

EAST HERTS COUNCIL

HUMAN RESOURCES COMMITTEE - 19 OCTOBER 2006

REPORT BY LEADER OF THE COUNCIL

6, REVISED VERSIONS OF HUMAN RESOURCE POLICIES AND PROCEDURES: MATERNITY, PATERNITY AND ADOPTION LEAVE AND GENERAL LEAVE

WARD(S) AFFECTED: NONE

'D' RECOMMENDATION - that the revised policies and procedures relating to Maternity, Paternity and Adoption Leave and General Leave be adopted.

1.0 Purpose/Summary of Report

1.1 To introduce revised policies that ensure the Council complies with its statutory duty on maternity, paternity and adoption rights and to update general leave provisions.

2.0 Contribution to the Council's Corporate Objectives

2.1 Improve the health and sustainability of the organisation.

3.0 Background

3.1 The current policy on Maternity Leave does not include adoption leave as set out in the Employment Act 2002. As part of the review, general leave provisions were also included and have been updated to incorporate both accepted custom and practice and Best Practice outside the organisation. They also take account of leave provisions set out the National Joint Council (NJC) National Agreement on Pay and Conditions of Service (The Green Book).

4.0 Report

4.1 Because employers' obligations under recent employment legislation have been substantially increased, these drafts are the result of a review of the previous versions. Each policy (see

Appendices 'A6' (pages 6.4 – 6.27 and 'B6' (pages 6.28 – 6.43)) sets out the rights and responsibilities of staff and managers across the broad range of leave situations.

- 4.2 The draft Maternity, Paternity and Adoption Policy and Procedure now includes all the family friendly legislation as at September 2006. It also contains information on maternity pay and on the statutory right of employees returning from maternity leave to request flexible working.
- 4.3 Further amendments will probably be required in line with current Government proposals to extend rights on maternity and related statutory rights and officers will bring the specific proposals to the Local Joint Panel (LJP) and this Committee as early as possible in 2007 as new regulations are due to become law on 1 April 2007.
- 4.4 The draft General Leave policy is broadly the same as the current version, which complies with the Green Book but with small amendments to bring clarity for managers and staff. The key amendment is that the Career Break and Sabbatical leave section has been deleted and replaced with the wording from the draft Flexible Working Policy (which is still at draft stage). It was felt appropriate to do so to avoid conflicting advice and because the new wording reflects what good employers are now doing in this area to ensure equality across staff groups.

5.0 Consultation

Both policies have been considered by Corporate Management Team, through consultation with Unison and were supported at the LJP meeting on 23 September 2006.

6.0 Legal Implications

- 6.1 The policy complies with the Council's duty as an employer under current legislation.

7.0 Financial Implications

- 7.1 None.

8.0 Human Resource Implications

- 8.1 There are no implications. These policies now properly reflect current legislation.

9.0 Risk Management Implications

9.1 Arguably more limited risk than for other draft policies brought to this forum. Nevertheless, as a public body it is important that East Herts has complete and robust HR policies and procedures in place.

Background Papers

None

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