

**POLICY DOCUMENT**

**Provisions for Childcare**

**Release:** Final  
**Date:** March 2009  
**Review Date:** March 2012

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**Owner:** North Lancashire TPCT

**Approved by** OD&HR Committee North  
Lancashire Health

**Date:** 18<sup>th</sup> March 2009

To ensure services provided by North Lancs TPCT are accessible, the information is available upon request in a variety of formats including large print, Braille, on audio cassette or computer disk. We can also provide help for British Sign Language users and provide information in languages other than English.

NLTPCT reaffirms its commitment to Equality and Human Rights and its Equal Opportunities Policy. The Policy shall be applied fairly to all staff, irrespective of gender, marital status, responsibility for children or dependants, gender reassignment, colour, race, nationality, ethnic/national origin, religion, political beliefs, disability, sexual orientation, age, trade union activities or any other factor, which could lead to the experience of discrimination. Requests made under this Policy and the outcomes for staff returning from career breaks will be monitored to ensure that all groups of staff are treated fairly.

### Document Location

The source of the document will be found in the Organisation Development and Human Resources Department and further copies can be obtained from the department or from the intranet.

### Revision History

Frequency of revision: **every 3 years**  
Date of next revision: **March 2012**

Revision Date	Summary of Changes	Changes marked

### Approvals

This document requires the following approvals:

Name	Title
Ian Cumming	Chief Executive
Karen Bunn	Accredited Staff Representative

Signed approval forms are filed in the relevant Trust's Organisation Development and Human Resources Department.

### Distribution

This document has been distributed to:

Title	Date of Issue	Version
Directorate Senior Managers/Heads of Service		
Trust Intranet		

### Other Relevant Associated Policies

Title	Date of Issue	Version

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## **CHILD & FAMILY CARE POLICY**

### **POLICY AND PROCEDURE**

#### **1 POLICY STATEMENT AND PRINCIPLES**

- 1.1** North Lancashire Teaching Primary Care Trust ('The Trust') recognises the importance of providing comprehensive childcare support for all employees to reflect the National Childcare Strategy, as part of the NHS Plan and to link in with the Improving Working Lives initiative. It is important to ensure that staff feel confident in seeking advice surrounding childcare options and are aware of the schemes in place to assist with the provision of professional childcare.
- 1.2** This policy applies to all staff employed by the Trust including bank staff and those employed on fixed term contracts. The policy does not apply to individuals employed by agencies or other contractors. Issues relating to childcare for these individuals should be referred to the appropriate employer.
- 1.3** The aims of this policy are:
- To understand and address the childcare needs of our employees
  - To improve the recruitment, retention and return of staff with dependent children and carer responsibilities
  - To improve the quality of our employees working lives and wider work life balance with, in this case, particular reference to children and dependants
- 1.4** Other Trust policies that may be relevant to this policy include:
- Family Policy
  - Special Leave Policy
  - Flexi-time for office based staff
  - Parental leave

#### **2 SCOPE**

- 2.1** This policy applies to all staff employed by the Trust, including those employed on fixed term contracts of 6 months or more, who are the legal parent / guardian of a child aged under 16, or a registered Carer.

- 2.2** A Carer is someone who, without payment, provides help and support to a friend, neighbour or relative who could not manage otherwise because of frailty, illness or disability.
- 2.3** The policy does not apply to individuals employed by agencies or other contractors. Issues relating to childcare for these individuals should be referred to the appropriate employer.
- 2.4** For childcare vouchers and salary sacrifice schemes, staff whose reduction in salary reduces their hourly rate to below the national minimum wage may not be eligible. In this instance staff will be signposted to appropriate agencies for advice and guidance.
- 2.5** As part of the NHS National Childcare Strategy, the Trust works in conjunction with Blackpool Fylde & Wyre Hospitals Trust, who provide a Child & Family Care Team. This team acts as the contacts and point of information for any of our staff requiring information or advice regarding childcare or carer issues. Contact details are provided on the Trust intranet site and through the Organisational Development & Human Resources Department.

### **3 RESPONSIBILITIES**

#### **3.1 Staff**

Any member of staff entering the scheme must do so having read and understood all the information given to them. They must inform the Child & Family Care Team and the Organisational Development & Human Resources Department of any changes to the scheme and comply with this policy at all times whilst on the relevant scheme.

#### **3.2 Managers**

Managers must oversee and authorise the relevant scheme entered into by a member of their staff, having checked and understood their eligibility for the scheme. Managers are held responsible if they authorise any member of their staff to enter the scheme whilst being ineligible to do so for any of the reasons mentioned in this policy.

### **3.3 Organisational Development & Human Resources Department**

The OD/HR Department is responsible for informing staff about this benefit available to them and linking those interested in the scheme to the Child & Family Care Advice Team.

### **3.4 Child & Family Care Advice Team (BFW Hospitals)**

The Child & Family Care Advice Team, based at Blackpool Fylde & Wyre Hospitals Trust, are responsible for providing North Lancashire Teaching PCT with the services outlined in this policy in accordance with the Service Level Agreement. Any queries from staff about current or future child or family care should be directed to them.

## **PROCEDURE**

### **4 CHILDCARE VOUCHER SCHEME**

- 4.1** Childcare vouchers are a tax efficient scheme that enable an NHS employee to save between 33-40% on the cost of childcare by making a 'salary sacrifice' direct from their salary, which is exempt from Tax & National Insurance
- 4.2** For information on childcare providers, employees should contact the Child & Family Care Advice Team mentioned in 2.5 above.
- 4.3** The scheme is open to all staff of the Trust who meet the following criteria:
- Employee of the Trust
  - Minimum contract of employment of 6 months
  - Parent / Guardian of the child(ren)
  - The child(ren) are using Approved or Registered childcare
  - The reduction in salary does not take the hourly rate to below the national minimum wage
  - Must not be in a 'no-pay' situation (except maternity leave) e.g. sabbatical
  - The member of staff must understand the implications of joining the scheme including receipt of a revised contract of employment for the period they are a member of the scheme.

- 4.4** If a member of staff wishes to join the childcare voucher scheme, they should contact the Child & Family Care Advice Team mentioned in section 2.5 above. You will then be sent all the relevant information and paperwork, including the following:
- General Information Leaflet
  - Examples of Tax/NIC benefits for staff participating in the Scheme
  - Question and Answer Sheet
  - Personal Calculation Form
  - Employee Application Form
  - Variation to contract
- 4.5** All information contained in this pack should be read carefully as membership of the scheme will reduce the employee's salary and as such may affect current and future benefits including Pension.
- 4.6** Having read all the information the Personal Calculation Form should then be completed to ensure that the salary after reduction of nursery fees remains above the minimum wage. If the salary falls beneath this the employee will not be able to join the scheme and should seek advice regarding other tax and benefits including Child Tax Credits and Working Tax Credit they may be eligible to claim.
- 4.7** As the Trust is not able to offer advice as to the suitability of the Scheme for individuals, all staff are recommended to seek independent advice before joining the scheme. Having carefully considered the appropriateness of the scheme against personal circumstances, if the employee wishes to and is eligible to join the scheme, the Employee Application Form should then be completed and returned as instructed in the information pack.
- 4.8** Following processing of the application the employee's manager will be sent a form outlining their new reduced salary upon which current and future benefits will be based. The employee will be asked to sign this Form authorising the change to Contract of Employment. The salary will revert back to the higher amount on leaving the Scheme.
- 4.9** Once a member of staff is on the scheme, they should inform the Child & Family Care Team of any changes to fees one month in advance to ensure that the correct amount is taken

from your salary each month. Failure to do this will result in under/over-payment and a recalculation the following month.

## **5 SALARY SACRIFICE SCHEME**

- 5.1** Eligibility for the Salary Sacrifice Scheme is the same as for the childcare Voucher Scheme. See 3.3 above.
- 5.2** If a member of staff wishes to join the childcare voucher scheme, they should contact the Child & Family Care Advice Team mentioned in section 2.5 above.
- 5.3** The employee must sign an agreement to change their Contract of Employment whereby part of current (and any future) salary is given up in return for the childcare benefit
- 5.4** Staff will need to agree a monthly amount of salary sacrifice equivalent to the amount of monthly nursery fees for the period of the nursery agreement. Initially this will be for 12 months. Monthly pay will be reduced by this amount.
- 5.5** The Scheme can be joined from the 1st of any calendar month.
- 5.6** Repayment to the Trust is required where there is any overpayment of salary resulting from participation in the Scheme
- 5.7** If any changes are required to payments on the scheme, adjustments can be made 6 monthly subject to 2 months notice to the Child & Family Care Advice Team.
- 5.8** Changes cannot be made at other times unless the employee has a significant lifestyle change as outlined below:
- Termination of employment
  - Long term absence
  - Marriage / divorce / separation
  - Birth / adoption
  - Death of a dependant
  - Significant change of contractual hours, role or work place



## **6 SUBSIDISED NHS NURSERIES & PLAYSCHEMES**

The Trust will endeavour to provide access to places in Nurseries managed within NHS localities and to provide access to childcare facilities within the majority of school holidays wherever possible.

Subsidised provision of PCT contracted childcare facilities will be made available. Further details on how to access places and funding are available from the Child & Family Care Advisor Team and published on the Internal Intranet.

## **7 INLAND REVENUE APPROVAL**

**7.1** The Scheme is provided at the discretion of the Trust in accordance with IR approval

**7.2** BEFORE joining the Scheme staff should seek independent advice on how the Scheme will affect any current or future benefits e.g. tax credits, contribution-based benefits, earning related benefits and work related benefits. The Trust WILL NOT offer advice on the suitability of the Scheme for individual staff

**7.3** The contribution history of the employee will only be affected for the period that they are a member of the Scheme. Therefore if they join the scheme for a short period of time the effect on benefits will be minimal.

## **8 TAKING MATERNITY LEAVE WHILST ON THE VOUCHER / SALARY SACRIFICE SCHEME**

**8.1** If a member of staff becomes pregnant whilst using the schemes, they are still eligible to continue with the scheme but must inform the childcare provider they are using, the Child & Family Care Advice Team, and the Organisational Development & Human Resources Department. This is because when the salary reduces to half pay and then to Statutory Maternity Pay and then potentially to a no-pay situation, the employer will be responsible for continuing to provide the vouchers / benefit in accordance with the Sex Discrimination Act. The employee must therefore fill in a separate form (to be requested from the Child & Family Care Team).

- 8.2** As we are unable to provide financial advice on this matter, the employee must seek independent financial advice where required.

## **9** **MONITORING**

The Organisational Development & Human Resources Department will maintain a record of all activity outlined in this policy. Provision will be made for managers to carry out this monitoring and any outcomes in partnership with local staff representatives. Monitoring arrangements will be capable of seeking out the causes of any problems or issues so as to eliminate them from the organisation.

**EQUALITY IMPACT ASSESSMENT TOOL  
 (Child and Family Care Policy)**

**Lead Contact:**  
**Harriet Mackenzie Smith**

**Policy/ Strategy Title and  
 Number:**

**Provisions for Childcare**

**Names and Job Titles of Managers completing screening checklist:**

**1 Harriet Mackenzie Smith** **3**  
**HR Manager**

**2 Tim Woodward** **4**  
**Co Chair JWG**

**1. What is the aim or objective of the strategy or policy?**

eg To develop/To provide

The aim of the Provisions for Childcare policy is to address the childcare needs of the staff within the Trust and provide information concerning access to such facilities and services. This is in order to help staff maintain or improve their work-life balance in accordance with the Improving working lives initiative. It is also to aid recruitment and retention of staff with dependant children and carer responsibilities.

**2. What data is available to facilitate this EIA? E.g. National standards,**

public health data, staff surveys

None

**3. Does the strategy or policy impact negatively on any of these**

**categories? Please copy ✓ and paste**

	YES	NO	UNKNOWN
Racial Group		✓	
Disability		✓	
Gender		✓	
Age		✓	
Sexual Orientation		✓	
Religion or Belief		✓	
Rurality/Sparsity		✓	

**Please indicate what the evidence shows:** Note: A broad interpretation should be taken of the word evidence. It should include anecdotal evidence as well as evidence derived from qualitative and quantitative analysis where available.

**Is the negative impact justifiable? If so, why?**

**4. Is the negative impact a result of indirect discrimination?**

Please copy ✓ and paste

	YES	NO	UNKNOWN
Racial Group		✓	
Disability		✓	
Gender		✓	
Age		✓	
Sexual Orientation		✓	
Religion or Belief		✓	
Rurality/Sparsity			✓

**Please indicate what the evidence shows:**

**5. Is the negative impact a result of direct discrimination ?**

Please copy ✓ and paste

	YES	NO	UNKNOWN
Racial Group		✓	
Disability		✓	
Gender		✓	
Age		✓	
Sexual Orientation		✓	
Religion or Belief		✓	
Rurality/Sparsity		✓	

**Please indicate what the evidence shows:**

**If no evidence is available, where or how could this be obtained?** eg Consultations or expert evidence. **Please provide full details of how this will happen.**

Monitoring

**6. Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the strategy or policy it impacts?**

Please copy ✓ and paste

	YES	NO	UNKNOWN
Racial Group		✓	
Disability		✓	
Gender		✓	
Age		✓	
Sexual Orientation		✓	
Religion or Belief		✓	
Rurality/ Sparsity		✓	

**Please provide details:**

**If no evidence is available, where or how could this be obtained?** eg Consultations or expert evidence. **Please provide full details of how this will happen.**

**7. Please consider the human rights flowchart and state whether the policy is likely to affect anyone's human rights ?**

Please copy ✓ and paste

YES	NO
	✓

**If yes, please document which actions (if any) follow from the human rights flowchart?**

Suggested ACTION PLAN of changes or practical measures to reduce or overcome identified adverse impact and/or unlawful discrimination:  
 Monitor general use of Policy via reports to OD&HR Committee

	What changes or practical measures are needed?	Target Date	Responsible Officer	Resource Implications
Racial Group				
Racial Group				
Disability				
Disability				
Gender				
Age				
Age				
Sexual Orientation				
Religion or Belief				
Rurality/Sparsity				

**This Section to be completed by Head of Service**

**Is the recommended action plan approved? If not, why not?**

**The EIA has been checked and contains all relevant details:**

**Signed: H Mackenzie Smith**

**Date: 9.3.09**

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Please send an electronic copy to the **EIA Quality Assurance and Performance Panel** via email at [e&hr@northlancs.nhs.uk](mailto:e&hr@northlancs.nhs.uk)

**Date forwarded to the EIA Quality Assurance and Performance Panel:**

**For completion by EIA Quality Assurance and Performance Panel only:**

Approved	
Insufficient Evidence	
Missing Evidence	
Action Required	
Target Date	
Additional Information	

Signed for and on behalf of:

Date:

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**POLICY TITLE**

**JOINT AGREEMENT OF POLICY**

This Policy document has been considered and approved by the Representatives of Staff and Management on the Joint Negotiating and Consultative Committee.

It is open to continual review and agreed change on the giving and receiving of at least six months notice in writing where matters of principle are concerned. If both parties are agreed the six-month period may be reduced to suit the circumstances. Administrative amendments may be made on an ongoing basis.

**Signatories:**

*S. A. Parvathy*

Director of OD&HR for Chief Executive

Date: *7/4/09*

*Karen A. Bunn*

Lead Staff Representative

Date: *9/4/09*