



HR in the East Midlands

February 2020

This month we cover the key national issues of pay, term-time workers, and responding to the Corona Virus. Having received a number of queries about this and are linking up with Public Health England to explore how we can jointly support HR leads in this region. In the meantime, check the circular in the national news section. Darren's article looks at Parental Bereavement Leave.

Regional Pay Briefing

EMC is hosting a further Pay Briefing on 17th March 2020 starting at 2.00pm, with registration from 1.45. This will be an opportunity for local authorities to meet with national negotiating officers, particularly within the context of the Government's target for the National Living Wage for 2024. If you would like to reserve a place please email Mila at mila.pereira@emcouncils.gov.uk

Joining information will be sent out to delegates from Monday 2nd March, including a request for your organisation's leadership to have considered in advance of the briefing its response to the following question so that views can be shared:

"It is clear that a pay deal for 2020-21 cannot be achieved at 2 per cent. The National Employers seek your views on whether:

- the pay offer must remain at 2%. In taking this position, your council fully understands and accepts that a pay deal will not be possible

OR

- an improved offer should be made. Such an offer should not exceed 'x' % (please be prepared to indicate a preferred figure at the briefing) and should only be made on the basis that the unions undertake to consult their memberships on it."

If your council can't attend the briefing, you can send its response to the question via email to Mila who will collate responses to be provided in a confidential format to the national negotiators.

Reminder Alert!

Gender pay gap information as at 31st March 2019 must be registered on the government's website and published on your websites by 30th March.



Projects with Local Authorities

During February we have provided support to organisations on the following projects:-

- **Chief Officer Assessment Centre**
- **Coaching**
- **Grievance investigation**

To find out how EMC could support an area of work for you, then please contact Sam or Lisa:

sam.maher@emcouncils.gov.uk
lisa.butterfill@emcouncils.gov.uk



Learning & Development

This month, we are highlighting the following development opportunities on offer in the region:-

East Midlands Challenge 2020

The Challenge will return again in March 2020, we're delighted that we have 19 teams signed up, including the current holders South Holland District Council.

We have teams from

- Ashfield District Council
- Charnwood Borough Council
- City of Lincoln
- Derby City Council
- Gedling Borough Council
- Harborough District Council
- Leicester City Council
- Lincolnshire County Council
- Mansfield District Council
- Newark and Sherwood District Council
- North Kesteven District Council
- North West Leicestershire District Council
- Northamptonshire County Council
- Nottinghamshire County Council
- Rushcliffe Borough Council
- South Derbyshire District Council
- South Holland District Council
- South Kesteven District Council

Don't miss out!

Transition Coaching 18 March 2020

The next Coaching CPD session will focus on transition coaching - how, as coaches, we can support people to successfully transition into more senior roles with confidence. The CPD programme is part of the East Midlands Coaching Network, for details of cost, timings and venue visit [here](#).

Negotiation Skills, 31 March 2020

EMC is holding a one-day workshop aimed at operational managers in public services to support them in becoming more commercially aware when looking for opportunities to trade their service both internally and outside the organisation.

This workshop will help managers to understand what negotiation is, and is not, in the business world. It will give them practical skills to enable them to prepare for a negotiation scenario, weighing up variables and anticipating challenges along the way.



The session will cover the following core elements of negotiation:

- Behaviour, Attitude and Process
- Understanding the difference between Negotiation, Persuasion and Influence and when to use each
- The different types of negotiation and choosing the right method
- Getting the fundamentals right, such as processes and variables, trading concessions and money matters.
- Preparation
- Tools and techniques for a successful negotiation
- Getting the relationship right – building rapport and managing one's own behaviour

East Midlands Apprenticeship Challenge, 14 May

EMC is delighted to bring to the region for the first time the Apprenticeship Challenge, a learning and development event with a competitive edge. Councils can submit as many apprentices as they wish, and we will put them into a mix of teams from other councils on the day - a great way to build their network!

This event will give attendees a range of enhanced knowledge, skills and positive outcomes such as:

- Building partnerships with relevant organisations or individuals in a variety of different settings
- Developing inter-personal skills when working with colleagues
- Developing and practising media handling skills, including drafting press releases, social media management and an introduction to direct media interaction
- Developing and practicing communication and presentation skills
- Practicing organisational, team building and time management skills
- Developing resilience to rapidly changing priorities, demands and timescales

For details on the Apprenticeship Challenge visit [here](#).

Contact Details

For further information about any of our work please contact the Team. Either call 01664 502 620 or email:-

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In Deep with Darren

Darren Newman's in-depth analysis of a topical HR issue and its implications for local authorities. This month's article focuses on Parental Bereavement Leave.

There was much public fanfare for the introduction of Parental Bereavement Leave - which will be available to parents who lose a child from 6 April this year. What strikes me most about the new right is the contrast between the modesty of the proposals (two weeks' leave paid at the same rate as statutory paternity pay) and the length and complexity of the Regulations implementing them.

There are two sets of Regulations – The Parental Bereavement Leave Regulations 2020 dealing with the taking of the leave and the Statutory Parental Bereavement Pay (General) Regulations 2020 dealing with the (rather minimal) entitlement to pay. Without getting too bogged down in the details, let's look at how the overall scheme is intended to work.

The right to two weeks' parental bereavement leave arises on the death of a child under the age of 18 – or a still birth taking place after 24 weeks of pregnancy. An employee will qualify for the leave if he or she is the parent of that child – which is a term defined broadly enough to include adoptive parents, intended adopters with whom the child has been placed for adoption and foster parents who have had the child living with them for at least four weeks. It also covers the partner of anyone who qualifies as a parent.

All employees qualify for the leave – there is no continuous service requirement – and the two weeks' leave must be taken in blocks of at least one week. So the parent can choose to take both weeks together or take the leave as two separate periods of one week. Where more than one child has died, the two week's leave may be taken in respect of each child.

The leave may be taken at any time within the 56 weeks following the death of the child.

It has been suggested that one of the benefits of allowing the leave entitlement to be split into two separate periods – and then taken up to 56 weeks after the initial bereavement - is that a parent will be able to take some of the leave at a time that may be particularly significant for them – such as on the child's birthday, or the anniversary of the death. This however makes the rather unrealistic assumption that the parent will have the presence of mind to only take one week's leave in the immediate aftermath of their loss. It seems much more likely that parents will take the whole of their leave entitlement in one go – and at the earliest opportunity. One thing to note, however, is the fact that Parental Bereavement leave is given in addition to any other leave to which the employee may be entitled. In many cases, for example, the mother of the child will still have an entitlement to maternity leave when the child dies and will therefore be able to take the remainder of that leave before then going on to take bereavement leave.

There is thankfully no requirement for the employee to give the employer evidence of the child's death – such as a death certificate. The parent must however notify the employer of the date of the death and the timings of when he or she proposes to take the leave. Where the first period of leave is to take place within 56 days of the death then there is no requirement to give notice as such – but the parent must inform the employer as soon as is reasonably practicable that he or she is taking the leave and whether it will be one week or two. When a period of leave is to be taken after the first 56 days, the employee must give the employer one week's notice of the date when he or she intends the leave to start and may cancel the leave by giving the employer at least one week's notice of the cancellation.

There is no provision allowing the employer to refuse permission for the employee to take the leave or to defer it to another day. If the employee has given the proper notification then the employer must allow the employee to take the leave and must not be dismissed or subjected to any detriment for doing so.

When it comes to pay, the Parental Bereavement (Leave and Pay) Act 2018 provided that only employees with 26 weeks' continuous service would qualify for the right. Parents must also be paid at or



above the lower earnings limit (currently £116 per week). The Regulations then set the amount of Parental Bereavement Pay at £151.20 or 90% or normal weekly earnings if that is lower. This matches the April 2020 figure for the lower rate of SMP and the rate for shared parental leave and statutory paternity leave. We can expect the rate for parental bereavement leave to increase every year in line with these other forms of leave.

It is not just the rates that match. The Regulations relating to pay mirror the provisions of these other types of family-related leave – with all the complexity that that entails. But this at least means that employers used to making these other payments should find it easy enough to slot Parental Bereavement Leave and Pay into the system.

The sheer number of pages that these two sets of Regulations take up can rather obscure how very modest this new right is – and how rarely it will be used. Government figures show that in 2016 there were some 7,600 child deaths – including stillbirths – in Great Britain. A majority of those deaths (67%) occurred in the first year of the child's life. Allowing for single parents - but also parents who have split and who are now living with new partners - the Government estimates that just 14,000 working parents per year will qualify for the right. In contrast, hundreds of thousands of employees take maternity or paternity leave every year.

Darren's Advice for Employers

In local government employment I would expect that any parent who loses a child would already be supported and treated with compassion. In most cases you might expect that the effect of the bereavement would mean that the employee would be signed off as unfit to work and would be able to take a period of leave on full pay, well in excess of two weeks. The standard response to new employment rights is of course to produce a detailed policy on the subject but I would suggest approaching this particular topic with a light touch. I don't think there is any need to publish a policy that replicates all the procedural steps, qualifications and notice requirements that we find in the Regulations. That would make the policy seem bureaucratic and inflexible and that would not be the right tone to set. All that is needed is a brief statement to the effect that parents who lose a child

will be entitled to two weeks leave (some employers may choose to pay this in full rather than the rather low statutory rate) and inviting them to contact the employer to discuss their options should the need sadly arise.

This is not an area where there will be a flood of applications and so each case can be dealt with individually with appropriate support and advice provided. Two weeks of leave is of course the bare minimum that all employers will be obliged to offer. Local government employers may well want to go further.

More information can be found on Twitter: [@daznewman](https://twitter.com/daznewman)

National Developments

Circular with Advice on Covid19

Earlier this month we distributed a Circular containing advice on the Corona Virus. For a copy, please click [here](#)

Having received a number of queries about this issue, EMC is liaising with colleagues in Public Health and MHCLG to gather advice and identify support needs.

National Pay Offer – Green Book Staff

On 5th February the Employers made a pay offer of 2% for the 2020 pay award, which has been rejected by the joint trade unions. These negotiations will be discussed as part of the Regional Pay Briefing on 17th March – details of which are on the front page of this Bulletin. For a copy of the pay offer, please click [here](#).

Update on National Joint Review of Term-time Only Working

We recently provided a circular which gave an update on the NJC's review of Term-Time Only working. You can access a copy of the circular [here](#)



Apprenticeships

National Apprenticeship Survey

The LGA is running its annual apprenticeship survey and the deadline for responses is **5pm on Friday 6 March 2020**. There are two different surveys – one for district councils and one for upper and single tier authorities. The links to the survey are provided below:-

[Survey 1 - Upper Tier and Single Tier Councils](#)

[Survey 2 - District Councils in Two-Tier Areas](#)

Online completion is preferred by the LGA, but you can also fill in a word version of the survey and email it to jamie.saddler@local.gov.uk so that your responses can be uploaded to Survey Monkey for you.

The survey is shorter than last year and should take around 20-25 minutes to complete, and you are recommended to have a quick look through the questions in the word version before you fill it in online so you know what information is being asked for.

LGA Apprenticeship Newsletter, February 2020

The latest LGA newsletter can be found [here](#). This month it includes:

- NAW: LGA Webinar & ROI Document Launch - Wednesday 5 February
- LGA 2020 Apprenticeship Survey launched Tuesday 4 February
- Trailblazer Update: Special Educational Needs Coordinator (SENCO)
- Cyber security Level 3 Standard approved
- Government Accepts Low Pay Commission Recommendations on Apprentice Minimum Wage Rates
- Fire It Up Campaign Update
- Apprenticeships, T-Levels in the News

