

**Manchester City Council
Report for Resolution**

Report to: Personnel Committee – 11 March 2020

Subject: Family Friendly Framework

Report of: Director of HR/OD

Summary

The Council offers a number of family friendly leave policies, pay provisions and entitlements aimed at supporting parents, namely:

- Enhanced Adoption Leave.
- Enhanced Maternity Leave.
- Maternity Support Leave (our enhanced version of Statutory Parental Leave).
- Shared Parental Leave.

It is proposed that:

1. These previously separate policies are combined into a single framework with comprehensive guidance to accompany the policy.
2. The wording of the criteria for Maternity Support Leave is tightened, as concerns have been raised that it is currently open to exploitation.
3. Assistance is offered to employees who become special guardians by allowing them access to the Maternity Support Leave offer.
4. Intranet guidance is improved and expanded upon based on feedback from focus groups.

The aim is to present a single coherent approach and policy framework that can be used in conjunction with our flexible working offer to help employees balance the demands of work and childcare.

Recommendations

The Committee is asked to approve combining the current details of the provisions into a single revised Family Friendly Policy Framework and Guidance. This includes amendments to Maternity Support Leave provisions to minimise misuse and providing special guardians access to Maternity Support Leave.

Wards affected: All

Financial considerations – Revenue: None
Financial considerations – Capital: None

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Background documents (available for public inspection):

None

1.0 Background and Context

- 1.1 Currently we do not have policy documents for all our family friendly provisions. Policy documents are currently available for employees in the case of Adoption Leave, last reviewed in 2016 (Appendix A) and Shared Parental Leave, last reviewed 2015 (Appendix B). In the case of Maternity Leave, the details of our offer are available only to staff as intranet guidance, and the basis of our policy position is a personnel circular from 2008 (Appendix C). Similarly, there is no policy document available to employees for Maternity Support Leave, and the basis of our policy is a personnel circular from 2003 (Appendix D). As such it was deemed appropriate to collectively review all family friendly policies based on the time elapsed since they were last considered.
- 1.2 Consultation with staff and managers in focus groups suggested that there is significant room for improvement in relation to the intranet guidance. It is proposed that new guidance is available on the launch of the new family friendly policy documents, and that guidance is subsequently built upon and improved over time based on employee feedback and best practice.

2.0 The Policy Framework

- 2.1 Appendix E shows the proposed new Family Friendly Policy Framework.
- 2.2 Recent benchmarking indicates that the Council's family friendly provisions are largely on a par with those offered by other regional authorities/organisations. As such, it is not recommended that any significant changes are made to our offer.
- 2.3 However, it has been necessary to refresh the language in many instances, with a view to promoting ease of understanding and plain English, and references to legislation have also been updated where necessary. A notable change has been made to the Maternity Support Leave provision, as below.

2.2 Maternity Support Leave - *internal definition of 'Nominated Carer'*

- 2.4 Concerns have been raised by managers that the definition of 'Nominated Carer' in the guidance is open to exploitative/fraudulent claims by staff who are not genuinely the primary carer. Current intranet guidance based on the original criteria as stated in PC 1212 (1995) which is as below:
- 2.5 "The Council offers a scheme that allows employees who are fathers, partners and nominated carers time off work to support the birth of a child. A nominated carer is the person chosen by the mother as the primary provider of support at or around the time of the birth, in the place of, or in the absence of a father / partner. ***This could be a relative or friend, or someone who has a caring relationship with the mother and / or child.***"
- 2.6 In order to clarify our offer, it is proposed that the last sentence of the paragraph above (bold and italicised) referring to a relative/friend etc be

removed. The role of a friend or relative who occasionally helps out differs significantly from the role of a child's primary carer, and it is appropriate for the Council to make this distinction in reviewing the qualifying criteria for Maternity Support Leave.

- 2.7 The authorisation process for Maternity Support Leave will also be amended by adding the requirement for an employee declaration of eligibility, and also for a discussion between employee and manager where possible.

3.0 Special Guardianship

- 3.1 A Special Guardianship Order (SGO) is a legal order which allows a child to live with someone who is not their parent, such as relatives or foster carers, on a long-term basis. It also gives the special guardian parental responsibility for the child. Where a SGO is in place the carers do not have to consult the parents or anyone else with parental responsibility about most decisions for the child, although the child legally remains a member of the birth family.
- 3.2 Social Workers are supportive of special guardianship as it can often prevent a child from being taken into care, which benefits the child and also results in a cost saving to the Council. It gives children a stable place to live with their family or with carers who know them well, with less risk of their living arrangements breaking down and ultimately costing the Council more in the long term. Unfortunately, although special guardianship is clearly comparable to adoption in terms of the demands it places on the guardian, special guardians are not entitled to statutory adoption pay or leave.
- 3.3 It is proposed that an employee who can evidence that a child has been placed with them under a Special Guardianship Order will qualify for Maternity Support Leave to assist a 'settling in period'. It is not envisaged that this will incur significant cost based on our take-up of adoption leave (between 2014-2018 only 14 staff took adoption leave, and occurrences of special guardianship should be less frequent). Any costs could arguably be offset by wider savings made to the Council in aiding special guardianship as above.

4.0 Intranet Guidance

- 4.1 Feedback from focus groups highlighted the need for improved intranet guidance particularly with regard to the following:
- Intranet navigation - employees need a clear initial outline of options.
 - Distinguish more clearly between separate employee and manager guidance.
 - Maternity/Adoption Leave around annual leave, KIT days.
 - Returning to Work, and flexible working options upon returning.
 - Available support to staff, such as antenatal care and counselling.
 - Breastfeeding.
 - Examples/case studies.
 - Links to external charities.

- 4.2 The layout of our intranet guidance has been improved and updated in recent months, and content will be expanded with more details on launch based on employee feedback. However, it is proposed that efforts to design online guidance will continue as we focus on the structure of our new intranet platform.
- 4.3 The focus groups indicated that the majority of employees expect to find information on the intranet, and that navigation to the available information is a key issue. The format and layout of the intranet guidance will be dependent on the capabilities of the new intranet platform, which are not yet fully understood.
- 4.4 Feedback also indicated that a staff email group aimed at putting employees in touch with other employees who could offer informal advice would be most welcome. Some initial work has been done on this, however it has been delayed by the current review of our Google platform and the restrictions on new google groups. For this reason it is proposed that the launch of a family friendly email group is delayed to coincide with our new Intranet platform around March 2020.

5.0 Implementation

- 5.1 It is hoped that by combining these previously separate policies, and updating guidance based on staff feedback and current best practice, that our Family Friendly offer will continue to make a positive contribution as part of OWOW, and our wider commitment to becoming an employer of choice.
- 5.2 A printable guidance document will be produced to coincide with the launch of the policy framework, and our intranet offer will be redeveloped based on feedback following the introduction of the new intranet platform.

6.0 Key Policies and Considerations

(a) Equal Opportunities

(b) Risk Management

(c) Legal Considerations

None

7.0 Trade Union Comments

None

8.0 Comments of the Director of HROD

No additional comments.