



Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Family Friendly Procedure		
Directorate	Resources and Transformation		
Service	HR Strategy and Planning Team		
Responsible Officer	Nicola Rickhuss		
EqIA Author	Rebecca Lloyd		
Date proposal started	February 2016	Proposal commencement date (due or actual)	October 2016 - Review September 2019 - Review November 2022

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	Yes	Revision
	Procedure	Yes	Revision
	Internal service	Yes	N/A
	External service	No	N/A
	Other - give details	N/A	N/A

2	What are the intended outcomes, reasons for change, who will it affect? (The business case)
	<p>The Family Friendly Procedure sets out Council approach to the management of a number of internal procedures which are the interpretation of legislative requirements relating to maternity, paternity and shared parental leave. This policy is a key element of our employment practices and it is vital that it meets the needs of the employees and managers who use it.</p> <p>This procedure is in part a revision of the existing Family Friendly Procedure implemented April 2015. The Procedure now incorporates Adoption leave and Pay, and Maternity Support leave, which are currently separate documents. This now brings together all of the options regarding the operation of leave around the birth or adoption of a child in one procedure. This revised Family Friendly Procedure also introduces paid time off for foster carers.</p>

Legislative changes to adoption provision have now been included in the Family Friendly Procedure, including:

- Adoption leave as a day one right (rather than having to have 26 weeks service);
- Statutory Adoption Pay mirroring Statutory Maternity Pay;
- New groups being eligible for adoption leave and pay (i.e. 'fostering for adoption' situations and surrogate 'parental order' parents);
- Right to paid time off to attend up to 5 adoption appointments.

Further amendments have been made to the adoption procedure whilst transferring it into Family Friendly Procedure:

- Amendment to the Occupational Adoption Pay scheme to mirror the Occupational Maternity Pay scheme (given that Statutory Adoption Pay has changed).
- Removal of the scope allowing for paid time off in relation to the adoption of step children, as statutory adoption regulations exclude adoptions of step children.
- Removal of the phased return to work following adoption leave as this was previously removed for maternity leave. Phased return can be done by the provisions of the keeping in touch days and annual leave.

Other minor amendments have also been made to the Family Friendly procedure for clarification following queries received over the past 12 months and the integration of procedures into one document. These include:

- Amendment to the notice required if employees wish to return to work before the end of the 52 week entitlement for maternity and adoption leave, to 8 weeks' notice in line with statutory rights;
- Changes to antenatal provision for intended parents in surrogacy cases, clarifying where the intended parent is the biological father;
- Clarification on SPLIT and KIT days under Shared Parental Leave;
- Clarification of unpaid parental leave up to the child's 18th birthday.
- Rewording of the paternity leave section to give clarification on when time off can be taken.
- Maternity Support Leave, which is a separate document on the HR intranet has also been inserted into the procedure.

With regards to foster care leave; Foster Carers currently have no statutory right to time off work to care for foster children, as the parental responsibility is considered to be with the local authority. However, many organisations and local authorities are adopting a fostering friendly approach. It shows the council as a modern and caring employer, which looks to attract people to work from across our communities, and supports the corporate parenting responsibility given to the local authority.

The foster care leave section includes up to 5 days paid leave for attending training and assessments before being approved as a foster carer. This mirrors the adoption procedure where 5 days paid leave is given to attend the adoption preparation course. Following the initial assessment, once they are registered as foster carer with a placement the procedure allows up to 5 days paid leave per year. From benchmarking this is within the range offered by other local authorities (between 3 and 10 days) and is the most common allowance from those benchmarked.

3 Summarise your evidence, engagement and consultation.

A first draft of the revised Family Friendly Procedure was consulted on with the wider HR management team between 23 March and 8 April 2016. The draft was approved by HRSMT on 3 June following discussions with the HR Portfolio Holder (Councillor Nawaz) on the inclusion of the Foster Care Leave.

A draft was then sent out to consultation with the ADs/Head of Service and the Trade Unions/Professional Associations between 8th June and 27 June 2016.

The trade unions did not comment on the revisions and were not opposed to the procedure including Adoption Pay and Leave, Maternity Support Leave and Foster Care Leave.

A following consultation changes were made to the draft procedure and it went back to HRSMT for approval on 17 August.

The Family Friendly Procedure will be submitted to CMT 8 September 2016 and will taken to the next available Personnel Committee (14 September 2016) for sign off as this relates to pay.

As of 31 March 2016 the total number of Walsall Council employees (excluding Schools) was 3635. In total there were 160 (4.4%) employees who declared they had a disability, as defined by the Equality Act 2010, some of these may require communication in a different format.

4 How may the proposal affect each protected characteristic or group?	
Characteristic	Affect
Age	No impact foreseen.
Disability	Potential impact on employees who require reasonable adjustments for communication and for those who do not understand the procedure e.g. employees with learning disabilities.
Gender reassignment	No impact foreseen.
Marriage and civil partnership	No impact foreseen. The procedure allows civil for partnerships and situations where no legal marriage has taken place
Pregnancy and maternity	Potential impact for people who are on maternity, adoption or paternity leave and are not updated about the procedure. However, the procedure will only apply to those looking to access the provisions anew after the procedure is implemented. Any statutory provisions due to an employee already on maternity, paternity or adoption leave will have been given.
Race	Potential impact on those employees whose first language is not English as they may not understand the procedure
Religion or belief	No impact foreseen.

Sex	No impact foreseen. The procedure allows for more flexible taking of leave related to adoption, fostering and maternity support regardless of gender.
Sexual orientation	No impact foreseen.
Other (give detail)	N/A
Further information	N/A

5	Does your proposal link with other proposals to have a cumulative affect on particular equality groups? If yes, give details	(Delete one) No
	N/A	

6	Which justifiable action does the evidence, engagement and consultation suggest you take? (Bold which one applies)	
	A	No major change required
	B	Adjustments needed to remove barriers or to better promote equality
	C	Continue despite possible adverse impact
	D	Stop and rethink your proposal

Action and monitoring plan

Date	Responsibility	Action
Day of launch	Directorate Support Team	Alternative formats (audio and Easy Read) for disabled employees of the new policy will be made available on request.
Day of launch	Directorate Support Team	The policy will be made available in other languages on request for employees whose first language is not English.
12 months after launch date	Strategy and Planning Team	There is a statutory requirement to review and publish this policy annually.

Update to EqIA	
Date	Detail

Reviewed August 2019

The following have been amended:

1. It has been agreed that the current suite of HR policies and procedures will be reviewed across the board to align with the Walsall Proud Programme and the council's vision, values and behaviours. As part of the review the policy has been re-formatted and redesigned to reflect the following principles;
 - Alignment with Walsall Proud Programme and vision;
 - Clear identification of accountabilities in line with behaviours;
 - Clear, consistent and concise policy containing easily identifiable principles and procedure;
 - Streamlined detail in the policy document with more in-depth guidance provided in the supporting documents.
2. Clarification of occupational maternity / adoption pay entitlement based on service with an easy to read table in appendix two of the policy.
3. Removal of reference to childcare tax savings, due to changes in salary sacrifice legislation closing the childcare voucher scheme to new applicants.
4. Reference included to the new entitlement to parental bereavement leave (section 5.5.16), subject to the implementation of the Parental Bereavement (Pay and Leave) Act anticipated in April 2020. The procedure for parental bereavement leave is in the Leave and Time Off policy with all other forms of compassionate leave.
5. Removal of the section on time off for IVF treatment, as this is already in the Leave and Time Off policy where time off for all other medical appointments can be found.

Reviewed November 2022

The following has been amended in Section 11:

- Title changed from Foster Care Leave to Fostering Friendly Policy
- Introductory two paragraphs on the Council's commitment to supporting foster carers.
- Section 11.1 – amendment to who is entitled to foster leave.
- Section 11.2 – increasing the maximum days paid leave per year from 5 to 7 days, with additional time off to attend the statutory 6 monthly meetings.

Consultation took place between 2 and 11 November 2022 with senior managers and trade unions colleagues. Feedback on the changes from senior managers has all been positive with no issues being raised. Feedback from trade union colleagues raised no issues or comments that needed addressing.

As of 31 March 2022 the total number of Walsall Council employees (excluding Schools) were 2998.

The Council's workforce is made up of 66.94% females. 21.68% of the workforce are classified as under-represented ethnic groups (i.e. those excluding White British ethnicity). In total there were 133 employees (4.44% of the workforce) who declared they had a disability, as defined by the Equality Act 2010.

Of Walsall Council employees 3.20% are in the age group under 25, 24.35% in age group 25-39, 24.72% are in the age group 40-49, 44.09% are in the age group 50-64, and 3.64% are in the age group 65 and over.