

EAST HERTS COUNCIL

LOCAL JOINT PANEL – 20 JUNE 2007

REPORT BY THE SECRETARY TO THE STAFF SIDE

9(A) MATERNITY LEAVE COVER

WARD(S) AFFECTED: None

RECOMMENDATION - that (A) the report be noted; and

(B) consideration be given to reviewing the current policy regarding maternity leave cover

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1.0 Purpose/Summary of Report

1.1 To raise concerns with regard to the current policy of not providing temporary cover for women on maternity leave.

2.0 Contribution to the Council's Corporate Objectives

2.1 Deliver customer focused services by maintaining and developing a well-managed and publicly accountable organisation.

3.0 Background

3.1 It has come to the attention of UNISON recently that there are a number of women either on maternity leave or about to go, who are not being replaced by temporary cover, in order to achieve the 6% vacancy turnover factored into the salary budget. This is in addition to employees who have left the employment of East Herts and whose posts are not being filled at least in the short-term.

4.0 Report

4.1 The Staff Side is aware of the £873,000 overspend in the 2006/07 budget and that as a result the Council has had to draw on its reserves to support the Council Tax and achieve a break-even budget.

- 4.2 Of this overspend, the Staff Side is aware that £622,000 was required for the Council's Restructure and that there was a shortfall of £80,000 due to reduced turnover. Consequently there is pressure to ensure that the budget for 2007/08 is not exceeded.
- 4.3 The Staff Side would however question whether it is right to meet the target salary figures by not providing maternity cover and would like to highlight some of the problems this causes.
- 4.4 The Work and Families Act 2006 introduced a number of new rights for parents and carers. These include an increase in paid maternity and adoption leave from six to nine months from April 2007. Employees can also have a further three months unpaid leave but there is provision in the act for paid maternity leave to be extended to a year at a later stage. This change in the law is to be welcomed, since it enables parents to have more time off with their children before returning to their job.
- 4.5 This of course means that women are likely in the future to take longer maternity leave breaks, which may cause problems for the employer. Up until now the Council has always ensured that temporary cover in the form of an additional person has been provided for women on maternity leave. This in turn has kept any disruption to the service to a minimum and has reduced the pressure on remaining staff. The cover normally means that an employee from within the team acts up in the maternity post and someone from outside the Council will backfill that post.
- 4.6 The Staff side has been informed of a number of posts in key front-line services that are not being covered by an additional outside person, including an Engineers post, a Customer Service Assistant post and a Fraud Officer post. This will have one of two consequences. Either, the service will deteriorate or colleagues will try to cover the absent person's post and be placed under so much pressure their health is put at risk. No person can do the work of two people and with stress related illness being the second most common reason for sickness absence, the Council would be failing in its duty of care by putting employees at such a high level of risk.
- 5.0 Consultation
- 5.1 None

6.0 Legal Implications

6.1 The Council could be vulnerable to personal injury claims and constructive dismissal claims, if an employee's health was damaged as a result work related stress.

7.0 Financial Implications

7.1 Unknown

8.0 Human Resource Implications

8.1 As above

Background Papers

None

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