



Subject:	Safe Leave Consultation
Date:	20 September 2024
Reporting Officer:	Christine Sheridan, Director of Human Resources
Contact Officer:	Catherine Christy, Corporate Human Resources Manager (Development)

Restricted Reports									
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>								
<p>Please indicate the description, as listed in Schedule 6, of the exempt information by virtue of which the council has deemed this report restricted.</p> <p>Insert number <input type="checkbox"/></p> <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information likely to reveal the identity of an individual 3. Information relating to the financial or business affairs of any particular person (including the council holding that information) 4. Information in connection with any labour relations matter 5. Information in relation to which a claim to legal professional privilege could be maintained 6. Information showing that the council proposes to (a) to give a notice imposing restrictions on a person; or (b) to make an order or direction 7. Information on any action in relation to the prevention, investigation or prosecution of crime 									
<p>If Yes, when will the report become unrestricted?</p> <table style="width: 100%;"> <tr> <td style="width: 80%;">After Committee Decision</td> <td style="width: 20%;"><input type="checkbox"/></td> </tr> <tr> <td>After Council Decision</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Sometime in the future</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Never</td> <td><input type="checkbox"/></td> </tr> </table>		After Committee Decision	<input type="checkbox"/>	After Council Decision	<input type="checkbox"/>	Sometime in the future	<input type="checkbox"/>	Never	<input type="checkbox"/>
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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 or Summary of main Issues
1.1	To present a draft Council response to the Department for the Economy's consultation document on the provision of Safe Leave.

2.0	Recommendations
2.1	<p>The Committee is asked to:</p> <ul style="list-style-type: none"> Review and agree the Council's response to the Department for the Economy's consultation document on the provision of Safe Leave. The response will be submitted subject to ratification at the October Council meeting.
3.0	Main report
3.1	<p>Domestic abuse is a traumatic and horrendous experience for those subjected to it. It occurs amongst people of all genders, ethnicities, sexualities, ages, disabilities, immigration status, religions or beliefs, and socio-economic backgrounds.</p>
3.2	<p>Employers are increasingly recognising the importance of supporting employees who are experiencing domestic abuse and members will be aware that the Council has had in place for some years a policy to provide support for employees who are affected by domestic violence. The policy encourages managers and supervisors to provide a sympathetic response to requests for special paid or unpaid leave; flexible working and other work-life balance arrangements as a result of domestic violence and abuse for example flexibility in working hours or time off when required to enable the employee to seek protection, go to court, look for new housing, enter counselling, arrange childcare etc.</p>
3.3	<p>Having access to safe leave can give employees the chance to seek support and space to deal with issues related to domestic abuse. Having access to paid leave means that employees are not at a financial detriment when they need to be away from work for this purpose.</p>
	<p>Key Issues</p>
3.4	<p>The Assembly passed the Domestic Abuse (Safe Leave) Act (NI) in 2022 although this has not yet been implemented. This progressive legislation will give employees and workers who are the victims of domestic abuse up to 10 days paid safe leave for the purpose of dealing with issues related to that abuse.</p>
3.5	<p>The Domestic Abuse Safe Leave consultation was launched by the Department for the Economy in July 2024 and seeks to inform the public about the department's intention to introduce regulations, under and in accordance with provisions of the Domestic Abuse (Safe Leave) Act (NI) 2022, to entitle employees and workers, who are victims of domestic abuse, up to 10 days paid safe leave in each leave year for the purpose of dealing with issues related to that abuse.</p>
3.6	

3.7	<p>Many aspects of the safe leave framework have already been determined by the Act. Both employees and workers are entitled to safe leave. They will be able to access the right from their first day of employment. The cost of the paid leave is met by the employer. These are important cornerstones of the framework. There are, however, still some practical and implementation measures that the Department must determine. The consultation invites views on some specific aspects of the regulations so that we can implement the provisions of the Act in a way that provides support for all users of this important new legislation. It is open for responses from 5 July 2024 for a 12 week period.</p> <p>The draft response to the consultation is attached at Appendix 1. In particular, Members are asked to note the following in the proposed response to the consultation:</p> <ul style="list-style-type: none"> • that the right to safe leave should arise following a single incident of domestic abuse • that the definition of leave year for the purposes of safe leave should align with the existing definition of leave year for annual leave purposes, set out in the Working Time Regulations (NI) 2016, i.e., maps our current leave year • that employers have the option of seeking notification of the purpose of safe leave (e.g. obtaining legal advice, finding alternative accommodation etc) as part of any notice procedures • that safe leave should be able to be taken in periods shorter than one day • that employees should receive their full pay when on a period of safe leave and reflect “normal pay”
	Financial & Resource Implications
3.8	<p>Financial</p> <p>Any additional costs associated with safe paid leave will be met from departmental staffing budgets. Given that the entitlement is for 10 days per annum there will be no backfill requirement.</p>
3.9	<p>Human Resources</p> <p>There are no staffing implications to this consultation. However once introduced there will be a requirement to review the Domestic Violence & Abuse Policy, including consultation with trade unions and there will also be system configuration implications to calculate “normal pay”.</p>

	Equality, Good Relations and Rural Needs Implications
3.10	The Department for Economy has undertaken draft equality and rural needs screening and has been screened out. Currently we do not anticipate the policy to result in any adverse impacts on any of the Section 75 groups or for those who live rurally. The Council will be required to undertake Equality & Rural Needs screening whilst carrying out any review of our own policy.
4.0	Appendices – Documents Attached
	Appendix 1 - Domestic Abuse Safe Leave Consultation - draft response