

Staff and Pensions Committee

9 December 2019

Proposal for Additional Paid Employee Leave Provision

Recommendations

That the Staff and Pensions Committee:

- 1) Approves the proposal for up to 10 days paid leave per annum (pro rata for part time staff) for employees serving in the Reserve Armed Forces or those volunteering their time as Adult Cadet Instructors for undertaking their annual training camp or other training specific to their Reserve or Adult Cadet Instructor role.
- 2) Approves the proposal for up to 10 days additional unpaid leave in total (pro rata for part time staff) within a 3 year period, and each successive 3 year period thereafter, for those serving in the Reserve Armed Forces or volunteering their time as Adult Cadet Instructors, for undertaking additional specialist training to enhance their role or for progression within the Reserve or Cadet Forces.
- 3) Approves the proposal to introduce a Guaranteed Interview Scheme where the essential criteria for a post are met by external candidates:
 - who are serving Armed Forces personnel during the 12 weeks prior to their discharge date from the Armed Forces;
 - who are ex-Armed Forces personnel within 3 years of their discharge date or;
 - where the Armed Forces were their last long-term substantive employer
- 4) Approves Warwickshire County Council becoming a Fostering Friendly Employer, through subscribing to the Fostering Network's Fostering Friendly Employer Scheme.
- 5) Approves the proposal for up to 5 days paid leave (pro rata for part time staff) for employees who intend to become foster carers, in the first year of fostering for the purposes of undertaking training and/or activity in relation to their assessment as foster carers.
- 6) Approves the proposal for up to 3 days additional paid leave per annum (pro rata for part time staff) for employees who are approved foster carers in the years following approval for the purposes of undertaking

learning, development or preparation for the placement of a child or young person.

- 7) Approval of leave in recommendations 1,2, 5 and 6 will be at the discretion of the line manager subject to business need, with ultimate discretion by the Assistant Director if the employee is not satisfied with their decision.

1.0 Key Issues

- 1.1 Two proposals for additional employee leave provision have come forward recently. The purpose of this report is to seek elected member approval of the proposals prior to their implementation.
- 1.2 The Assistant Director, Business and Customer Services, Resources Directorate, is proposing additional leave for employees who are also members of the armed forces community by serving in the Reserve armed forces or acting as Adult Cadet Instructors, as part of proposals for the County Council to achieve the Gold Defence (MOD) Employer Recognition Award.
- 1.3 The Assistant Director, Children and Families, People Directorate, is proposing additional leave for employees intending to also become foster carers, or who are approved foster carers, as part of a proposal that the County Council becomes a fostering friendly employer.

Improving support for the Armed Forces community within WCC

- 1.4 The Armed Forces Covenant was enshrined in law under the Armed Forces Act (2011). The Covenant has 2 key principles and seeks to ensure that members of the Armed Forces community:
 - 1) Face no disadvantage compared to other citizens in the provision of public and commercial services. This includes accessing employment opportunities,
 - 2) Special consideration is provided in some cases, especially for those who have given the most such as the injured and the bereaved.
- 1.5 WCC signed the Armed Forces Covenant in 2012 and is the lead agency for the Coventry, Solihull and Warwickshire Armed Forces Covenant (CSW AFC) partnership. Councillor Stevens is the Armed Forces Champion for WCC and chairs the CSW AFC partnership.
- 1.6 The MOD has a Defence Employer Recognition Scheme (ERS), which encourages employers to support Defence and inspire others to do the same. Currently the County Council has achieved Bronze on this scheme. As the lead local authority of the CSW AFC partnership the Council should be an exemplar in delivering the Covenant and aspires to achieve Gold standard.

Becoming a Fostering Friendly Employer

- 1.7 The Council aims to increase the level of foster carers recruited each year to cope with new demand for foster care, against a backdrop of an ageing demographic amongst the foster care population, and a resulting risk of increased pressure on the demand for external care placements which would cause a significant increase in placement spend.
- 1.8 As a large employer within the County there is a potentially untapped pool of employees who would consider becoming a foster carer if they could be assured that their employer was sensitive to the demands placed on foster carers and that they could be offered an appropriate level of support in discharging their fostering duties.
- 1.9 By becoming a Fostering Friendly Employer the Council will also show an overt and public commitment to the importance of foster carers in Warwickshire in providing care and support for our looked after children, setting a leading example for the business sector and other employers to follow.

2.0 Options and Proposal

Improving support for the Armed Forces community within WCC

- 2.1 Outside the statutory requirements under the Reserve Forces (Safeguard of Employment) Act 1985 to, for example, comply with a call up (mobilisation) notice to active service issued by the Ministry of Defence for employees who are members of the Reserve Forces, and re-employ them following the period of military service, other than in Fire and Rescue (see 2.2) there is no additional leave provision for employees who are Reservists, or volunteer as Cadet Force Adult Instructors. Current WCC intranet guidance states “there is no obligation on an employer to grant a request for additional paid or unpaid leave for Reserve Forces Training”.
- 2.2 The Fire and Rescue service have their own Volunteer Reservist Force Service Order which allows employees to apply for paid special leave to cover the two-week Reserves Forces annual training camp. Under this order there is no provision for unpaid additional leave or paid/unpaid leave for Cadet Force Adult Volunteers.
- 2.3 To achieve the outcomes in section 2.11 the following leave provision is proposed: -
 - 10 days paid leave (pro rata for part time staff) for those serving in the Reserve Forces or those volunteering their time as Adult Cadet Instructors for undertaking their annual camp or other training specific to their Reserve or Adult Cadet Instructor role,
 - Up to 10 days additional unpaid leave in total (pro rata for part time

staff) within a 3 year period, and each successive 3 year period thereafter, for those serving in the Reserve Forces or volunteering their time as Adult Cadet Instructors for undertaking additional specialist training to enhance their role or for progression within the Reserve or Cadet Forces.

- 2.4 Impact of the additional leave provision is likely to be low. Based on the staff survey about the Armed Forces community within the County Council carried out in March 2019 there are 9 Reservists and 5 Cadet Force Adult Volunteers out of 4508 (0.3%) staff on the payroll as at May 2019
- 2.5 Leave will be at the discretion of the line manager subject to business need, with ultimate discretion by the Assistant Director if the employee is not satisfied with their decision.
- 2.6 The criteria for the gold award under the Defence Employer Recognition Scheme include demonstrating support and removing disadvantage for the Armed Forces community within and outside the Council. It is therefore proposed that a Guaranteed Interview Scheme is introduced where the essential criteria for a post are met by external candidates who are:
 - serving Armed Forces personnel during the 12 weeks prior to their discharge date from the Armed Forces,
 - ex-Armed Forces personnel within 3 years of their discharge date,
 - or where the Armed Forces were their last long-term substantive employer.
- 2.7 The level of take up of the Guaranteed Interview Scheme is expected to be low and equate to a handful of applications each year. Based on 2007-15 data there are approximately 250 people discharged into the Coventry, Solihull and Warwickshire (CSW) area from the Armed Forces each year and the veteran needs to both meet the essential criteria for the post and live within the CSW area.
- 2.8 However, by demonstrating that we have adopted best practice as the lead agency for the CSW partnership, and publicly showing our commitment to support Defence, the Guaranteed Interview Scheme will provide a leading example for other employers to follow.
- 2.9 The Guaranteed Interview Scheme will have the additional benefit of giving ready access to a pool of individuals who are highly skilled and motivated and whose standards and ethics from a military career transfer directly to the 6 'behaviours' in the Council's Our People strategy.
- 2.10 The legal team have confirmed that there are no increased potential

discrimination risks of doing this, in view of the existing Guaranteed Interview Scheme for disabled candidates who meet the essential criteria for a job.

2.11 One option for the way forward is to take no action to improve the level of support for the armed forces community in Warwickshire by not introducing the proposed additional employee leave provision or the Guaranteed Interview Scheme. However, taking no action is not recommended as it would inhibit the Council in achieving a number of positive outcomes as follows: -

- Enable the Council to deliver more effectively its role as lead agency for the Coventry, Solihull and Warwickshire Armed Forces Covenant (CSW AFC) partnership, and act as a role model,
- Improved level of support to the Armed Forces community within the Council and across the partnership geographical area in line with the Armed Forces Covenant to which it has signed up,
- Evidence the Council's commitment to the Armed Forces Covenant and to reducing disadvantage to the Armed Forces community,
- Promote the County Council as an Armed Forces friendly employer, increasing the attraction of a talented pool of high calibre members of the Armed Forces community to live and work within Warwickshire,
- Facilitate staff who are members of the Armed Forces community carrying out their forces role whilst maintaining work life balance,
- Enable the Council to submit a successful application for Defence Employer Recognition Scheme (ERS) Gold level,
- Parity with other local authorities who have achieved Gold nationally, and with other authorities within the CSW Covenant partnership. Solihull MBC has achieved Silver, and Nuneaton and Bedworth BC, North Warwickshire BC and Warwickshire Police have recently achieved Gold.

Becoming a Fostering Friendly Employer

2.12 Currently foster carers at the Council can exercise the general statutory rights available to all employees to take dependents leave to deal with unexpected emergencies involving a dependent, (normally no more than 1-2 days unpaid), and to request flexible working, however there is no other special leave provision for them. It is proposed that Warwickshire County Council becomes a Fostering Friendly employer, and provides additional paid leave for employees as follows: -

- up to 5 days paid leave (pro rata for part time staff) for employees who intend to become foster carers, in the first year of fostering for the

purposes of undertaking training and/or activity in relation to their assessment as foster carers,

- up to 3 days additional paid leave per annum (pro rata for part time staff) for employees who are approved foster carers in the years following approval for the purposes of undertaking learning, development or preparation for the placement of a child or young person.

2.13 Foster carers who combine fostering with other work say that a supportive employer can make all the difference, enabling them to balance employment with caring for looked after children. Many fostering services are encouraging employers locally to show their support for looked after children by supporting the foster carers who look after them. A growing number of employers are leading by example by adopting fostering friendly employment policies, such as paid leave for training and settling a new child into their home. The Fostering Network's Fostering Friendly Employer scheme helps employers to support and recognise the roles of their employees who foster by implementing a Fostering Friendly policy for all foster carers in their employment and promoting Foster Carer Fortnight, the annual campaign to raise the profile of fostering and to encourage people to consider becoming foster carers.

2.14 The list of organisations becoming Fostering Friendly Employers has grown significantly in recent years, and includes companies such as Tesco, O2 and many local authorities, for example, Cumbria and Buckinghamshire, who see the benefits of an overt, positive commitment to their corporate parenting task. Such organisations have launched new policies and recruitment campaigns aimed at busting the myth that you cannot foster and work.

2.15 Implementation of the proposals is beneficial to the County Council for several reasons, including: -

- Practical incentive and encouragement to employees who are considering fostering,
- Direct support to employees who are already foster carers,
- Promotes publicly the crucial role played by foster carers in Warwickshire in providing care and support to our looked after children,
- Provides a leading example for the business community and other employers to follow,
- A potential boost to external foster carer recruitment in the wider County,
- Very modest levels of cost/outlay for potential significant rewards for employers and the Council in managing demand and providing the best care for children in care.

2.16 As referred to in 1.7 above, the County Council aims to increase the number of foster carers recruited in Warwickshire. Whilst an option for the way forward is to take no action in relation to becoming a fostering friendly employer, if a

net growth of foster carers is not achieved it is likely to put increased pressure on the demand for external placements and will cause a significant increase in placement spend.

- 2.17 Impact of the additional leave provision for foster carers is likely to be low. Based on a recent survey there are no current known permanent employees who are foster carers, and five on zero hours contracts as cleaners, administrative or sessional workers.
- 2.18 Leave will be at the discretion of the line manager subject to business need, with ultimate discretion by the Assistant Director to ensure that the needs of County Council's business are prioritised. Evidence of the fostering assessment process and approval will need to be provided by the employee to their manager on an annual basis.

Other considerations

- 2.19 The proposals in this report will support the Council's Our People strategy by:
- enhancing our employer brand as an employer of choice,
 - enabling us to attract and recruit from a broad talent pool, and by
 - furthering a diverse and highly engaged workforce that displays the organisation's values.

3.0 Financial Implications

- 3.1 There will only be a direct cost to the additional leave provision where the nature of the role means that backfill cover needs to be arranged. It is expected that for most roles such cover will not be necessary, as the additional leave will effectively work in the same way as normal annual leave.
- 3.2 Where additional cover is necessary it is not possible to calculate an exact cost as the identity and therefore grade of employees who are army reservists or foster carers is not known.
- 3.3 As an indication, the estimated total cost if full time backfill cover was needed for the 10-day annual training camp, for 50% (7) of the 14 known employees who are either armed forces reservists or cadet force adult volunteers, based on agency cover for the average WCC salary, is £10,955 per year.
- 3.4 As there are no current known permanent employees who are foster carers the financial impact will be extremely low initially. If the number of foster carers in the workforce increases to, for example, ten and back fill cover is needed for 50% (5) of these who take 3 days leave per annum, the estimated total cost based on agency cover for the average WCC salary, is £2,350 per year.
- 3.5 These costs are considered to be relatively modest compared with the benefits of the proposals outlined in this report. As noted above any leave is at

the discretion of the manager and subject to business need, to ensure that the needs of the County Council's business are prioritised.

- 3.6 Services will meet any costs of this additional leave provision from their existing resources. Additional funding will not need to be identified as part of the 2020/21 budget or Medium-Term Financial Strategy (MTFS). This will be kept under review and any change will come forward in future years as part of the annual refresh and roll-forward of the MTFS.

4.0 Environmental Implications

- 4.1 There are no environmental implications to this report.

5.0 Timescales associated with the decision and next steps

- 5.1 Subject to approval by Staff and Pensions Committee next steps for both improving support for the Armed Forces community within WCC and/or becoming a Fostering Friendly Employer include: -

- Writing of policy/guidance document for employee and managers
- Amending recruitment process to include Guaranteed Interview Scheme,
- Promote Foster Care fortnight, the annual campaign in May to raise the profile of fostering and to encourage people to consider becoming foster carers,
- Amending YourHR to enable paid/unpaid leave to be recorded
- Communication plan to employees, prospective employees, external partners,
- Once achieved, promote the logos on the Council's job board in the recruitment process.

- 5.2 The intention is to implement between December 2019 and March 2020 to enable the Council to submit for Gold under the Defence Employer Recognition Scheme in spring 2020, and to become a Fostering Friendly Employer in readiness for Foster Care fortnight on 11-24 May 2020.

Background papers

N/A

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The report was circulated to the following members prior to publication:

Local Member(s): N/A

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Councillor Kaur, Portfolio Holder

Councillor Stevens, Chair, Coventry, Solihull and Warwickshire Armed Forces

Covenant (CSW AFC) partnership

Councillor Seccombe.