



Subject:	Motions – Leave Arrangements
Date:	19th August, 2022
Reporting Officer:	John Tully, Director of City and Organisational Strategy
Contact Officer:	Christine Sheridan, Head of Human Resources

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Sometime in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report/Summary of Main Issues
1.1	Three motions were passed by the Council in 2021 relating to leave arrangements for parental bereavement leave and pay, miscarriage leave and fertility treatment leave.
1.2	This report makes recommendations to the Committee on those motions and seeks approval to consult with Trades Unions on the recommendations set out below.
2.0	Recommendations
2.1	The Committee is asked to agree that the Council consults with the Trades Unions on the proposed enhanced leave arrangements as follows: Parental Bereavement Leave and Pay Award 10 consecutive days' bereavement leave, not solely in the case of a child under 18, but for the death of a close relative. Award 10 consecutive days' full pay, not statutory pay, as a day one right with no qualifying service required. Award 1 days paid leave to attend the funeral of an extended family member

Paid Leave for Miscarriage:

Treat miscarriage as a bereavement and offer 10 days' bereavement leave on full pay to employees who suffer a miscarriage as a day one right.

Fertility Treatment Leave:

Award 10 days full paid leave following any unsuccessful IVF treatment to employees who have undergone IVF treatment, as a day one right, in addition to the paid time off for medical appointments that already exists.

3.0	Main Report
3.1	<u>Notices of Motion</u>
3.2	<p>Parental Bereavement Leave and Pay- proposed by Councillor Matt Collins on 4th October 2021 states that:</p> <p><i>“This Council welcomes legislation at committee stage in Stormont for Parental Bereavement Leave and Pay (this was in reference to the legislation for Parental Bereavement Leave and Pay which came into effect in Northern Ireland from the 6th April 2022); Notes the Coalition for Bereaved Workers concern that this bill is a ‘missed opportunity’ and ‘does not go far enough’; Will write to the Stormont Economy Committee to urge that they further the legislation on bereavement policy so that everyone who is bereaved of a close relative or partner is entitled to 2 weeks statutory bereavement leave and pay in line with the Coalition for Bereaved Workers campaign objectives; and will also undertake a review of its own bereavement policy, in conjunction with the unions, that seeks to establish 2 weeks statutory bereavement leave and pay for all Council workers in line with the Coalition for Bereaved Workers “Call to action” document.”</i></p> <p>Under the Parental Bereavement (Leave and Pay) Bill introduced in April 2022, working parents are entitled to two weeks' statutory leave paid at statutory flat weekly rate of £156.66 following the death of a child under 18 or a stillbirth (at least 24 weeks of pregnancy). The 2 weeks of Parental Bereavement Leave will be a 'day one right'. To qualify for Parental Bereavement Pay, a worker must have at least 26 weeks of continuous service and earnings over the Lower Earnings Limit on the date of the bereavement.</p> <p>Council employees are currently allowed up to 3 days paid bereavement leave, up to the date of the funeral, for a spouse, partner, mother, father, son, daughter, brother or sister. In other</p>

cases, the employee's Head of Service can grant leave up to a maximum of 3 days if the employee had sole responsibility for the care of the deceased or has sole responsibility for funeral arrangements.

Employees who take sick leave due to bereavement, are sympathetically managed under the Council's attendance policy, with discretion being considered for such absences.

It is proposed that the Council extend the statutory provisions by offering:

- 10 consecutive days' bereavement leave, not solely in the case of a child under 18, but for the death of a close relative
- offer the 10 consecutive days' full pay, not just statutory pay, as a day one right with no qualifying service required.
- offer one days paid leave to attend the funeral of an extended family member

3.3 **Paid Leave for miscarriage** – proposed by Councillor Michelle Kelly on 1st July 2021 states that:

"The Council recognises the emotional trauma and loss suffered by parents as a result of stillbirths and miscarriages. The Council also notes a growing number of employers across the UK and Ireland are offering paid leave to employees who have experienced or been affected by early pregnancy loss and miscarriage.

As such the Council will bring forward compassionate, fair, and progressive proposals for bereavement leave to provide leave for miscarriage and for stillbirth so employees who have been impacted do not have to use sick or annual holiday leave."

At present, if a miscarriage happens in the first 24 weeks of pregnancy, there's no entitlement to maternity, paternity or parental bereavement leave or pay either in legislation or in the Council.

Council employees who take sick leave due to miscarriage, are sympathetically managed under the Council's attendance policy, with discretion being considered for such absences.

In the case of stillbirth (after 24 weeks of pregnancy), National Joint Council (NJC) full maternity provisions apply entitling Council employees to both leave and pay, as does paternity and shared parental leave for those who have applied for it.

3.4	<p>It is proposed that the Council treats miscarriage as a bereavement and offer 10 days' bereavement leave on full pay to officers who suffer a miscarriage as a day one right.</p> <p>Fertility Treatment Leave – proposed by Councillor Ryan Murphy on 21st October 2021, states that:</p> <p><i>"This Council recognises that 1 in 6 couples across these islands experience infertility and that receiving treatment such as IVF can bring with it stress and pressure.</i></p> <p><i>This Council acknowledges that the World Health Organisation recognises infertility as a disability.</i></p> <p><i>This Council further acknowledges that Council staff at present are having to take unpaid leave or annual leave to receive treatment, which is unacceptable.</i></p> <p><i>In view of this, the Council will seek to implement a new leave provision for staff, which caters for those who need leave for fertility treatment and offers the same protections as sick leave. The Council will include in any such provision a safety net period of two weeks' paid leave following any unsuccessful treatment."</i></p> <p>It is proposed that the Council awards 10 days full paid leave to employees who have undergone IVF treatment as a day one right. This is in addition to the paid time off for medical appointments that already exists.</p> <p>The Fertility Treatment motion was amended at the SP and R Committee meeting on 21st October 2021 to include the consideration of menopause leave. A Menopause Policy has been consulted on and agreed with trade unions and is being presented to Committee separately for approval.</p>
3.5	<p>Financial and Resource Implications</p> <p>There will be an impact in terms of increased leave entitlement in the case of bereavement, miscarriage and IVF as outlined above.</p>
3.6	<p>Equality or Good Relations Implications/Rural Needs Assessment</p> <p>Introducing such proposals should have a positive equality and good relations impact as more favourable terms are being offered to employees in the case of bereavement, miscarriage and IVF.</p>
4.0	<p>Documents Attached</p>
	<p>None</p>