

## EAST AYRSHIRE COUNCIL

### CORPORATE SUB-COMMITTEE OF THE POLICY AND RESOURCES COMMITTEE- TUESDAY 12 FEBRUARY 2002

#### PARENTAL LEAVE

#### Report by the Depute Chief Executive/Director of Corporate Resources

#### 1. PURPOSE OF REPORT

- 1.1 To propose amendments to the Council's Parental Leave provisions in consideration of the Maternity and Parental Leave (Amendment) Regulations 2001 which became effective from 10 January 2002.

#### 2. BACKGROUND

- 2.1 The Government's Employment Relations Act 1999 introduced a package of family friendly policies in recognition of the changing patterns of work and demographics, to help men and women cope with the dual demands of work and family life.
- 2.2 The proposals in the Employment Act 1999 are being introduced via Regulations on a phased basis and new provisions on Maternity and Parental Leave came into force on 15 December 1999 to cover Maternity Leave, Parental Leave and Time Off for Dependants. The Sub-Committee at its earlier meeting on 25 January 2000 approved changes to the Council's conditions of service resulting from the Act's initial changes.
- 2.3 The Maternity and Parental Leave (Amendment) Regulations 2001 have further updated this area of employment:-
- Parents of children aged under five on 15 December 1999 and employees who adopt children under five on 15 December 1999 will be entitled to unpaid parental leave of up to a maximum of 13 weeks until 31 March 2005.
  - Unpaid parental leave for parents of disabled children has been increased from 13 to 18 weeks which they will be able to use up to the child's 18<sup>th</sup> birthday.
  - Parents who have changed jobs will be allowed to include qualifying continuity of service from their previous employer to establish the one year's continuous service requirement for entitlement to parental leave.
- 2.4 The changes were necessary as the Government's limitation of parental leave to the parents of children born on or after 15 December 1999 breached the European directive.
- 2.5 All other current arrangements within the Council's conditions of service meet or exceed legislative requirements in the area of Maternity and Parental Leave. An Employment Bill which i

currently being considered within parliament includes further proposed enhancements to Parental Leave legislation and any impact of the future legislation and Council provisions will be reported to this Sub-Committee.

### **3. POLICY/LEGAL IMPLICATIONS**

- 3.1** It is recommended that the Council's conditions of service be updated to reflect the changes introduced by the Regulations as described in paragraph 2.3 above..

### **4. FINANCIAL IMPLICATIONS**

- 4.1** Members will note that Parental Leave is unpaid. There are no direct financial implications associated with the new legislation.

### **5. RECOMMENDATIONS**

- 5.1** The Sub-Committee is asked to agree that the Council's Parental Leave provisions be updated to reflect the recent changes arising from the maternity and Parental Leave (Amendment) Regulations 2001.

Fiona Lees  
Depute Chief Executive/Director of Corporate Resources  
GP/YC  
22 January 2002

### **LIST OF BACKGROUND PAPERS**

1. Report to Personnel and Property Sub-Committee of 25 January 2000
2. The Employment Relations Act 1999
3. The Maternity and Parental Leave (Amendment) Regulations 2001

Anyone wishing further information should contact George Park, Employee Relations Manager (Telephone 01563 576095).

**AGENDA**