

AGENDA ITEM:

REPORT TO:	MERSEYSIDE FIRE & RESCUE AUTHORITY MEETING
DATE:	16TH DECEMBER 2010
REPORT NO.	CFO/210/10
REPORTING OFFICER:	DEPUTY CHIEF EXECUTIVE & DEPUTY CHIEF FIRE OFFICER
CONTACT OFFICER:	NICK MERNOCK, DIRECTOR PEOPLE & ORGANISATIONAL DEVELOPMENT, EXTN. 4320
OFFICERS CONSULTED:	AMANDA CROSS, HR PROJECTS OFFICER
SUBJECT:	WORK LIFE BALANCE SERVICE INSTRUCTIONS

APPENDIX A TITLE: WORK LIFE BALANCE POLICY

APPENDIX B TITLE: MATERNITY

APPENDIX C TITLE: PATERNITY

APPENDIX D TITLE: ADOPTION

APPENDIX E TITLE: PARENTAL LEAVE

APPENDIX F TITLE: FLEXIBLE WORKING

APPENDIX G TITLE: FLEXI TIME

APPENDIX H TITLE: CAREER BREAKS

APPENDIX I TITLE: SECONDARY EMPLOYMENT

ATTACHED – HARD COPIES

Purpose of Report

1. The Authority has been progressive and innovative regarding ways that help staff achieve a healthy work/life balance that, in turn, contributes to their high performance in delivering safer, stronger, healthier communities. Members are asked to note and approve the amendments made to the Service Instructions and agree to the proposed enhancements.

Recommendation

2. That Members:

- (a) Recognise the value of the Authority's progressive work/life balance strategy; and
- (b) Approve and endorse the enhanced Service Instructions; and
- (c) Consider the additional requests made during the consultation process by the FBU to increase the payment of entitlements relating to maternity, paternity and adoption pay which in the current economic environment, management feel unable to endorse at this time.

Executive Summary

This report seeks the Authority's agreement to the update and simplification of a number of Work Life Balance Service Instructions.

Each Service Instruction has been reviewed to ensure that it is fit for the purposes of a modern fire service, that it reflects the best practice of successful organisations and that it encourages an effective healthy workforce who are able to balance the demands of home commitment and professional duties.

Every revision has been considered by the Diversity Action Group to ensure it is aligned to the Equality Act and the Authority's diversity ambitions and been the subject of consultations with the recognised trade unions.

Introduction & Background

- 3. The People and Organisational Development Department continue to review and update all policies and associated guidance in line with legislative change, organisational requirements and comparator organisation's employee benefits. As a consequence some of the key documents that support our employees and their continued work life balance have been reviewed and updated accordingly. The revised Service Instructions enhance the previous suite of work life balance documents that Members previously approved and these were highlighted nationally by the Fire Brigades Union as examples of good practice.
- 4. The revised work-life balance policy is produced as the umbrella under which the revised Service Instructions are available for Service employees and managers to access and utilise as appropriate. The key areas are identified below.

Maternity Leave

- 5 This SI reflects the need for individual and dynamic risk assessments through the duration of a pregnancy and upon the return to work. Role specific risk assessments have been developed and consideration has been given regarding the most appropriate time to remove a pregnant employee from her duties dependent on her needs and current role and whether this intervention is required at all.
- 6 A section has been included to advise employees that they may continue to utilise the support provided by our Occupational Health team even though they have commenced maternity leave.
- 7 A section on car allowances has been amended to reflect employment law as the previous Service Instruction advised that an employee was not able to use the car during additional maternity leave. This is no longer the case.
- 8 The Service continues to provide a very generous maternity allowance and this has been highlighted with more prominence than in the previous instruction.

Flexible Working

9. The Authority has already extended the right to work flexibly to all employees and has not limited it to those groups covered by Statute. This Service Instruction introduces the Flexible Working Panel (consisting of Mike Pilkington, Amanda Cross, and the employees line Manager) as the format for discussing applications. It advises employees to send their request to a new flexible working e mail address and provides further information regarding each type of flexible working. The Service Instruction additionally includes the business reasons for refusal.

Flexi Time

10. This Service Instruction clarifies the wording of the current Service Instruction and is published on the new template.

Paternity Leave

11. Parents of children born or adopted on or after 3rd April 2011 may share part of the additional maternity leave entitlement. The Service Instruction reflects this change to statute law.
12. It recommends moving the current qualifying criteria of 1 year to harmonise the Service Instruction with those of maternity and adoption leave.

Adoption leave

13. This also reflects the changes to the additional paternity requirements. On the previous Service Instruction parents adopting from abroad could not take time off to meet their children (this does not necessarily mean travelling abroad) and this might have indirect race discrimination issues.

14. We propose that adoptive parents are allowed time off for parent classes on the similar lines to ante natal appointments.
15. We recommend removing the 26 week waiting period for adoptive parents before they may exercise their right to adoption leave. This is cost neutral as the leave is unpaid under 1 year service, and it harmonises the policy with maternity. It also removes a potential claim for sex discrimination as it recognises that the benefit can be accessed by same sex parents.

Parental leave

16. The Authority already allows parents with children under 8 to have parental leave, this is better than current statute law. It additionally included a section on emergency carer leave.

Career Breaks

17. This Service Instruction introduces the flexible working panel as the format for discussing applications. Appeals will be heard by the Director of People and Organisational Development.
18. The Service Instruction additionally advises employees residing in Authority property that they cannot continue to reside in the property whilst they are on their break. It advises employees to consider the impact on pensions and other benefits whilst on a career break. The forms and letter (not submitted) have been amended to reflect the change in ownership.

Secondary Employment

18. This Service Instructions refreshes a previous instruction called Outside Employment and recommends that the Flexible Working Panel is the body to consider applications. This has put these decisions at an appropriate management level and allows the hearing appeals by the Director of People and Organisational Development.

Trade Union Consultation

19. Through some very positive consultation these Service Instructions have been produced for the benefit of all our employees. During the course of this the FBU have suggested some additional amendments above statutory obligation, that whilst Management considered them, felt that the implementation costs in the current economic environment were prohibitive and would propose that Members note the suggestions at this time for future consideration.

20. The amendments proposed were:

Paternity Pay

The FBU have requested that the second week of paternity pay is paid at full pay rather than statutory paternity pay of £124.08. Over the past 3 years 99 people have taken paternity leave and there is an upward trend. Using the last three years as a benchmark and using an average employee salary **this would equate to a minimum £56,418 additional cost to the Authority.**

Maternity Pay

The FBU have requested that the first 39 weeks of maternity pay is paid at full pay and the remainder at half pay. **Using an average employee salary figure the costs would be an additional £596,676 to the Authority.**

Equality & Diversity Implications

21 All documents have had full Equality Impact Assessments carried out on them, and have all been approved at previous Diversity Action Group meetings.

Financial Implications & Value for Money

22. The proposals are cost neutral and can be contained within current budgets.

Health & Safety and Environmental Implications

23. There is none contained in this report.

Contribution to Achieving the Vision:

“To Make Merseyside a Safer, Stronger, Healthier Community”

24. The Authority is committed to providing excellent terms and conditions of Service under which to engage all our employees, and these improved procedures continue to deliver this outcome.