

ABERDEEN CITY COUNCIL

COMMITTEE	Urgent Business Committee
DATE	20 March 2020
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Updates to Special Leave Policy
REPORT NUMBER	RES/20/073
DIRECTOR	Steve Whyte, Director of Resources
CHIEF OFFICER	Isla Newcombe, Chief Officer (Organisational Development)
REPORT AUTHOR	Lesley Strachan, Talent Acquisition Lead and Keith Tennant, Policy and Advice Officer
TERMS OF REFERENCE	1

1. PURPOSE OF REPORT

1.1 To seek approval from Committee to make changes to the Special Leave Policy to add a provision for 5 days' paid leave for Cadet Force Adult Volunteers as part of our commitment to our staff who support the Armed Forces, and to add a provision offering employees contractual pay for Parental Bereavement leave. A copy of the revised policy is shown at Appendix 1).

2. RECOMMENDATIONS

That Committee:

- 2.1 approve the addition of 5 days' paid leave for Cadet Force Adult Volunteers within our workforce into the Special Leave Policy, and
- 2.2 approve the provision of offering employees contractual pay for Parental Bereavement leave; and
- 2.3 thereby approve the amended Special Leave Policy as attached at Appendix 1.

3. BACKGROUND

Cadet Force Adult Volunteers

- 3.1 The Council has signed the Armed Forces Covenant and is a Silver Award holder of the Defence Employer Recognition Scheme.
- 3.2 At the time of writing this report, the Council is in the process of submitting an application for the Gold Award of the Defence Employer Recognition Scheme (closing date 25 March 2020).
- 3.3 The Council's Special Leave Policy already provides paid special leave of up to 15 days per annum to Reservists to enable them to attend an annual training camp but has no provision for Cadet Force Adult Volunteers.
- 3.4 A Cadet Force Adult Volunteer (CFAV) is a person who helps instruct and advise Sea, Army or Air Cadets at their weekly training sessions.
- 3.5 Typically, CFAVs dedicate one or two evenings per week in supporting cadets, in their own time. In addition, CFAVs are expected to volunteer and support an annual cadet summer event, which to date has meant using their annual leave entitlement to undertake voluntary work which supports the country's armed forces.
- 3.6 Currently, data held indicates that there are only 2 employees who are Cadet Force Adult Volunteers across the organisation. These employees self-identified through a survey. It is possible, that there may be others that we are not aware of, but it is not anticipated that the number will be significant.
- 3.7 One of the application questions in the Gold Award submission form seeks to confirm whether an organisation provides paid special leave for Cadet Force Adult Volunteers (CFAVs). Currently, the Council does not offer this benefit. Employees who are CFAVs can take time off, but this would have to be taken from their annual leave entitlement.
- 3.8 Providing paid leave for CFAVs will support them in their work with the Armed Forces, the organisation with its work with the Armed Forces Covenant and, in our goal, to achieve the Gold Award in the Defence Employer Recognition Scheme. Other organisations that have received the award have this facility within their special leave policy.

Parental Bereavement leave and pay

- 3.9 The Parental Bereavement (Leave and Pay) Act 2018 is to come into force on 6 April 2020. This will give bereaved parents the right to two weeks of leave following the loss of a child under the age of 18, or a stillbirth after 24 weeks of pregnancy.

- 3.10 Bereaved parents will be entitled to take their leave in one two-week block or in two separate blocks of one week. The leave requires be taken before the end of a period of 56 weeks beginning with the date of the child's death.
- 3.11 Bereaved parents employed with a minimum of 26 weeks' continuous service will also be entitled to receive statutory parental bereavement pay. Those with less than 26 weeks' continuous service will be entitled to take two weeks of unpaid leave.
- 3.12 This new piece of legislation has been examined to identify what the Council requires to put in place to ensure legislative compliance. An appropriate process and documentation will be implemented.
- 3.13 It is proposed that contractual pay be offered for both weeks of Parental Bereavement Leave (rather than statutory pay), with this to be approved by Committee to enable a change to the Special Leave policy.
- 3.14 Approval is therefore being sought for a change to the Special Leave policy to enable contractual pay to be offered in accordance with paragraph 3.13 above.
- 3.15 The current bereavement leave provision offers up to 5 days paid leave for the death of an immediate family member, including a child. This wording will be slightly amended to state a child 18 or over, with the Parental Bereavement provision to cover the death of children under 18.
- 3.16 It is not expected that there will be many Parental Bereavement leave cases arising, with the death of a child being a relatively rare occurrence, hence the cost implications of the proposal should be minimal.

General

- 3.17 As part of the review of the Special Leave policy the document has been put into the new policy template format and necessary terminology updating has been undertaken. The various policy provisions have been incorporated as an appendix to the policy document.

4. FINANCIAL IMPLICATIONS

- 4.1 In respect of offering 5 days paid leave for Cadet Force Adult Volunteers, whilst there would be a cost to the Council in terms of lost time, the number of employees using this provision is expected to be very low.
- 4.2 It is not expected that there will be many Parental Bereavement Leave cases arising, with the death of a child under 18 being a relatively rare occurrence, hence the cost implications of the Parental Bereavement pay proposal should be minimal.

5 LEGAL IMPLICATIONS

- 5.1 It is a requirement to implement the statutory aspects of Parental Bereavement Leave, with these arrangements currently being made. Part of the subject of this report concerns seeking approval to offer contractual pay for both weeks of Parental Bereavement Leave which is discretionary for the Council, going beyond what the law requires of applying statutory pay.

6 MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	None	N/A	N/A
Legal	None	N/A	N/A
Employee	There is a risk of a reduction in employee morale if contractual pay for Parental Bereavement Leave were not offered.	L	Offering contractual pay for Parental Bereavement Leave should assist with employee morale, helping to remove financial related stress at a difficult time in an employee's life.
Customer	None	L	None
Environment	None	L	None
Technology	None	L	None
Reputational	If the Council were not to add the provision for 5 days paid leave for Cadet Force Adult Volunteers, it may not be successful in attaining the Gold Award of the Defence Employer Recognition Scheme.	L	By implementing this provision, it will increase the likelihood of the Council meeting the requirements to be successful in achieving the Gold Award and enhancing the Council's reputation as a good employer.

7 OUTCOMES

Design Principles of Target Operating Model	
	Impact of Report
Workforce	Links to the 'Workforce' design principle in that these two changes to the Special Leave policy, which are supportive to staff, should assist in ensuring that the Council has an engaged workforce contributing positively to its outcomes and delivery of services to customers. They should also assist in contributing to a positive culture and hence with the retention of employees.

8 IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	An Equality and Human Rights Impact Assessment has been undertaken and no negative impacts have been identified in relation to the proposals in this report.
Data Protection Impact Assessment	Not Required
Duty of Due Regard / Fairer Scotland Duty	Not applicable

9 BACKGROUND PAPERS

None

10 APPENDICES

Appendix 1 – Revised Special Leave policy

11 REPORT AUTHOR DETAILS

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