employee should keep in contact with their Line Manager/Headteacher. If an employee wishes to return to work **before** the end of their ordinary or additional maternity leave they must give **28 days'** notice of their intention to return.

Once an employee has decided upon their return to work date, if they are still breastfeeding and will require suitable facilities to express and store their milk, they should contact Human Resource Service who will liaise with their employing service/school to make the necessary arrangements.

6. ANTE-NATAL CARE

All pregnant employees have a right to paid time off to attend ante-natal appointments; employees may be required to provide evidence of appointments. The ante-natal appointments include relaxation classes where they have been recommended by a doctor or midwife.

From **1 October 2014**, an expectant father or the partner (including same sex) of a pregnant woman will be entitled to take unpaid time off work to accompany the woman to up to 2 of her ante-natal appointments. "Partner" includes the spouse or civil partner of the pregnant woman and a person (of either sex) in a long term relationship with her. The right applies whether the child is conceived naturally or through donor insemination. It also extends to those who will become parents through a surrogacy arrangement if they expect to satisfy the conditions for and intend to apply for a Parental Order for the child born through that arrangement.

Employees accompanying the expectant mother to her ante-natal appointments are entitled to unpaid leave for 1 or 2 appointments. The time off is capped at six and a half hours for each appointment.

7. NEW AND EXPECTANT MOTHERS

Health and Safety

In accordance with Regulation 13 (a) of the Management of Health and Safety at Work Regulations employers are required to undertake risk assessments of all the hazards associated with their work.

In many cases new or expectant mothers will not be at any greater risk than other employees. In some circumstances however, pregnant women are more at risk than non-pregnant women working in the same workplace and are therefore owed a greater duty of care.

It is important that the employee informs their employing service/Headteacher of their pregnancy as soon as possible. The appropriate designated officer will carry out a risk assessment.

Specific areas where employers may have to consider the risks to new or expectant mothers are:

1. Physical Agents e.g. manual handling of loads/persons
2. Biological Agents e.g. contact with blood/body fluids
3. Chemical Agents e.g. Cleaning materials (as identified by the Assessment for the Control of Substances Hazardous to Health – COSHH)
4. Working Conditions e.g. Shift Working

Where an unacceptable risk is identified the employer is required to take protective or preventative measures to protect the employee.

If any identified risks are properly controlled then there is no reason why expectant mothers should not be able to work normally until they wish to commence their maternity leave.

Visual Display Units

It is widely known following extensive research by the National Radiological Protection Board (NRPB) that VDUs pose no risk to a mother or her unborn baby. Most of the radiation emitted by VDUs is much less than that from natural environmental sources such as the sun and the total is well below the levels considered harmful by the NRPB in the UK. As the level of radiation emitted is negligible lead aprons are not necessary. A 'new' Display Screen Equipment assessment would need to be undertaken and, as the body changes during pregnancy adjustments may need to be made to the workstation and the chair.

8. BENEFITS DURING MATERNITY LEAVE

For the duration of the maternity leave employees will continue to receive all benefits related to their employment other than their actual wage/salary.

9. IN THE EVENT OF SICKNESS

Any period of sick leave prior to the 4th week before confinement can be taken by a pregnant woman without automatically triggering her maternity leave, even if it is pregnancy related.

However, after the 4th week before expected week of confinement any period of sick leave which is pregnancy related would trigger the maternity leave period. Therefore, after the 4th week should an employee fall sick and the absence continues for more than one day and the reason is pregnancy related the Authority/School will trigger the commencement of maternity leave.

It will be necessary for managers/Headteachers to seek advice and guidance from the Human Resource Service on this matter.

During the 39 weeks maternity pay period an employee is not eligible for payment of Statutory Sick Pay should she return to work and subsequently fall sick. However, Occupational Sick Pay may apply following an employee's return to work.

10. KEEPING IN TOUCH DAYS

Employees may, on agreement with their service/school, work for up to ten days – known as “Keeping in Touch days” - under their contract of employment during the maternity leave period. Such days are different to the reasonable contact that employers and employees may make with one another. During Keeping in Touch days employees can actually carry out work, for which they will be paid. The ‘keeping in touch’ days cannot be taken during the 2 weeks immediately following the birth.

Any work done on any day during the maternity pay or maternity leave period will count as a whole Keeping in Touch day, up to the 10-day maximum. In other words, if an employee comes in for a one-hour training session and does no other work that day, this will count as one of her Keeping in Touch days.

The type of work that the employee undertakes on Keeping in Touch days is a matter for agreement between the manager/Headteacher and employee. It could be particularly useful in enabling a woman to attend a conference, undertake a training activity or attend a team meeting.

An employee does not have to work during maternity leave if they do not wish to nor does an employee have the right to work Keeping in Touch days if her service/school does not agree to them.

When Keeping in Touch days may be worked

Up to ten days’ work under the employee’s contract of employment may be undertaken at any stage during the maternity leave period, on agreement with the service/school, except during the first two weeks after the baby is born.

Payment for Keeping in Touch days

Payment for any days worked during maternity leave, will be paid at an employee’s contractual standard rate for the actual hours worked. This payment will not result in SMP being brought to an end for example, if a member of staff earns £50 for a Keeping in Touch day this will be paid in addition to weekly SMP. A payment instruction form for KIT days can be found at appendix 3.

Time off in Lieu

Rather than payment for any days (actual hours) worked, a record can be kept by the manager/Headteacher of the actual working time accrued. This should be recorded on the compensatory leave card, for the time to be taken at some other agreed time, once the employee return’s from maternity leave.

How to apply

Upon agreement between an employee and their service/school that a Keeping in Touch day is to be worked – a request form must be completed.

11. REASONABLE CONTACT

The employer and employee are allowed to make reasonable contact during maternity leave to discuss issues such as return to work/vacancies/service/school developments etc. These do not count as keeping in touch days.

12. ANNUAL LEAVE

For the duration of the maternity leave period a woman’s entitlement to annual leave will remain unaffected. Therefore, the Council’s local scheme as detailed in Personnel Memoranda will continue to apply for all employees.

You should take leave entitlement up to and including end of the first six weeks before commencement of maternity leave. – what does this mean?

13. BANK HOLIDAYS

Any public or extra statutory day which falls during your Maternity Leave period will be added to your annual leave entitlement and can be taken after your Maternity Leave. If you work part time the number of bank holidays will be pro rata.

14. SHARED PARENTAL LEAVE (SPL)

SPL is a new legal entitlement for eligible parents of children born 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 leave, which allows them to take up to 52 weeks' leave. If they reduce their maternity leave entitlement then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.

SPL enables parents to share the caring responsibilities evenly or have one parent taking the main caring role, depending on their preferences and circumstances. Unlike maternity leave, eligible employees can stop and start their SPL and return to work between periods of leave with each eligible parent able to submit three notices booking periods of leave.

Entitlement to maternity leave will not be affected. However, an eligible employee may now choose to 'curtail' maternity leave and take SPL. SPL and pay cannot begin before the maternity leave is curtailed and must be taken within 1 year of the birth up to the day before the child's first birthday.

For further information please refer to the Shared Parental Leave policy and guidance document.

15. PARENTAL LEAVE

Parental leave is for employees to take time off work to look after a child's welfare, this leave is unpaid, and is available for each child up to their 18th birthday. Parental Leave should not be confused with Shared Parental Leave.

- Employees must have completed one year's service with an employer to qualify.
- 18 weeks of unpaid leave can be taken up for children under 18 years.
- Leave may be taken straight after the birth or adoption or following a period of maternity leave.
- Employees will need to request leave giving at least 21 days' notice before the intended start date.
- Employers may ask for the notice to be in writing.
- Parental leave should be taken in blocks of a week or multiples of a week, and should not be taken as "odd" days off, unless the employer agrees otherwise or the child is disabled.

Employees cannot take off more than four weeks during a year. A week is based on an employees working pattern. An employee will remain employed while on parental leave and some terms of the contract, such as contractual notice and redundancy terms, still apply.

A request for parental leave form can be found at appendix 2.

16. FLEXIBLE WORKING HOURS

The Authority's Job Share Policy gives employees the option to return to work following maternity leave on reduced working hours either on a permanent or temporary basis. It is necessary to give the employing service/Headteacher at least one month's notice. In cases where the employee has been in receipt of Occupational Maternity Pay it will be necessary for the individual to return to work for at least three months in order to fulfil the requirements in relation to the Occupational Maternity Pay.

In relation to staff employed in schools with delegated powers of Local Management the school may have adopted a job-share agreement which reflects the needs of its particular establishment in terms of posts which may be exempt from the job-share agreement. Staff employed in delegated schools should contact the Head Teacher or Schools HR & Governors Service if considering a return to work on a job share or flexible hours basis.

17. PENSION

Under the CARE Scheme Regulations, annual pension is built up every year based on 1/49th of the pay earned in each tax year.

During any period of **relevant child related leave** the pensionable pay figure used to work out your pension is your **assumed pensionable pay**. Using your **assumed pensionable pay**, rather than the amount of **pensionable pay** you actually receive when on relevant child related leave, means that you will continue to build up a pension in the Local Government Pension Scheme, as if you were working normally and receiving pay.

You will continue to pay your basic LGPS contributions on any pay that you receive while you are off on **relevant child related leave**.

However, any period of **unpaid additional maternity, paternity or adoption leave** will not count for pension purposes unless you elect to pay **Additional Pension Contributions (APC's)** to purchase the amount of lost pension during that period of unpaid absence. The amount of pension lost is calculated on 1/49th of your assumed pensionable pay for the period of unpaid additional absence.

If you wish to purchase the amount of lost pension and make the election within 30 days of returning to work, then the cost of the APC is split between you and your employer. You will pay 1/3rd of the cost and the employer will pay 2/3rds. This is known as a Shared Cost Additional Pension Contribution (SCAPC). You can pay these additional contributions in a one-off lump sum if your share is under £50, or through regular payments from your wages, if your share is greater than £50. If you are interested in purchasing the lost pension as a shared cost then please complete and submit the enclosed Application Form P38 (1) within the set deadline period. If you submit your application form after the deadline date, you can still buy the lost pension but your employer may not share the cost.

If you have Keep in Touch (KIT) days during a period of unpaid additional maternity, paternity or adoption leave you will build up a pension for the days you are paid.

18. DISMISSAL

For the duration of the pregnancy and maternity leave all employees have significant protection against dismissal for reasons connected with their pregnancy. This protection covers all employees regardless of hours worked or length of service.

19. RESIGNATION

Should an employee wish to resign at any time whilst on Maternity Leave they should do so in writing to your Line Manager/Headteacher and the Human Resource Service. The notice period will commence from the date of your letter.

20. ADDITIONAL INFORMATION AND USEFUL CONTACTS

Additional information and contact details can be found at appendix 1.

ADDITIONAL INFORMATION AND USEFUL CONTACTS

The Family Information Service

The Family Information Service provides free information on the Childcare and Early Years Education in your area, including:-

- | | |
|--|---|
| <ul style="list-style-type: none"> ◆ Childminders ◆ Out of School Clubs ◆ Pre-schools/Playgroups ◆ Nursery Provision ◆ Creches ◆ Day Nurseries | <ul style="list-style-type: none"> ◆ Parent and Toddler Groups ◆ Holiday Care/Play Schemes ◆ Family Support and Advice Services ◆ Children's Leisure Activities ◆ Working Families Tax Credit ◆ Early Years Education Grant |
|--|---|

Telephone : 01706 719900 (answer machine available out of office hours)

e-mail: family.info@rochdale.gov.uk

website : www.rochdale.gov.uk/familyhelp

You can also call in at one of the following Council Information Offices:

- Number One Riverside, Smith Street, Rochdale, OL16 1YH
- Heywood Library, Church Street, Heywood
- Middleton Library, Long Street, Middleton

Outside contacts which may be helpful to you

Department for Work & Pensions	0113 232 4000
Job Centre Plus Rochdale	0845 604 3719
Child Benefit Helpline	0300 200 3100
NCT Enquiry Line	0300 330 0700
Revenues & Benefits Service, Rochdale	0300 303 8870

Link 4 Life

Aqua Natal Swimming Classes are held at Central Leisure Centre (Rochdale) and Heywood Sports Village.

Should you wish to attend these classes once you have commenced your maternity leave, details are as follows:-

- ◆ Rochdale Leisure Centre Tel: 01706 924000
- ◆ Heywood Sports Village Tel: 01706 926000

Child Benefit

In order to make a claim for Child Benefit, you should complete a claim form CH2 available online from HM Revenue & Customs.

Online guidance available from HMRC

- Babies and Children
- Bringing up Children
- Child Benefit

Additional Benefit Help

During the period of your maternity leave it is possible that you may be entitled to additional benefit help, dependent upon several factors, including:

- Your National Insurance Contribution record.
- Your family circumstances, eg how many other children you have and whether or not you are married or living with someone.
- Any other income you may have coming into your household.

The types of benefit you may be entitled to include; Income Support, Council Tax Benefit, Working Families Tax Credit and Housing Benefit.

If you would like your entitlement checking or you need information on how to claim - ring the Welfare Benefits Adviser at the Citizens' Advice Bureau for confidential advice on the following number:-

Rochdale (01706) 666676
Advice Line 0344 847 2638

State Benefits are available when using Registered Childcare

If you require benefit advice you can contact RBC Revenues & Benefits on 0300 303 8870.

HR SERVICE - REQUEST FOR PARENTAL LEAVE

This form must be completed by the employee when submitting request for unpaid parental leave dates to be approved. When completed the form should be sent to your manager/Headteacher.

- Employees must have completed one year's service with an employer to qualify.
- 18 weeks of unpaid leave can be taken up for children under 18 years.
- Employees will need to request leave giving at least 21 days' notice before the intended start date.
- Parental leave should be taken in blocks of a week or multiples of a week, and should not be taken as "odd" days off, unless the employer agrees otherwise or the child is disabled.

Please complete this form and forward it to your line manager/Headteacher. A separate form should be completed for each contractual post.

PART 1 – PERSONAL DETAILS
Name of Employee:
Request to Take Parental Leave in the Year: 20__/__/__
Pay Reference Number:
Job Title:
Service and Section/School:
Name of Line Manager/Headteacher:
PART 2 – DETAILS OF REQUEST FOR PARENTAL LEAVE
Number of days parental leave requested:
Additional Information on this request:

Dates and hours on which parental leave is to be taken:

Date	Hours	Date	Hours

PART 3 – REPAYMENT

I understand that parental leave is unpaid and this will result in a deduction from my salary in the relevant leave year. I agree for the deduction to be made as below (tick as appropriate) and payments will be deducted from the remaining number of months during the leave year where there are less than 6 months remaining.

By making a deduction over :- A one off lump sum which will be taken in the first available payroll following approval of the request. 6 months 12 months The remaining number of months for approvals made after 31st March.	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Employee's Signature:	Date:
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PART 4 – LINE MANAGER COMMENTS ON THE DATES REQUESTED

Line Manager's Signature	Date:
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PART 5 – SENIOR MANAGER/HEADTEACHER RESPONSE

Approved: <input type="checkbox"/>	Not Approved: <input type="checkbox"/>
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If dates provided above are not approved please state reasons below:

Senior Manager/Headteacher signature	Date:
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Manager/Headteacher – on full completion, please return the completed form to the HR Service, Number One Riverside.

ROCHDALE BOROUGH COUNCIL

PAYMENT INSTRUCTION FOR KEEPING IN TOUCH DAY

Personal Details	
Name	
Address	
Service/School	
Pay Number	

Arrangements	
Actual date(s) worked	
Reason for attending	
Number of actual hours worked	To be paid? Y/N
	Time accrued? Y/N

Authorisation					
Employee Signature		Manager Signature		Personnel Signature	
Date		Date		Date	

Please complete and return to:	Human Resource Service Floor 2 Number One Riverside Smith St Rochdale OL16 1XU
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1. Member details

(Member must complete)

Title:	Surname:	Forename(s):
Home email:	Daytime phone/ mobile number:	
National Insurance number:	Date of birth:	
Name of employer:	Payroll number:	

Job identifier: *[only complete where you have more than 1 job that you do for this employer]*
Job title: _____ Place of work: _____ Hours: _____

Please note: If you have more than 1 job in which you are an active member (this means paying pension contributions) and in which you have also lost pension, you will need to complete a separate form for each job that you want information about the cost of buying lost pension for.

2. Details of the absence you wish to buy lost pension for

(Member must complete)

Reason for absence: *[Please tick the one that applies]*

Unpaid authorised leave: <i>[For example career break, buying holidays mandatory leave etc.]</i>	<input type="checkbox"/>	Unpaid additional child related leave <i>[For example maternity, paternity, adoption leave]/ shared parental leave:</i>	<input type="checkbox"/>	Strike:	<input type="checkbox"/>
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Date(s) of unpaid absence from: _____ to: _____
[Only include dates where you have been in a period of nil pay]

3. Member declaration

(Member must complete)

- The details in this form are correct to the best of my knowledge.
- I understand that if my absence is because of unpaid authorised leave or unpaid additional child related leave/ shared parental leave that my employer will contribute 2/3rds of the cost if I make sure this form is returned to them within 30 days of the last day of absence. *Please note: If the application form is not returned within 30 days, the full cost of buying lost pension is payable by you, unless your employer chooses to exercise their discretion to voluntarily contribute to a share of the cost. Forms received after 30 days will be returned to your employer for verification if they are willing to exercise their discretion to voluntarily contribute to a share of the cost and if this will be 2/3rds of the cost or a different share.*
- I understand that if my absence is because of a strike, the full cost of buying the lost pension is payable by me.
- I am aware that any lost pension I buy is not payable to a spouse, partner or eligible children in the event of my death.

Member's signature:	Date:
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Please make sure that you have fully completed sections 1, 2 and 3 and send this form to your employer (section 4 will be completed by your employer).

Please note:

- *This form is an application form for the cost of buying lost pension it is **not** an election form to buy the lost pension. On receipt of this form, GMPF will write to you with the details of the cost of buying lost pension and an election form for you to complete and return if you wish to go ahead and buy.*
- *If you are leaving/retiring from your job within the next 3 months please give the expected date below: [You will need to make an election to buy lost pension and have paid for this at least 2 months before you leave/retire. Only active members can buy lost pension].*

Expected retirement/leaving date:

4. P38 form – lost pension - employer declaration

(Employer must complete)

Surname:	Forename(s):
National Insurance number:	Payroll number:

Job identifier: *[only complete where member has more than 1 job that they do for you as their employer]*
Job title: _____ Place of work: _____ Hours: _____
Please note: If the member has more than 1 job in which they are an active member and in which they have also lost pension, they will need to complete a separate form for each job that they want information about the cost of buying lost pension for.

Confirm reason for absence: *[Please tick the one that applies]*
Unpaid authorised leave: Unpaid additional child related leave strike:
[For example career break, buying holidays mandatory leave etc.] *[For example maternity, paternity, adoption leave]/ shared parental leave:*

Confirm date(s) of unpaid absence from: _____ to: _____
[Only include dates where the member has been in a period of nil pay] Please note: Where members have taken short periods of absence that you treat as authorised unpaid leave i.e. 1 hour, only complete this form once the member has the equivalent of a working day in lost pension & show the last absence date that achieves the equivalent of a working day as the date of the unpaid absence. Please do not list each small absence separately on this form.

Total amount of pension lost: £ <i>[If unpaid authorised or additional child related leave/ shared parental leave this is 1/49th (or 1/98th if in 50/50 option) of assumed pay during the period of absence. If strike, it is the pay the member lost for that day(s) due to the strike]</i>	Confirm the section of the scheme the member was in during the dates of unpaid absence <i>[i.e. Main or 50/50]</i> :
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Date of leaving GMPF/Retirement date *(only complete if the member is leaving/retiring within next 3 months)*: _____

Declaration:

- Where the absence is because of unpaid authorised leave or unpaid additional child related leave/ shared parental leave** *(Only complete the questions below if one of these absences applies. Do not complete if the absence is because of a strike).*
Is it more than 30 days since the member's absence? *(Please delete as appropriate)* YES/NO
If you have answered yes, do you wish to contribute to the cost as a voluntary shared cost APC (SCAPC)? *(Please delete as appropriate)* YES/NO
If yes, state the share/percentage you wish to contribute

(Please note: The split between a member's and employer's APC for an SCAPC can be any ratio as agreed but not 100% cost to the employer)

- Where the absence is because of a strike** we understand that there is no cost to us as the employer. It is full cost to the member.

Employer's signature: <i>[Authorised signatory]</i>	Date:
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Please also complete P5/strike spreadsheet to inform GMPF of the break in service and return it to us. Alternatively, where the member is leaving/retiring within the next 3 months we will accept this form as notification [see note at bottom of section 3]

Implications of not buying lost pension for members:

- will not build up any pension benefits for the period of absence; and
- if a member joined before 01/04/2014...
 - if has some 85 rule protection (member before 01/10/2006), then buying the whole period of any lost pension would help to keep that intact. If lost pension not bought, the date the 85 rule is achieved will be later; and
 - if has a period of absence in final year, buying the whole period of the lost pension will keep final salary pay intact for working out final salary benefits before 01/04/2014. If lost pension not bought, the final salary pay figure used to work out the benefits will be affected.

Please return this form to your employer (employer please then complete and return completed form to GMPF)

Pensions Office stamp:	Purpose for which this form will be used: When you return this form, we will use the information you provide to process and administer your pension. This may require us to share some of that information with other sources, including your employer and Government departments like the Department for Work & Pensions and HMRC. This is to make sure that the information provided is accurate, to prevent or detect crime or fraud, to protect public funds, and to comply with our statutory duties. A full list of organisations we may share data with is available on request.
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January 1996, November 1996,
August 1999, April 2000, June 2000, August 2001,
January 2002, March 2003, October 2004,
September 2006, November 2006, December 2008
& January 2009. Revised September 2013, Revised
September 2015. Revised January 2018**