

## EMPLOYMENT AND APPEALS COMMITTEE

29 September 2020

### HR POLICIES

#### Report of the Strategic Director Resources

Strategic Aim:	Develop a sustainable Medium Term Financial Plan to support service delivery (4.3)	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Leader and Portfolio Holder for Rutland One Public Estate and Growth, Tourism and Economic Development, Communications, Resources (other than Finance)	
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Ward Councillors		

#### DECISION RECOMMENDATIONS

That the Committee:

1. Approves the updated Relocation Policy (Appendix A).
2. Approves the changes to the Council's Special leave provision in accordance with new employment legislation for paid Parental Bereavement Leave.

## 1 PURPOSE OF THE REPORT

- 1.1 To seek approval for an updated Relocation Policy.
- 1.2 To seek approval for amendments to the Council's special leave provisions in response to new legislation for Parental Bereavement Leave and Pay.

## 2 RELOCATION POLICY

- 2.1 In February 2020, the Committee considered some amendments to the Relocation Policy and requested some further research into different provisions offered to those renting a property compared to home owners.

Our current policy is that owner/occupiers have access to the full relocation scheme (subject to conditions - currently up to £6,000), whilst employees moving into a

rented property are entitled to up to a maximum of 50% of the overall scheme (currently up to £3,000).

- 2.2 Whilst we can identify some authorities who do provide different rates, this is not consistent and is determined at a local level.
- 2.3 We have therefore considered this in the Rutland context and the views of Members that were expressed in February, and it is recommended that the amended policy reflects no differentiation between employees buying and renting, offering up to £8,000 for qualifying expenses in relation to their move for both owner occupiers and renters.
- 2.4 An amended policy is attached at Appendix A for Members' consideration and approval.

### **3 SPECIAL LEAVE – PAID PARENTIAL BEREAVEMENT LEAVE**

- 3.1 On 6 April 2020, the government introduced new legislation – the Parental Bereavement Leave and Pay Act. Prior to this there was no legal obligation for employers to provide paid time off for grieving parents. Many employers, including Rutland, have local policies for some paid leave on compassionate grounds.
- 3.2 The new right includes:
  - 3.2.1 Day-one right to 2 weeks leave if the employee loses a child under the age of 18, or suffers a stillbirth from 24 weeks of pregnancy
  - 3.2.2 Payment for the 2 weeks period if continuously employed for at least 26 weeks before the child's death – otherwise it is unpaid. Payment is at statutory rates. (similar to statutory maternity/paternity)
  - 3.2.3 Can be taken in a single block, or as two separate weeks
  - 3.2.4 To be taken within 56 weeks (of the death of the child).
- 3.3 Rutland has an Umbrella Leave Policy that brings together all aspects of leave - including special/compassionate leave. We currently provide (in addition to statutory minimum) 5 paid days compassionate/special leave in a 12 month period for bereavement, serious illness (or injury or critical illness) of a child or serious illness of other close relatives.
- 3.4 In 2019/20 there were 23 incidents of paid special leave (20 employees) – 18 for bereavement and 5 for caring for serious illnesses.
- 3.5 Losing a child is an unimaginable trauma. We are a supportive and caring employer – we treat staff with dignity and compassion when faced with difficult periods in their personal life. Whilst the new law is a step forward, we feel it right that we should offer more.
- 3.6 It is therefore our recommendation to:
  - 3.6.1 Incorporate the new rights into our existing paid leave provision and
  - 3.6.2 Extend our current paid special leave for all staff (irrespective of length of service) up to 10 paid days at normal pay.

- 3.7 This would represent a local policy which provides enhanced support beyond that provided by law.

#### **4 CONSULTATION**

- 4.1 The Relocation Policy had previously been approved by Unison (Trade Union) and will be submitted to them again with the amendment if approved.
- 4.2 Unison are aware of the new Paid Parental Bereavement legislation and the incorporation into the Council's Leave policies.

#### **5 ALTERNATIVE OPTIONS**

- 5.1 Policies and procedures provide clear and important frameworks that serve to protect and manage a level of risk and exposure through employee challenge and potential employment tribunal claims.
- 5.2 The Council ensures that such policies and procedures reflect employment law, provisions of the national terms and conditions of employment, and best employee practice.
- 5.3 Relocation Policy:
- 5.3.1 The policy as drafted represents a model that is in line with the public sector and we consider provides an effective and reasonable level of support. To provide a scheme with less support and provision may have a detrimental effect on recruitment.
- 5.4 Parental Bereavement Leave:
- 5.4.1 The Council could offer the base legal provision as outlined in para 3.2 with no additional support to staff.

#### **6 FINANCIAL IMPLICATIONS**

- 6.1 Costs associated with Relocation have been minimal – the last claim being in 2018. The scheme is only offered where it is considered essential to secure an appointment; such costs are met from service budgets. As the Council continues to support home working, it is anticipated that there will be little demand for access to the policy.
- 6.2 Whilst there are indirect costs of staff not being at work, ie paid special leave, given the trauma being experienced by the individual, this is not considered a financial risk on the Council and its Medium Term Financial Plan.

#### **7 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 7.1 The Council must be compliant with relevant employment law and regulations.
- 7.2 We are able to develop our own local policy and provision that exceeds legislative minimum requirements.

## **8 DATA PROTECTION IMPLICATIONS**

- 8.1 A Data Protection Impact Assessments (DPIA) has not been completed as there no risks/issues to the rights and freedoms of natural persons.

## **9 EQUALITY IMPACT ASSESSMENT**

- 9.1 An Equality Impact Assessment (EqIA) has not been completed as there is no differentiation for the provisions against the Protected Characteristics.

## **10 COMMUNITY SAFETY IMPLICATIONS**

- 10.1 There are no Community Safety implications arising from this report.

## **11 HEALTH AND WELLBEING IMPLICATIONS**

- 11.1 There are no specific Health and Wellbeing implications to these particular policies but the Council has an overall duty of care to its employees which means taking all steps which are reasonably possible to ensure the health, safety and wellbeing of staff. Clear and fair policies and procedures can also be a key factor in building trust and reinforcing commitment to our staff and help improve staff retention, productivity and performance and greater employee engagement.

## **12 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

- 12.1 The Council provides updates of policies to all staff and ensures that updated copies are available on the Council's intranet.
- 12.2 The policy amendments in this policy will ensure we have an effective procedure to adopt when new staff are relocating to the area. Also that we are able to provide some paid leave support for staff who unfortunately suffer the bereavement of a child.

## **13 BACKGROUND PAPERS**

- 13.1 There are no additional background papers to the report.

## **14 APPENDICES**

Appendix A – Relocation Policy

**A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.**