

# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **PERSONNEL COMMITTEE**

**25<sup>TH</sup> SEPTEMBER 2023**

### **REPORT OF THE HEAD OF PEOPLE AND ORGANISATIONAL DEVELOPMENT – SHEENAGH REES**

#### **Matter for Decision**

**Affected: All wards**

#### **Revised Special Leave Scheme**

#### **Purpose of Report**

The purpose of this report is to seek Members approval to implement a revised special leave scheme in line with employment legislation and best practice.

#### **Executive Summary:**

Our special leave scheme allows for an appropriate response to situations where employees need to take leave to deal with personal emergencies, public duties, or personal matters such as bereavement or medical appointments.

As legislation and best practice is ever-changing, particularly post pandemic, this policy requires review on a regular basis. Reviews ensure that we are complying with employment law and doing the best we can to promote the Council as an 'employer of choice' whilst providing our staff with as much support as possible inside and outside of the workplace.

The Chartered Institute of Personnel and Development (CIPD) advise that compassion in the workplace is vital in order to remain connected, mentally healthy, and productive while we battle through the challenges we face at work and beyond. This emphasises the need for a special leave scheme that makes our staff feel supported when they need it most.

## Review

### 1. Public Duties

No change required.

### 2. Special Leave for Reservists

Through discussion between NPT CBC and the Ministry of Defence, it has been brought to our attention that the following terms need updating:

- From Territorial Army to Army Reserves
- From Royal Auxiliary Air force to RAF Reserves

### 3. Maternity Support Leave

No change required.

### 4. Ante-Natal (and Neo-Natal) Care

Our current scheme is in line with legislation by offering reasonable paid time off, during working hours, for antenatal care. The majority of responses from other local authorities in Wales showed that they also take this approach. However, our current scheme does not yet account for Neo-Natal Leave.

Legislation relating to neonatal leave and pay entitlement was announced in March 2020 for employed parents whose babies need neonatal hospital care for seven days or more (but is yet to come into effect). A maximum of 12 weeks leave will be paid at £160 a week, funded by the Government, not employers. This appears to have been delayed by the COVID-19 pandemic and presumably an implementation date will follow. It is not known if the leave will be shared between both parents.

In order to provide further support to an employee who finds themselves facing such difficulties before the law is enforced, we recommend offering up to 12 weeks unpaid leave for parents of babies who are admitted into hospital as a neonate (28 days old or less) if the admission lasts for a continuous period of 7 days or more. Entitlement to leave will be a day one employment right. This will be reviewed once the expected statutory entitlements are enforced.

## 5. IVF

Our current scheme is in line with legislation and currently allows medical appointments related to IVF to be treated the same as any other medical appointment under the terms and conditions of the contract of employment.

Many other organisations offer more, including Welsh Local Authorities.

Through liaising with the Fertility Network, it's estimated that 6-8 days leave on average is needed for a cycle of IVF. Data also provided by the Fertility Network shows that 1 in 5 employees (19%) had to reduce their work hours or quit their job because of the stresses of fertility treatment.

Based on this, we recommend that paid time off for fertility treatment is granted to both partners (including same sex partners) to attend one programme of treatment.

## 6. Time off for Medical Screening, Blood Donation & Hospital Appointments

No change required.

## 7. Adoption Leave

Necessary legislative changes have been updated in our Adoptive Parents Leave and Pay Scheme.

## 8. Parental Leave

No changes required.

## 9. Other Leave: Bereavement

Our current scheme is in line with legislation. We provide up to a maximum of 5 working days leave for the death of an immediate relative (parent, spouse, partner, or child) and one day's leave for the death of a close relative (brother, sister, grand-parents, parents-in-law).

Research conducted by the CIPD revealed that three-quarters of employer's support allowing employees experiencing any close family bereavement to take paid time off. It also found that four in five employers already provide paid bereavement leave for close family members, despite there being no statutory obligation for them to do so. The findings come as Parliament prepares for the

second reading of a Bill, which would see the limited existing statutory bereavement leave entitlement extended to more people.

Other local authorities in Wales vary in approach but best practice gives up to 5 days paid leave for both immediate and close relatives.

Based on these findings, it is recommended that stepparents, stepchildren, and siblings are categorised as immediate family and therefore eligible for up to 5 working days paid leave also.

10. Other leave: Funeral Attendance & Court Appearance, Employment Tribunals & Participation in Elections as a Candidate, Participation in Election Duties, 'Representative Sport,' Attendance at an Interview

No change required.

Based on this, no changes are necessary.

#### 11. Introduction of Special Leave for Foster Carers

Foster Wales (the national brand for the 22 local authorities in Wales) have a National Commitment / Core Offer that each Local Authority needs to work towards: one of the requirements is for the LA to become a Foster Carer Friendly Employer. The 'Foster Wales National Commitment – Good Practice Requirements' document states: - A LA Foster Carer Friendly Employer scheme is an HR policy whereby LA employers in Wales support and recognise the role of their employees who foster for Foster Wales. This can include offering all LA foster carers additional paid leave during assessment and following approval. This may extend to time off for training, meeting with social workers, CLA reviews and settling a new child into their home. The minimum requirement is to put in place a fostering friendly HR policy for all Foster Wales foster carers in their employment.

Other LAs such as Vale of Glamorgan, Merthyr and Powys offer employees hosting children under the care of the authority up to 5 days paid leave per annum.

Based on this, we recommend providing up to 5 days paid leave per annum for Foster Carers hosting children under the care of NPT CBC. This will aid recruitment and retention by promoting the Council as an 'employer of choice' whilst also supporting our Wellbeing Objective 1 as laid out in the Corporate Plan; *'to ensure all children get the best start in life'*.

## 12. Carers Leave

Our Carers Leave policy is now signposted in our Special Leave Scheme to inform employees that they are entitled to emergency leave to deal with unexpected situations involving a dependant.

## 13. Leave for Victims of Domestic Abuse and/or Sexual Violence

Our Domestic Abuse in the Workplace Policy is now signposted in our Special Leave Scheme to inform employees of the leave that they are entitled to should they need it.

### **Comprehensive List of Proposed Changes:**

- Signposting our Employer Supported Policing Scheme under Public Duties
- Changing the title of Reservists
- Introducing up to 12 weeks unpaid leave for parents of babies who are admitted into hospital as a neonate (28 days old or less) if the admission lasts for a continuous period of 7 days or more.
- Introducing paid time off for fertility treatment that is granted to both partners (including same sex partners) to attend one programme of treatment.
- Necessary legislative changes to our Adoptive Parents Leave and Pay Scheme.
- Categorising stepparents, stepchildren, and siblings as immediate family and therefore eligible for up to 5 working days paid bereavement leave also.
- Introducing 5 days paid leave per annum for Foster Carers hosting children under the care of NPT CBC.
- Signposting our Carers Policy and Domestic Abuse Policy.

### **Financial Impacts:**

The financial implications in relation to this Scheme are in relation to allowing an increased amount of paid special leave. Most of the changes to the scheme are modest in nature, however, will enhance recruitment and retention across the Council.

## **Integrated impact assessment:**

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment, attached at appendix 1 has indicated that a more in-depth assessment is not required. A summary is included below:

“A full impact is not required as there is no impact on any protected group. It also has no negative impact on biodiversity or the Welsh Language.”

## **Valleys Communities Impacts:**

No implications

## **Workforce Impacts:**

There are positive impacts associated with the review of this Scheme As by providing our workforce with leave assigned for personal matters, we are supporting them in taking care of their own wellbeing.

## **Legal Impacts:**

No implications.

## **Risk Management Impacts:**

No impact.

## **Consultation:**

There is no requirement under the Constitution for external consultation on this item. The proposed strategy has been fully endorsed by the Trade Unions as they have been involved in revision of this policy.

**Recommendations:**

It is RECOMMENDED that Members APPROVE the proposed amendments to Neath Port Talbot Council's Special Leave Scheme.

**Appendices:**

Appendix 1 – Revised Special Leave Scheme

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