

CABINET MEMBER DECISIONS MEETING

15TH AUGUST 2023

Cabinet Member:	Cllr. Philip Hughes	
Portfolio:	Organisation & Workforce	
Purpose:		
To ensure the Redundancy policy reflects changes introduced by the Protection from Redundancy (Pregnancy and Family Leave) Act 2023 which comes into force on 24 th July 2023.		
Recommendations / key decisions required:		
To adopt the prescribed statutory changes		
Reasons:		
To comply with statutory requirements.		
Directorate	Designation	Tel No.
Name of Head of Service: Paul Thomas	Assistant Chief Executive	01267 224825
Report Author:	E Mail Address:ALClarke@carmarthenshie.gov.uk	

Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

N/A

DECISION MADE:

Signed: _____ DATE: _____

CABINET MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	

**EXECUTIVE SUMMARY CABINET MEMBERS DECISION MEETING
FOR ORGANISATION AND WORKFORCE
15TH AUGUST 2023**

Redundancy Policy - Update

EXECUTIVE SUMMARY:

Protection from Redundancy (Pregnancy and Family Leave) Act 2023 is an act to make provision about protection from redundancy during or after pregnancy or after periods of maternity, adoption or shared parental leave. It was enacted on 24th May 2023 and comes into force on 24th July 2023.

Before an employer can make an employee on maternity, adoption or shared parental leave redundant, redundancy protection regulations require an employer to give that employee first refusal on a suitable alternative vacancy where one exists. The Protection from Redundancy (Pregnancy and Family Leave) Act enables redundancy protections to apply from the point an employee told their employer that they were pregnant, and six months after returning from maternity, adoption or shared parental leave.

In 2015, research commissioned by the government and the Equality and Human Rights Commission found that 77% of 3,254 mothers surveyed said they had a negative or possibly discriminatory experience during pregnancy or maternity leave, or when returning to work from maternity leave. Of those surveyed, 11% reported they had felt forced to leave their job. If scaled up to the general population, the report said this could equate to as many as 54,000 mothers a year.

Certain pregnancy, maternity and/or other family leave protections are already enshrined in law. The Equality Act 2010 makes it unlawful for a person to discriminate against a woman on the grounds of pregnancy or maternity. Additionally, before an employer can make an employee on maternity, adoption or shared parental leave redundant, redundancy protection regulations require the employer to give that employee first refusal on a suitable alternative vacancy where one exists.

Following a consultation in 2019, the government announced it would extend redundancy protections provided for by regulations. This included ensuring that redundancy protection applied at the point an employee told their employer that they are pregnant. The government also committed to extend the redundancy protection period for six months after an employee returned to work from maternity, adoption or shared parental leave.

The Redundancy policy has been amended to reflect this statutory change.

DETAILED REPORT ATTACHED ?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Paul Thomas, Assistant Chief Executive

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
YES	YES	NONE	NONE	YES	YES	NONE

Policy, Crime & Disorder and Equalities

The revised policy supports the Council's Corporate Strategy under the theme Making better use of Resources.

Legal

The Protection from Redundancy (Pregnancy and Family Leave) Act 2023 comes into force on 24th July 2023 and the revised Redundancy policy reflects these statutory provisions.

Risk Management

Failure to introduce these statutory changes would place the Authority at risk of challenge.

7. Staffing Implications

The People Management HR team will continue to advise managers on their responsibilities and obligations during a redundancy exercise in line with the new legislation

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: **Paul Thomas**

Assistant Chief Executive

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee

N/A

3. Community / Town Council

N/A

4. Relevant Partners

N/A

5. Staff Side Representatives and other Organisations

CERF to be informed of the statutory changes at the next available meeting.

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
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