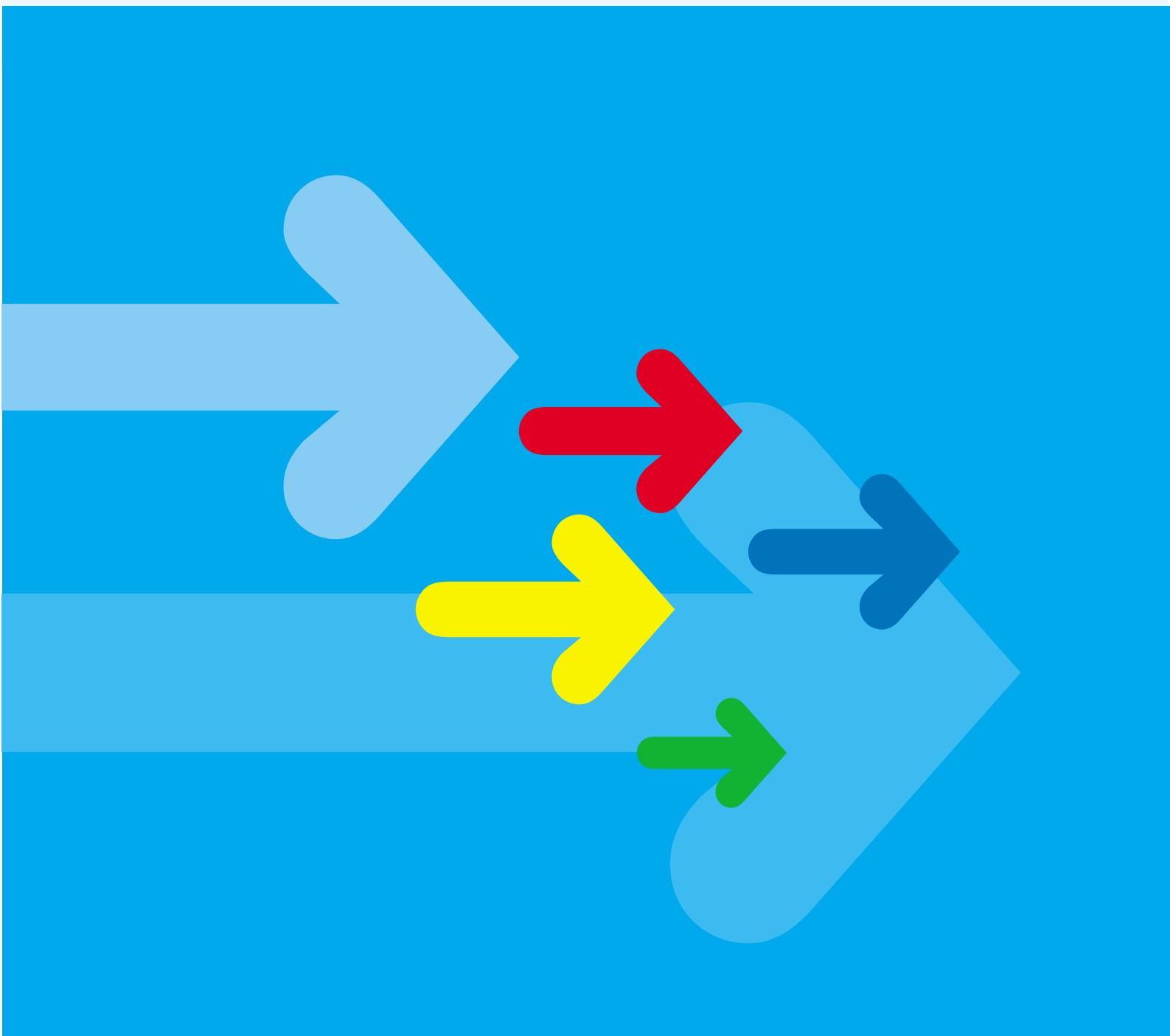


finding the balance

Work-life policies in practice

National Joint Council for Local Government Services



Preface

I am very pleased, as Chair of the Working Party that produced this document, to introduce it. I believe that the document will be invaluable to any organisation within local government - and indeed anywhere else - that wishes to pursue, in a positive and proactive way, work life balance policies within the organisation. Within all organisations staff are the most valuable asset. Any organisation that adopts policies designed to deliver improved services whilst enabling staff to combine their working life with the increasing demands of their personal life can only become a more efficient organisation with a highly motivated workforce.

As people's personal circumstances change across their lifetimes the balance they need to find between paid work and personal responsibilities also changes. For working parents in particular, balancing work with childcare arrangements can be an uphill struggle. Other life changes and aspirations also affect people's working lives, for example returning to study or approaching retirement.

Local government too is facing challenging times with the modernisation agenda aimed at tailoring services to better respond to community need. The standard nine to five, Monday to Friday working pattern is now less relevant to service demand.

This guidance document aims to set out the ways and means by which a positive joint approach to working arrangements can be linked with the improvement of services. It encourages a social partnership approach to find the right balance between service demands and employee responsive working practices. The document provides clear descriptions of the issues, both positive and negative, whilst recognising that it is for the local parties to find their own best solutions. It is practical and informative with an outline of the legal background. It will support authorities, employees and trade unions in developing the know-how to work in partnership and develop their own positive working practices in tune with new service requirements. Family and employee friendly working practices within a pressurised business environment continue to feature strongly on the Government's agenda. They need to play a positive role within modern local government. The publication of this guidance is therefore timely for authorities, employees and unions.

Councillor Alan Dean
Chair of the NJC for Local Government Services Work-Life Balance Working Party

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Resources

Employers' Organisation for Local Government
GMB
T&G
Unison

Trade Union Congress

Department of Trade and Industry Work Life Balance Team
Department of Transport, Local Government and the Regions
Department of Trade and Industry Partnership Fund

Introduction

The National Joint Council for Local Government Services (referred to as the NJC in this document), representing employers and trade unions, are committed to good practice in employment. Employees are essential to the provision of high quality public services.

Work-Life Balance issues have never been higher in profile nationally than they are now. The Government has introduced new rights to maternity and parental leave as well as other forms of leave and proposes to extend these by 2003. It is also considering how parents of young children can have the right to request more flexible working patterns.

The government's Work Life Balance Team (previously in the Department for Education and Employment (DfEE), now in the Department for Trade and Industry (DTI)) has initiated a major campaign to promote effective, business sensitive work-life balance policies throughout the UK. It has conducted base line research of the situation in 2000 to enable it to measure changes over time. The Department for the Environment, Transport and the Regions (DETR, now the Department of Transport, Local Government and the Regions – DTLR) carried out a complementary survey exploring some of the same issues in local government. Both reports show substantial support from both employers and employees for better work-life balance policies, but both indicate that more work needs to be done if employees' aspirations for different working patterns are to be met (see box 2 at end of section).

At the same time, local government is under historically unprecedented pressure to improve its services. The DETR research (see box 1 at end of section) found that the majority of local government employers thought that WLB policies brought advantages for the employer as well as the employee. However, a significant minority also identified disadvantages.

This guide has been jointly produced to help local authorities and trade unions maximise the advantages and minimise the disadvantages. It aims to complement the law and NJC's jointly agreed national terms and conditions framework (the Green Book), and suggest ways in which local authorities and trade unions could develop greater mutually beneficial flexibility if they wish. The guide has advisory status only.

It brings together two themes:

- The importance to local government of developing modern patterns of service delivery and employment practice which meet the new challenges local authorities face, in particular Best Value.
- The importance of encouraging working patterns that enable people to get a better balance between paid work and their other priorities, including caring responsibilities, life-long learning, flexible retirement, and greater opportunities for leisure activities.

We aim to encourage local authority employers and trade unions to consider new working patterns and new service demands together, rather than one being the business of personnel and trade unions and the other being the business of the service manager.

By taking this integrated approach, new and alternative ways of working can result in services better meeting the diverse needs of the local population and employment practices better meeting the diverse needs of the workforce. At the same time it will help local authorities to mainstream equal opportunities.

The guide aims to help local authority employers and trade unions meet the challenge of developing a much wider range of working practices tailored to service demands and individual needs and requirements. Procedures and advice to develop new working arrangements need to ensure that they are:

- **Lawful** – equalities, working time and health and safety legislation are particularly relevant.
- **Fair** - so that all feel benefit from the policies.
- **Take account of** other regulations eg national insurance, tax credits, minimum wage, social security benefits, pension regulations.
- **Practicable** – easy to understand and implement.

We hope that the guide will help local authorities, employers and trade unions make full use of the potential for positive flexibility, including the positive and consensual development of the flexibilities available in Part III of the Green Book.

We are firmly of the view that active involvement of employees responsible for service provision will greatly assist the process of improving service delivery and working patterns.

Structure

The guide aims to be concise, and raise issues rather than provide a comprehensive 'how to do' list. It should be useful as a starting point for personnel officers, service managers, trade unions and employees at all levels within the authority.

Many authorities already have policies and procedures designed to promote better work-life balance for employees, but few have the full range. The procedures that exist are not always as flexible as they could be, from the viewpoint of both employees and service users. Take-up by employees is often quite limited, and standard ways of working remain mainstream. The ever-changing circumstances in individual local authorities demand approaches that suit local needs.

Each section refers to relevant aspects of the law and the Green Book. Examples are given from local authorities and the wider economy to indicate the possibility

of developments beyond the minimum standard, and to suggest ways in which particular policies can be implemented.

Throughout the notes the term manager has been used to denote all employees with management or supervisory responsibilities.

Equalities and diversity issues

Work-Life Balance is important for everyone, and this guide is based on an inclusive approach to equal opportunities. The relevance of particular policies to particular sections of the workforce is referred to throughout the guide, highlighting, for example those of particular importance for tackling the under-representation of women, disabled people, black, Asian and other ethnic minorities, lesbians and gay men, younger or older people.

Box 1

Perceptions of the impacts of work-life balance practices amongst local government employers

Positive impacts	Agreed
Fostering good employment relations	88%
Help retain more female employees	79%
Help reduce absenteeism	66%
Improve staff motivation and commitment	64%
Help lower labour turnover	60%
Help increase productivity	50%
Ease recruitment	49%
Negative impacts	
Increased managerial workloads	37%
Increased overall costs	31%
Led to shortages of staff at key times	27%

DETR survey of local authorities 2000

Box 2

The latent demand for more flexible working arrangements

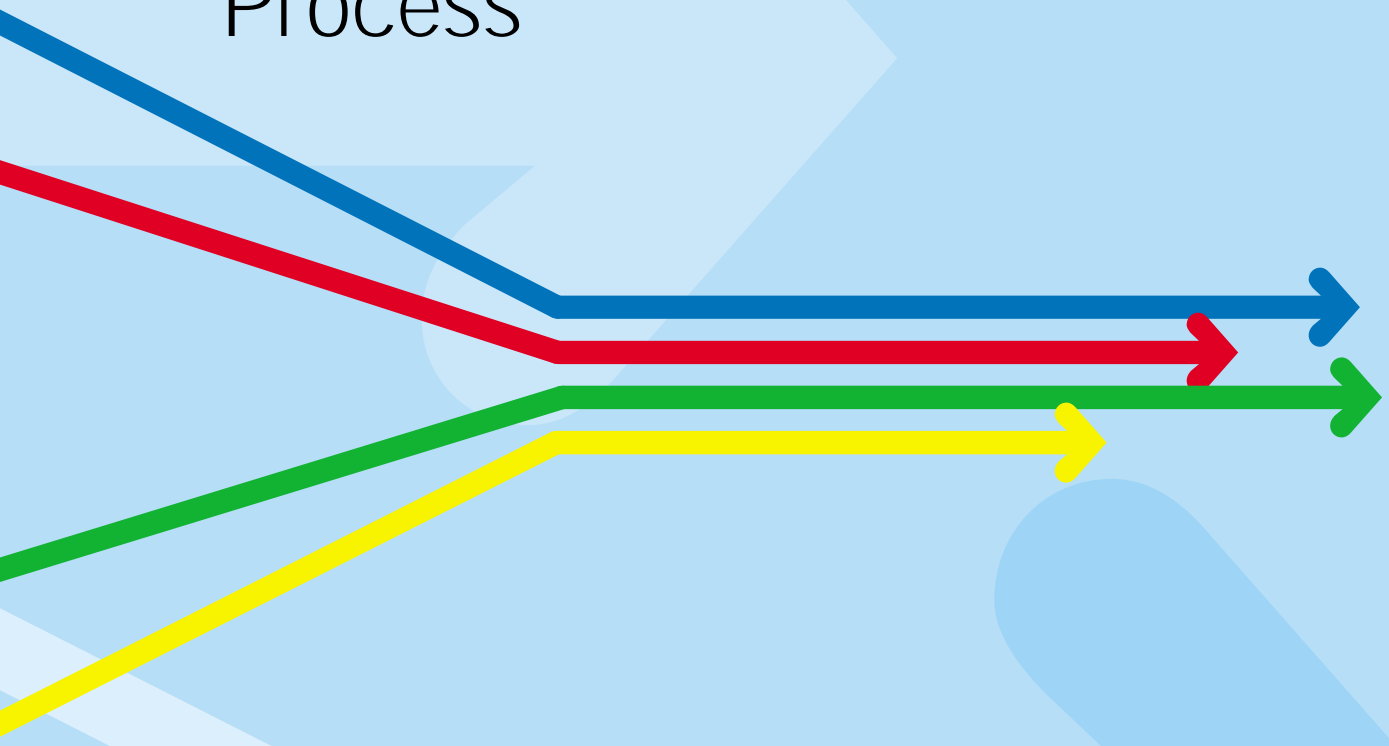
Employees who wanted a working practice that they weren't currently using (whole economy).

Flexitime	47%
Compressed weeks	35%
Part-time	26%
Term-time	25%
Reduced hours	24%
Annualised hours	21%

Job share 15%

DfEE Work-Life Balance 2000

Process



Process

Procedures to support greater choice

In common with many large employers, local authority employment culture places a strong emphasis upon having procedures to determine when and how different patterns of working can be implemented. Most authorities already have procedures about many of the different patterns dealt with in this guidance. However, sometimes these are very prescriptive, with little scope for variation to meet service and employee requirements.

On the ground, there are many examples of flexible working not covered by procedures, agreed on an ad hoc basis between individual employees and their managers. However these may be vulnerable to management change, and are not always fairly available to all employees for whom they could be appropriate.

Procedures to support greater choice provide guidance to managers, trade unions and employees on how to develop and implement different patterns of working within teams. Their aims include:

- Informing employees trade union representatives and managers about the range of possibilities available.
- Identifying core issues for local agreement to ensure that changes in patterns are fair and lawful whilst being responsive to the requirements of the service.
- Supporting the matching of service requirements with the working patterns desired by employees.

They usually also include one or both of the following:

- Empowering employees to suggest any change they might want in the way that they work. Procedures can encourage employees to give preliminary consideration to the way in which the changes could be made to work in a way that is either neutral or beneficial to their work and the service as a whole.
- Empowering managers to work with employees and trade unions to develop different patterns throughout the team that both enhance the service and better meet the working preferences of the different employees in the team.

Usually it is the role of personnel to design flexible corporate guidance, and then crucially to advise managers, employees and trade unions on how these can be effectively tailored to local circumstances.

Current Experience

Redditch Borough Council's Flexitime policy enables managers to determine locally core hours, bandwidths and the amount of flexileave which can be accrued, in consultation with employees and trade unions. This ensures that staffing at any point in time meets the peaks and troughs of service demand,

and maximises employee choice about when they work. Similar schemes have been developed in Medway Council, Hertfordshire County Council, and the North West Personnel Officers Group.

The Oxfordshire Flexi-place scheme takes a minimalist approach to formal guidance, highlighting issues such as contracts and health and safety and providing tailored advice to managers and employees about individual requirements in the context of their work.

Lloyds-TSB's work options scheme provides a framework for an individual employee to apply for a different pattern of working. The employee has responsibility to make a preliminary judgement about how their desired pattern could be made to work in the context of the service and the team. The criterion for acceptance is that the proposed pattern will not have an adverse effect on the business.

The NHS has developed procedures for flexible rostering in hospital wards, supported by software, which matches employee choices to the need for particular expertise at particular times in a 24 hours 7 day system. The DTI Work-Life Balance team is considering developing a generic programme that could be adapted to meet the requirements of different services.

Littlewoods invites applicants and employees to specify the hours they would like to work, and accommodates these wherever possible.

Halifax Intelligent Finance found that inviting applicants to specify their desired hours, with the commitment to accommodate them wherever possible, enabled it to overcome recruitment difficulties.

Points to consider

Accommodating legal entitlements

- The legal framework provides a number of entitlements around working time and leave. A policy framework enabling a more flexible approach to working time can make it easier to accommodate these entitlements.

Building into the business strategy

- Embedding consideration of different working time into service reviews and reorganisations, in particular in the context of Best Value, will help the potential for service enhancement to be taken into account.

Guidance and tools

- Guidance on variations in working time should provide information on their terms and conditions implications. Individuals considering change need detailed advice about the precise impact for them.
- Tools, such as proformas to make individual applications, and to document management reasons for acceptance or denial are helpful in guiding the process and monitoring its fairness. A single proforma can be developed for

all flexibility options, including particular patterns that have not been explicitly covered in corporate guidance. However it is important that the process does not become overly time consuming and bureaucratic.

- Where an initial application is denied, the procedure can allow for other options to be explored by the manager, the employee, trade union representatives and personnel officers where appropriate.
- It is good practice for the final decision to be made within an agreed time frame, and to be recorded with its reasons. It is worth considering whether there will be a specific appeal procedure, or whether employees who feel their request has been unreasonably refused should use the generic grievance procedure.
- Trial periods are helpful for both sides, whether this be for an individual application or a whole team approach. For an individual application, the impact on colleagues as well as the individual's work should be part of the evaluation.
- It needs to be clear that the procedures are designed to help managers manage effectively, and provide a framework for local discussion with trade unions. They do not take away manager or trade union responsibilities.

Advice and support

- Managers, trade union representatives and individual employees will benefit from support, through training and tailored advice from personnel, to help them consider patterns they are unfamiliar with.
- Managers may also need support to help them manage by performance rather than presence.

Eligibility

- Decisions about options should be based on objective service criteria. There should be no arbitrary barriers based on employment status, such as part-time or temporary contracts, employment in Direct Service Organisations, or degree of seniority. However it also needs to be clear that there is no automatic entitlement to any particular pattern, if this would have a detrimental effect on the performance of the individual or the team.

Impact upon rights to benefits

- Changing the working time patterns may affect benefit entitlement, and where feasible, it is helpful for the authority to be able to advise employees on contact points.

Team building and communication

- Alternative ways of working may have implications for the balance of skills and abilities in the team. There may be scope to broaden job descriptions to make cover more easily achieved. This could have job evaluation and grading implications.
- Alternative ways of working have implications for communication between managers and employees, and between members of the team. For example, team meetings will need to be organised at times when all appropriate people can attend. Systems for communicating with staff may need to be modified and new systems brought in.

- Information and communications technology developments have opened up many new opportunities in both service delivery and employment, which greatly facilitate the process.

Publicity

- The options need to be widely publicised to ensure managers and employees in all sections of the authority are aware of them.
- It is also helpful to carry out targeted publicity for particular groups, such as women returning from maternity leave, and employees who develop a disability, and to incorporate a statement about the employer's policy in recruitment literature. This could assist the authority's ability to recruit and retain employees.
- Publicising successful innovations to all employees, through for example newsletters, will help to develop an organisational culture that supports flexibility.

Social Partnership

What is it?

The term 'Social Partnership' derives from the European Union. It describes the process of employers and trade unions working together to develop joint solutions to issues of importance, including that of flexibility and security in the modernisation of the public and private sector.

Why is it important?

Social partnership is based on the premise that the process of gaining agreement on issues such as flexible working has a crucial impact upon the outcome. Bringing trade unions and employers together to consult, discuss and agree on issues of joint concern to them will produce qualitatively better outcomes than more confrontational negotiating arrangements.

There are many issues of shared concern that employers, trade unions and employees can agree upon. Identifying these from the outset clears the way for discussion on areas of divergent interest. Working in social partnership helps avoid disputes and can enhance employee motivation and morale.

Within local government, working with in-house employees to provide high quality services that meet the challenges of Best Value is a key area of joint concern. A social partnership approach can support joint ownership of the need to change, and any changes made.

In addition, social partnership can enable employers and trade unions to improve working conditions and non-pay benefits for employees within tight financial constraints.

Current Experience

The Workplace Employee Relations Survey 1998 suggests that the workplaces that are doing best on a number of dimensions were those with 'high commitment management practices' well embedded in the labour process, and where a large proportion of employees feel committed to the organisation. They defined high commitment management practices to include policies on communication with employees and family-friendly working practices.

Within local government nationally, joint working within NJC working parties has produced jointly owned guidance materials for local authorities on such matters as Bonus Arrangements, and Best Value.

The Action Research on Positive Flexibility supported by the Employers' Organisation at Redditch Borough Council and Bristol City Council demonstrated the potential that approaching various issues in social partnership could yield.

Points to consider

Structuring the process

- Both the employer and the trade unions need to be actively involved from the beginning to explore the scope of the project and the issues that both sides feel will need to be addressed. This means that areas of concern can be discussed and possible solutions explored before detailed work begins.
- It is important that structures for the active involvement of both managers and trade unions are set up at all levels where decisions will be taken. For example, this could mean corporate and service level steering groups. It needs to be clear how these relate to formal negotiating structures.
- Terms of reference need to be agreed. It is essential to be explicit about the aims and objectives of the project, and the way it will be managed. This helps highlight any initial misunderstandings or divergence of aims or principles, and also provides a shared point of reference where disagreements and misunderstandings emerge through the process. The terms of reference should include both service and employee aspirations.
- Ground rules can also be helpful, including the ways in which decisions will be made. In some instances the steering group will be the appropriate place for discussion and decision. However if decisions need to be made quickly, it is possible to designate individual managers and trade union representatives.

Developing the process

- It is important to allow time to develop shared understandings to overcome any past mistrust, or more confrontational ways of relating. It may be worth considering ways to help this such as awaydays, or longer sessions than the usual meeting, with mutually trusted facilitators.
- It may also be helpful to provide support through development etc, tailored to the local circumstances, to encourage managers and trade unions to develop more open ways of relating.

Other issues

- Social partnership may make it easier to tackle difficult issues like Best Value.
- Social partnership is not a substitute for other forms of employer-trade union relationship, such as those involving grievance and disciplinary matters.

Employee consultation and participation

What is it?

Employee consultation and participation aim to inform both Sides of the requirements and aspirations of existing employees and suggest ways in which service delivery could be improved through different working practices.

Why is it important?

Commitment to joint consultation with employees means both Sides recognising that different working arrangements suit different types of employees and different types of services.

Joint consultation can give both sides a better picture of employees' views about their working patterns, and the requirements of the service, that can then inform subsequent discussions and negotiations about options through:

- Finding out what employees' current patterns are, and whether they would prefer different patterns.
- Enabling them to express their opinions on whether their preferred working pattern would be compatible with the requirements of their jobs, including the needs of the team and their customers.
- Inviting them to identify ways, including but not limited to changed working patterns, in which their ability to provide high quality services could be improved.
- Discovering their views on their development needs and aspirations.

Joint consultation that leads to developments in employment policy and services can help empower employees so that they feel they have ownership of the process and the outcomes. In turn, this will contribute to developing an organisational culture that will support continual improvement.

Ways of consulting employees

Methods for employee consultation and participation include:

- Surveys, to give a picture of how employees feel about their current working patterns, and how they might like them to change to be able to work more effectively and achieve a better work-life balance. These surveys can also collect information about what employees feel are the peaks and troughs of service demand upon them: through the day, the week and the year. They can also include questions about how employees would like to develop their careers.
- Focus groups, to bring together employees to have a much more in-depth discussion of possibilities.
- Service working groups, to provide preliminary discussion and monitor pilots for changed practices.

Points to consider

Joint agreement

- Under a social partnership approach, it is important that employee consultation is jointly agreed and used to strengthen the partnership. It should support other forms of consultation and negotiation.

Clarity about aims

- The reasons for carrying out the consultation need to be clear. It is important that expectations are not raised unrealistically. For example, if the authority has decided to reduce the budget to achieve cuts, or if the authority has already decided to reorganise services, it is important that this is explicit from the outset.

Links with other initiatives

- The consultation should relate to other information about how the services need to develop, in particular, consultation with the community in Best Value Reviews.

Joint publicity

- Publicising the initiative through both management and trade union channels is likely to result in better response rates and help to raise awareness of the positive potential for employees.

Access to the process

- It is important to ensure that all relevant sections of the workforce are involved: for example, meeting the access requirements of disabled employees in the process; including 'hard to reach' groups such as school-based employees, or social care employees.

Deciding on the scope

- The scope of the consultation needs to be realistic in relation to the size of the authority. Some authorities are small enough, and have time enough to aim for a whole authority approach in the first instance. However in larger authorities, or where time is short, a more focused approach by service area might be more appropriate. In the latter case, the employer and trade unions need to consider how they will inform all employees about what is going on, to prepare the ground for similar projects in other service areas in the future.
- The mechanism for consultation should suit the aims. For example, a self-completion questionnaire survey is more appropriate for consulting large numbers of employees and getting an overall picture of their views. Focus groups can generate new information about options for employee preferences and service developments.

Communicating the results

- The results of the consultation should be communicated to the participants, together with information about the action that will be taken as a result.

External support

- External support, such as independent facilitators for focus groups, or independent survey consultants can be useful.

Links with other procedures

- It needs to be clear that the consultation process is not a substitute for other processes such as disciplinary and grievance procedures.

Pilot Projects and Evaluation Mechanisms

What are they?

Pilot projects incorporating evaluation mechanisms enable the employer, trade unions and employees to try out different ways of working that have the potential to enhance services and employee satisfaction, without binding agreements at the outset.

Why are they important?

Trying out new arrangements enables all sides to take risks, with the explicit understanding that any adverse consequences, for services or employees, will be addressed, or that the experiment will be discontinued after an agreed time frame. If the pilot project is discontinued, but service change is still necessary, it is possible for both sides to consider other ways of achieving this.

Evaluation mechanisms are needed to ensure that there are ways of assessing the effects of new working practices upon all affected employees, services, and other stakeholders, and that the anticipated benefits for employees and services are actually happening.

Current Experience

In Redditch Borough Council, a new corporate policy on flexitime was successfully piloted enabling a much better match between staffing levels and service demands, more effective working through a greater facility to identify quiet times, and greater choice for employees over their start and finish times. 11.30 to 3.30 were initially identified as the core hours. Subsequently core hours were abolished and the team managed a rota to ensure cover related to peaks in service demand.

At Bristol City Council, following consultation with the public, councillors decided that pilot projects on Sunday opening should be carried out in two libraries. Funding was identified to pay temporary employees to staff the libraries, but they also invited existing library employees to volunteer to take part in the project, which was to last six months.

Sunday opening was very popular with the public in one library, but not in the other. Consequently the latter was discontinued. The new working practices were voluntary, and enabled part-time employees to work more hours, and full-time employees to have time off during the week.

Both of these experiences would be relevant to Best Value reviews.

Points to consider

Clarity about the purpose

- The outcomes, timescales and evaluation process needs to be agreed and clearly stated.
- It also needs to be clear about whether it will be possible to return to the previous status quo, or whether the service or financial aims of the pilot are non-negotiable.

Allowing time

- Sufficient time needs to be allowed to implement and fine-tune different practices.

External support

- External support – employer and trade union or independent, may be useful in helping to identify and resolve difficulties.

Working time



Working Time

New approaches to working time

Promoting different approaches to working time can provide local authorities with one of their most powerful tools for enhancing services within existing resources whilst also enabling employees to have greater choice about when they work.

The local authority workforce already has much more diverse patterns of working time than other sectors of the economy. In part this is historic, and linked to the very wide range of services that local government is responsible for. Education has a high percentage of annualised hours, term-time working and part-time working. Social services have a high incidence of part-time working in the social care sector. There has also traditionally been 24-hour emergency cover in some services, and weekend working in areas such as leisure. The range of working practices also links to local authorities being amongst cutting edge employers in developing equal opportunities policies, and the fact that women comprise over 70% of the workforce.

However, the full potential of different working times has yet to be fully explored by local authority employers and trade unions. In most areas, traditional patterns of working continue in fairly rigid ways within a particular service, with alternative patterns bolted on, more or less effectively, to meet service or individual employees' requirements.

A more creative approach to working time, could include the following:

- Where service reviews are being undertaken, in particular in the context of Best Value, employees working in the service are consulted about the ways in which their current working patterns may impede the provision of effective services, and whether other working patterns that would suit them better would enhance service delivery.
- Managers, trade unions and employees working together to map the peaks and troughs of actual and potential demand for a service to the public and others, and use this as the basis for deciding what cover means for those services, and when different staffing resources need to be available.
- Mosaics of different working patterns within the team are considered, rather than one pattern for everyone.
- The joint exploration of arrangements other than premium payments to compensate for working at particular times, such as shorter hours overall, or longer periods away from work.

Types of 'non-standard' working time arrangements involve:

- Changing the number of hours, both increasing and decreasing them.
- Changing the time when work is carried out, with varying amounts of discretion for employees to choose when they work.

Voluntary Changes in the Number of Hours

What are they?

This arrangement refers to the ways in which employees have opportunities to change the number of hours worked, by either:

- Decreasing them, by reducing working hours (voluntary reduced working time, or V-time), or by splitting a full-time job into two part-time jobs (sometimes called job splitting; see also job-sharing).
- Increasing them, by coupling two or more part-time jobs, or adding additional hours to their current contracts.

The arrangement may be permanent or temporary. A temporary change could be used as a trial period to test, from both sides, the desirability of a permanent change.

Why is it important?

The procedure enables employees to change their hours to match changes in their lives. Temporary reduction in hours can enable employees to accommodate events, such as a partner's illness. It can also enable employees who develop an impairment requiring time away from work to return on a phased basis. A further possibility would be attending, say, a one-term course for one day a week as part of an employees life-long learning strategy. The opportunity to extend hours provides more pay for part-time employees.

The procedure can also assist managers in re-organising services with existing employees.

Current experience

According to the DfEE survey, 55% of employers said they would consider employee requests to reduce their hours. 45% said they would also consider requests to move from part-time to full-time. 24% of all employees (23% men and 28% women) said they would like the opportunity to reduce their hours.

Abbey National introduced a V-time scheme in 1993. Employees can voluntarily reduce their hours for a period of between six months and five years. There is the opportunity to return to work full-time in the same job if the period is less than a year and if the job still exists. Otherwise, at the end of V-time, the individual has prior consideration for suitable full-time jobs at the same level. Employees remain in the same job and agree their work pattern with their managers. Spare hours might be accumulated into another part-time job, or provide a development opportunity for other employees.

At Bristol City Council, Sunday opening of libraries enabled part-time employees to volunteer to increase their hours on a temporary basis during the pilot project.

They then had the opportunity to make a permanent change when permanent Sunday opening was established.

Points to consider

The law

- The Sex Discrimination Act and the Disability Discrimination Act give some employees greater rights to reduce their hours.
- The Government has set up a taskforce to examine the way in which the parents of young children can have the right to request different working hours. It will look at ways in which parents' desire to work more flexible or different hours can be achieved in a way compatible with business efficiency. The task force is due to report to the Minister in November 2001, with a view to implementation in 2003.
- The Working Time Regulations are relevant to job coupling, in particular for the total number of hours and rest periods.

The Green Book

- Para 11.7c of Part 2 of the Green Book states that authorities should consider the full range of flexible working facilities for employees returning to work after maternity leave.

Terms and conditions issues

- Changing hours will affect pension and other entitlements.

Operational Issues

- When an employee wants to reduce their hours on a temporary basis, cover could be achieved by agreeing increased hours for a part-time employee, or providing acting up opportunities for another member of the team, or using temporary employees.
- A system could be developed to record requests from a part-time employee to increase their hours so that they can be informed when suitable opportunities arise.

Flexitime

What is it?

Flexitime is a system that enables employees to vary their hours, outside specified core hours, subject to service requirements, and within a particular timeband (often known as bandwidth). The system usually operates on a monthly calculation period, and allows employees to carry over a specified number of debit and credit hours from one month to the next. The agreement may also specify how flexileave can be taken, for example in full days or half days, or in hours.

Why is it important?

Flexitime potentially provides a very flexible and contractually simple method for employees working with their colleagues to tailor their working time to the needs of their work and the service they provide, and their own needs and preferences for variable working hours.

Currently the most common form specifies core hours of 10 to 12 and 2 to 4, with a typical bandwidth of 8.00 am to 6.00 pm. These systems were introduced in services that had traditionally worked full-time, on a 9 - 5 standard day. The core hours reflected concern that all employees should be available to their managers and colleagues at particular times of the day. Standardised arrangements for maximum monthly debit and credit hours reflected concern that employees should not accrue more debit or credit hours than could subsequently be accommodated by the service.

In recent years some authorities have started to introduce much more flexible schemes that better accommodate both the actual and potential pattern of service demands and individual employees' aspirations. Local authorities' extensive experiences of managing the more traditional schemes may mean that they are well placed to develop more modern systems to promote more effective working patterns, and greater employee choice whilst meeting current legislative and other challenges.

More flexible schemes can help employees to accommodate events in their lives including disabled employees whose health condition fluctuates, enabling them to bank hours when their condition permits, and work shorter hours, or take leave, when they are less well.

Current Experience

Flexitime schemes are much more common in local government than in the wider economy. The DETR survey found that 92% of local authorities had a scheme, compared with 25% of all employers. 24% of all employees were working flexitime, and 47% of those not working flexitime would like the opportunity.

According to the Labour Force Survey 1996, more than a third of local authority employees working in services other than education or social services had access to flexitime arrangements. In the wider economy, access to flexitime arrangements was limited to approximately 10% of employees. In both local authorities and the wider economy, access to flexitime was much more common amongst full-time and non-manual employees.

The findings of an Incomes Data Services survey show that most flexitime systems were still in a standard form, with little variation linked to particular services.

Redditch Borough Council and Hertfordshire County Council have much more flexible systems, and similar procedures are currently being developed in other authorities.

The NHS has developed procedures for flexible rostering in hospital wards, supported by software, which matches employee choices to the need for particular expertise at particular times in a 24 hours 7 day system. The DTI Work-Life Balance team is considering developing a generic programme that could be adapted to meet the requirements of different services.

Points to consider

The law

- Managers and employees need to be aware of the Working Time Regulations regarding breaks and the number of hours worked over a particular period.

The Green Book

- Paragraph 2 of Part 3 of the Green Book provides for the averaging of hours over an agreed period.

Policy framework

- Corporate policies for flexitime may need to be revised to enable greater locally agreed discretion on core hours, bandwidths, and the accrual of credit and debit hours. These policies should identify the legal, terms and conditions and operational issues that need to be considered, without being unnecessarily restrictive on the form that local agreements can take.

Operational issues

- It is useful to provide development opportunities to support as much team and self-management of hours as possible, consistent with accommodating peaks and troughs of service demand. It is important to build in processes to check that some employee choices are not being achieved at the expense of others.
- Systems may need to be developed to record hours worked in and away from the workbase to ensure transparency and accountability. This might be achieved through a corporate system, monitored by personnel. Alternatively it might be done locally. It is important that any electronic system does not impose arbitrary constraints with no relationship to service requirements.

Eligibility

Authorities should consider why flexitime has tended to be unavailable to part-time and front line employees. There may be good operational reasons for this, where employees need to be available at specified times for most of their working hours. However there may also be cultural reasons, relating to historical differences in approaches to former APT&C and Manual employees.

Compressed weeks/fortnights

What are they?

Compressed weeks/fortnights refer to full-time employees working their full-time hours over a four, or a four and a half-day week, or a nine-day fortnight instead of the five-day week.

Why are they important?

For the employee, compressed weeks/fortnights provide more half days or days away from work without reducing full-time pay. They may also enable more effective working through providing quiet times at the beginning and end of the working day. Compressed weeks/fortnights may also provide the opportunity to avoid rush hour traffic. A full-time hours, four-day week can also enable employees to attend a course one-day a week as part of their life long learning plans.

For the employer, the availability of employees to work longer days may enable them to extend hours of service availability.

Current experience

In the DETR study, approximately a quarter of local authorities had some employees working compressed working weeks. This rose to 35% amongst the largest authorities.

In the DfEE study, 35% of employees wanted to work a compressed working week. However only 6% were currently working this pattern.

At Abbey National, compressed weeks have recently been piloted successfully. Employees are enthusiastic, and service availability has been extended from 5.00 pm to 6.00pm. The team work together to ensure that the individual's responsibilities are covered on the day off.

BP Amoco has introduced compressed weeks together with a buddy system. Employees agree with a colleague to cover their calls on their day off.

At Bristol City Council, two highway inspectors worked four and a half day weeks, with both having Friday afternoon off. With trade union support they got agreement from their manager to trial a four-day week each. They developed the rota, which ensured full five-day cover of the service and quiet times to complete paperwork. After a period, one wished to revert to a four and a half-day week, and a new rota, still ensuring five-day cover, was agreed.

A team in Bristol has also considered introducing compressed weeks for some employees within a team, to complement their colleagues' need to have early start and finish times to meet childcare responsibilities. In this way the whole team potentially benefits from greater flexibility.

Points to consider

Leave

- The implications for taking annual and other paid leave, including bank holidays, will need to be considered.

Operational Issues

- Unless there is a good service argument for doing otherwise, the half or one day away from work should be distributed between employees across the week in a fair way. If a particular day or half day period (usually Friday or Monday) is desired by more employees than can be accommodated by service requirements, this period should be accessible through a rota.
- It can be helpful to consider team management of the rota.
- Longer days could prove more stressful for some employees and affect their productivity. Evaluation mechanisms need to be in place to check whether anticipated benefits for employees and services are actually happening.
- Agreement about how to deal with employees who start on this pattern but find it no longer meets their needs are particularly important if the new pattern extends service availability.

Term-time working

What is it?

As an initiative to promote work-life balance, term-time working is usually an arrangement of hours that enables parents to spend more time with their children over the school holidays. However, there are also variations to accommodate the various child care arrangements available to parents of school age children.

For school-based employees, term-time working is obviously the norm. with paid work available only during the term.

Why is it important?

Term-time working supports employees who want to spend more time with their school age children, or who have difficulties arranging care that complements school opening hours.

For some local authority education departments, considering requests from employees who currently work year round for term-time working could enable better tailoring of staffing resources to service demand.

However, it is important to stress that not all people working term-time only want to work this pattern, particularly in education support services. It may be the only work available, and individuals might welcome other employment opportunities through the school holidays.

Current experience

As the DfEE and DETR studies did not distinguish between term-time working within and outside education it is not possible to give statistics on the incidence outside education. 24% of all employees (22% of men and 28% of women) not working this pattern expressed an interest.

ASDA introduced the option of term-time working in response to the massive turnover of employees at the beginning of the summer holidays. Students from local universities and colleges were recruited to provide cover for the school holidays.

A focus group of local authority employees suggested that holiday cover in a scientific services section could be provided by targeting recruitment at those studying laboratory sciences at the local university.

A senior manager in a local authority housing service who is a single parent works school hours during terms and longer hours during the holidays when alternative care is available.

Points to consider

Number and pattern of hours

- In most cases other than teachers, employees who only work during the term work less than full-time hours over the year as full-time hours would result in unacceptably long days.
- Full-time hours could, however, be achieved by working longer hours during the term, and shorter hours during the holidays

Pay

- Salary payments can be made on a twelve monthly, equalised basis. There will need to be agreement about how any discrepancies between hours worked and hours paid are dealt with if an employee on a term-time contract leaves.
- The way in which term-time employees are paid can have implications for maternity pay and other benefits, such as the Working Families and Childcare Tax Credits.

Education support employees

- It should not be assumed that support employees working in schools want to only work during the term. Authorities might consider publicising work available in the holidays on, for example, school notice boards.
- Term-time working can affect access to benefits. Education support employees are no longer able to sign on for the Job Seekers' Allowance during school holidays. A Unison appeal to the House of Lords was unsuccessful, although the judgement left the door open for the government to revise its regulations. For the time being, employees working in term-time only jobs need to know that they are not eligible for the Job Seekers' Allowance during the holidays.

Holiday cover

- Complementing term-time working with students working in the holidays would draw in younger people who are currently very under-represented in the local authority workforce.

Increasing hours for part-time employees

- Working more hours in term-time can be a way in which a parent currently working part-time throughout the year can increase their hours, subject to there being appropriate work available.

Averaged/ Annualised Hours

What is it?

Averaged/annualised hours is a system where an employees' hours are totalled over a period, often the year. Employees work more or less hours each week as agreed, and usually fitting in with seasonal peaks and troughs of the service, up to the annual maximum. Term-time working can be a version of averaged hours.

Most organisations arrange a number of hours rostered in over the year, or the relevant period. The remainder are held back as reserve hours to meet unplanned work and cover absence.

In some cases, weekly or monthly payment varies with the hours worked. In other cases, payment is made by averaging an annual salary over twelve monthly payments or fifty-two weekly payments.

Why is it important?

The introduction of averaged/annualised hours schemes can be controversial.

Good practice can enable:

- The employer to match the availability of the permanent workforce to predictable peaks and troughs of work. This can reduce the need for overtime, and the cost of recruiting and managing temporary employees.
- Employees to substitute non-contractual overtime and variable hours for contractual hours, which may carry with them, better sick pay, pension and annual leave entitlements. The new pattern may also provide for longer periods away from work for some parts of the year.

However, averaged/annualised hours can have many pitfalls if developed without joint agreement with the trade unions, and good employee consultation and involvement. These include:

- Patterns that have been introduced to extend service availability into the evenings and weekends, without providing employee choice, the payment of premia or a raising of basic earnings. The most cited examples of this have been in social care, and these arrangements are very vulnerable to equal pay claims. In the social care sector annualised hours has also sometimes been introduced with compulsory split shifts.
- Reduction in earnings for individuals who previously worked high levels of overtime.
- Very long hours in times of peak demand, resulting in increased stress and sickness absence, and also difficulties for employees with caring responsibilities.
- Procedures to call in reserve hours for cover which make it difficult to accommodate work with caring and other responsibilities.

These issues are considered in greater detail below.

Current experience

According to the DfEE survey, very few employers had annualised hours schemes. 21% of all employees (24% men and 18% women) expressed interest in working annualised hours.

Outside education, around 4% of all employees in the whole economy and in local authorities work under an annualised hours system (including term-time only) according to the Labour Force Survey 1996.

The schemes are more common in manual and shift work, and are often linked to the introduction of continuous production, multiskilling and/or teamworking. In some services there may be a link to introducing seasonal evening or weekend working.

At Aberdeen Royal Infirmary, an annualised system was phased in following trials in three wards and an external evaluation report. (Incomes Data Services Study 674, 1999).

Coleraine Borough Council street cleaners work 39 hours a week from April to September during the longer daylight hours when there is increased litter, and 35 from October to March. In East Renfrewshire Council Parks and Recreation Department, hours vary between 33 and 44 per week.

At Quest International, if a worker's committed hours are not used up, they can be used for additional paid training time. Reserve hours may be paid at a premium, particularly when they derive from old guaranteed overtime hours.

East Dunbartonshire Council Leisure Service allows employees to swap hours between themselves, within an annualised hours system.

At Redditch ground maintenance, the annualised hours system produced savings through reduced dependence on temporary employees in spring and summer. Some of these savings were used to enhance employee development opportunities. Employees and trade unions were initially reluctant to consider the scheme, but worked with managers to design one because of the threat of outsourcing under CCT. They now much prefer the new scheme to the old.

Points to consider

The law

All annualised hours schemes must take account of the relevant parts of the Working Time Regulations regarding breaks and the number of hours worked in any particular period.

The Green Book

Paragraph 2 of Part 3 of the Green Book provides for the averaging of the working week over a pre-determined period.

Pay and benefits

- Averaged pay may affect entitlements to in-work benefits and tax credits and authorities will need to advise employees about this.
- A policy needs to be developed about any discrepancies between hours worked and hours paid when an employee leaves.
- The implications for retainer payments, out of hours and bank holiday and overtime payments need to be considered. Options include reducing the overall hours, increasing annual leave, arranging hours to achieve longer periods of time away from work, or enhancing basic pay.
- Authorities need to be careful of removing premium payments without some form of accommodation. They also need to be careful about introducing systems without paying premia which are paid in comparable jobs. This could result in equal pay cases in services with predominately female workforces.

Other Policy and Procedural Issues.

- Procedures are necessary to determine how reserve hours will be called upon, which will ensure that this is fair within the team.
- A policy on what happens when all an individual employee's reserve hours through the period have not been used up needs to be developed. Employers differ as to whether they are paid, unpaid, or carried over to the following accounting period. Similarly, a policy is needed if hours are required above the agreed annual total.
- Annual and other forms of leave are best expressed in hours to accommodate variations in the length of the working day.
- Employees will achieve more days away from work by taking leave during periods of short hours, which can also help employers meet peak demands.
- It may be possible and helpful to the service and to employees to have a number of different working patterns available, rather than just one pattern common to all.
- Managers need to consider how part-time patterns could be built into the system. Failure to do so could result in sex discrimination. Some annualised hours schemes have been criticised because they have a detrimental effect on parental responsibilities.
- Procedures to enable shift swaps could be developed.
- In services such as finance where there are peaks and troughs throughout the year, but less predictable than for services such as leisure and ground maintenance, it might be easier to accommodate the peaks and troughs through a variation on flexitime.

Piloting and evaluation

- It is particularly advisable to pilot and evaluate annualised systems. One important issue is the appropriate balance between fixed and reserve hours, as experience in both local authorities and the wider economy indicates that it is not easy to get the balance right.

- It is also advisable to monitor absence. In some systems, increased employee satisfaction may mean that attendance will improve. However, in some cases absence has increased. This may indicate that the hours in peak periods are too long.

Swapping hours

What is it?

Procedures to enable swapping hours (sometimes called shift swaps) enable employees to exchange hours with colleagues doing the same type of work at different times of the day.

Why is it important?

It enables employees to organise occasional changes of hours to match work with other priorities, without losing pay. For example, it may be possible to attend school events, or be at home for plumbing appointments.

Because the function is covered, it also means that the manager does not have to organise cover if the individual would otherwise have taken leave.

Current experience

In response to trade union and employee concerns and a very high turnover amongst front-line employees, ASDA introduced a number of schemes. These included shift swapping where employees advertise in-store on a notice board for other employees willing to swap shifts with them.

Points to consider

- The Working Time Regulations, regarding breaks and the maximum number of hours worked in a particular period are relevant.
- It may be possible to organise temporary shift swapping between employees with the same function without actively involving the manager. It is important, however, that the actual time individual's are present in the workplace is recorded.
- Authorities need to consider whether, and if so how, hours can be swapped if they are paid at different rates.

Job sharing

What is it?

Traditionally, job sharing is a way of working where two people share the responsibilities of one full-time worker, each working part-time. There are two types:

- Shared responsibility – the two employees share all the responsibilities of one full-time job, each performing the full range of duties picking up where the other left off. This is most suited to ongoing work rather than project based work.
- Divided responsibility – the responsibilities of one full-time position are divided between two people, although they may also provide back up for each other as required. This is most suited to work which can be easily divided up, eg project work.

With the increase in extended service provision new possibilities arise. For example, if a particular function is required 50 hours a week, this could be achieved by one person working 20 hours and one working 30, or three people dividing up the hours amongst them.

Why is it important?

Where posts have traditionally been associated with full-time employees, job sharing may be particularly relevant. It has enabled many women (and some men) to continue in such jobs while spending more time caring for children, elderly or disabled relations, or fulfilling other commitments. It can also be relevant to employees who wish to combine the security of employee status with carrying out other work on a self-employed basis.

It has introduced shorter working hours to professional and skilled work, and has enhanced promotion and career prospects in part-time work. As such it has been an important part of equal opportunity strategies.

Job sharing can also have operational benefits:

- Part of the function can be covered during the sick leave and annual leave of one of the partners.
- Written systems for ensuring continuity of service at handover can also benefit the rest of the team and the manager.
- Two or more people can bring complementary expertise to the job that may exceed the expertise of one.
- They can bring greater flexibility than a single post holder, eg by working peak periods together.

Current experience

According to the DETR survey, nearly all local authorities had a job share policy, compared with less than 10% of employers in the wider economy. However only 4% of all employees (5% men and 6% women) are currently working job share. 16% (13% men and 20% women) expressed interest in working job share.

In 1996, two job-sharing lawyers working for Ipswich BC won the Public Sector Lawyer of the Year Award. They split the legal work by having their own case loads. The management role was shared between them as it arose.

Job sharing senior managers interviewed in the Cabinet Office's Flexi-Executive research said that their work benefited enormously from having the joint input and scrutiny of two people, and the opportunities to discuss their response to particular issues.

Points to consider

Policy framework

- Job sharing is similar to shift working in that the same function is carried out by different people at different times, and there need to be systems to ensure continuity. Authorities may be able to learn from managers of services with extended hours in their social services and environmental and leisure services departments about ways in which handover can be achieved efficiently.
- Some authorities allow people who want to job share to apply for a post as an individual, and then fill the other part of the post if this is the best applicant. Others require job sharers to apply for a post together. However recent cases suggest that turning down a reasonable request for part-time work may constitute sex discrimination. It is advisable for each job to be considered on its merits.
- It is helpful for job share policies to provide as much freedom as possible in local decisions about the way in which working time and responsibility can be divided up.

Operational Issues

- The practicalities of having a large number of job shares in a section need to be considered. There will be more demands on a manager if they are responsible for 20 people instead of 10.
- For some jobs, it might be helpful to provide greater overlap time in the induction period to enable job sharers to get to know each other and develop effective joint working practices.
- There are some cost implications to job share - for example, increased training costs and accommodation costs if it is not possible for the job sharers to share a desk and equipment.
- Authorities and managers need to consider what will happen when one partner leaves. As well as offering the full-time post to the remaining partner, or recruiting another partner, re-organising the work and delegating responsibilities to others in the team can be considered. This will probably have grading implications.

- Job sharing is particularly beneficial operationally if partners arrange leave at different times wherever this is possible. If resources are available and it would be beneficial to the service, a job sharer could be asked to work additional hours when the other is absent.

Part-time Working

What is it?

A part-time employee is defined as any employee who is contracted to work less than the basic full-time contractual hours in that type of work. The number of hours can vary enormously. Part-time working can take various patterns, including part-day, part-week and part-year.

Why is it important?

Local authorities employ a very high percentage of part-time employees, linked to service requirements in education and social services. By increasing the use of part-time contracts employers can improve the targeting of employee resources to times of peak demand. Part-time employees can also be employed to extend service availability.

Working fewer hours can be very important for many employees to achieve a better work-life balance, in particular for parents, students, some disabled people, and older workers wanting to taper into retirement, or supplement a retirement pension from a different employer. It can also be helpful for employees wanting to pursue further education.

However, it is also important to recognise that some people working part-time would like the opportunity to increase the number of hours that they work. See the section on voluntary changes of hours in this guide.

Current experience

The DfEE survey found that 44% of women and 8% of men worked part-time. Part-time working was most common amongst younger people aged 16 to 17 (74%). 14% of managers worked part-time. Around 32% of those aged 55-60 worked part-time. 26% of women and 23% of men not working part-time said that they would like to consider reducing their hours.

Approximately 55% of those working part-time said they did not want to work full-time. However this implies that 45% of part-time employees would like to work more hours.

70% of women had shifted to part-time working on their return from maternity leave.

In 2000 there were 692,000 part-time employees in local government services, comprising more than half the workforce.

Points to consider

The law

- Part-time employees must not be treated less favourably than a comparable full-time employee under the Part-Time Workers Regulations 2000. The Sex Discrimination Act may also apply.
- Requests for part-time work should be considered in relationship to the job requirements. Unreasonable refusal may contravene the Sex Discrimination Act.
- The government has set up a task force to examine the way in which the parents of young children can have the right to ask to work different hours, and have their request considered by their employers. It will look at how meeting parents' desire to work more flexible, or different, hours can be achieved in a way compatible with business efficiency. The task force is due to report to the Minister in November 2001, with a view to implementation in 2003.
- Some employees have more than one part-time contract with the same authority. National Insurance Contributions should be calculated on the total earnings, if this is reasonably practicable. The NJC's circular 2/97 16 December 1997 provides further guidance.
- The Disability Discrimination Act 1995 provides the right for disabled people to work reduced hours if they require this to carry out the job, and it is a reasonable adjustment to the job.

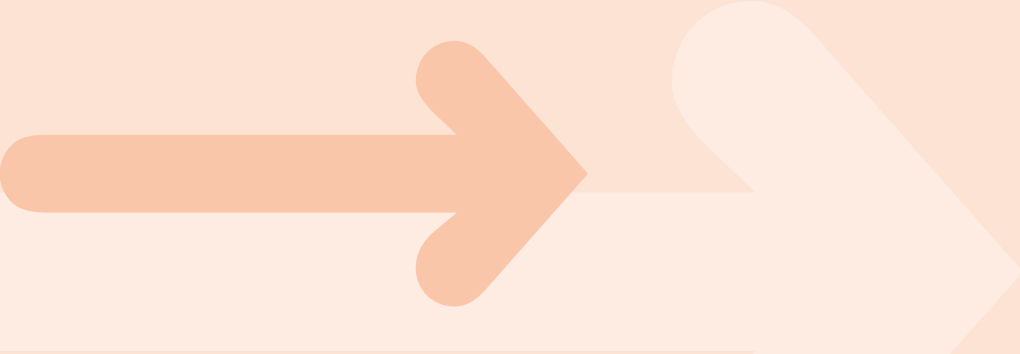
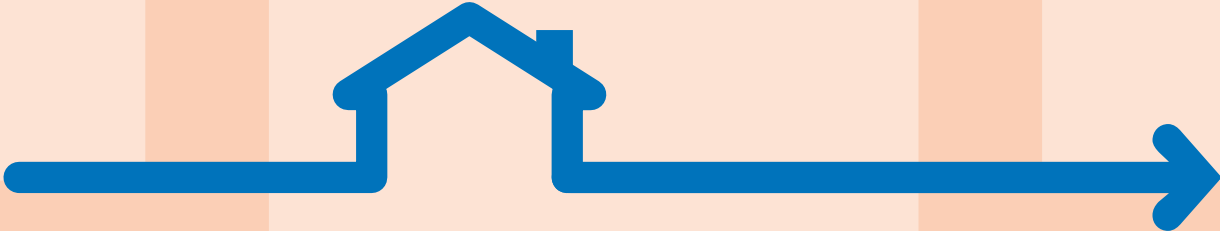
The Green Book

- The terms and conditions for part-time employees in local government services are set out in Paragraph 8 of Part Two of the Green Book.
- Paragraph 11.7 (c) of the Green Book encourages authorities to consider flexible working arrangements for women returning from maternity leave.

Operational Issues

- Where part-time contracts are used to extend service hours, the management requirements during these hours needs to be considered.
- Part-time employees may wish to work more than their contractual hours, and it is helpful to consider this in times of high service demand, peak periods of leave and when services are being reviewed.

Working place



Working at Home / Working From Home

What is it?

Working at home means employees carrying out all, or a proportion of their duties in their own homes rather than on the employer's premises. It may be an odd day to carry out pieces of work that can be better achieved at home or to deal with, for example, plumber's appointments, or it could be a regular arrangement of several days a week.

Working from home may be relevant for mobile employees who spend a high proportion of their working time away from their workbase. It means they do not necessarily check in at an office, depot or other workbase at the beginning and end of the working day.

Why is it important?

For employees:

- It can enable them to reduce travel times or costs, and reduce the stress of commuting.
- It can allow closer contact with a local school, nursery or other facility used by an employee's dependants.
- It may make work more feasible for some disabled employees with specific disabilities, although managers should not automatically assume that this is the only, or best option.
- It may permit more flexible patterns of working hours.

For the employer:

- It may enable a pattern of working hours more precisely tuned to service user needs.
- It may increase productivity by reducing travelling times, reducing lateness due to transport disruption and making it easier to achieve work that requires concentration.
- It may result in accommodation savings if developed together with desk sharing policies.
- It may help in recruitment by providing for a wider catchment area of applicants. It can also help retain employees who move house.

The scope for working at or from home is increasing as authorities make greater use of information and communication technology.

Current Experience

The DfEE Work-Life Balance survey found that 20% of employees worked at home sometimes, either occasionally or on a more regular basis. Around a third of employees who were not currently doing so said they would like to work at or

from home, at least occasionally. Men were more likely to work from home than women, and so were managers and professional employees.

A survey of Bristol City Council employees revealed that only 4% of employees considered themselves to currently have access to homeworking, although 27% would like the opportunity.

Points to consider

The law

Homeworking is not currently covered by any specific legal provisions. However the European Social Partners will shortly be negotiating non-binding guidance.

Communication and team building

- Circumstances vary but it is usually good practice for employees working at home to spend at least one day a week at the work base with the team to develop and maintain relationships with the team and the organisation.
- New employees may need to initially spend more time at the work base to facilitate their induction.
- It is very important to consider the impact of homeworking upon other employees.
- Active attention will need to be given to team building as homeworkers risk feeling excluded and invisible.
- It is good practice to ensure that trade unions have the same opportunities to communicate with home workers as they have with other employees.

Development needs

- Managers may need support to help them consider employee applications to work at or from home. The decision to accept or refuse a request for homeworking is best based on work criteria. A trial period, with agreed timescales and work outcomes, can be helpful.
- Managers may also need support to develop skills and techniques to manage employees by work outcomes rather than presence, and with reduced face to face contact.
- Employees may have development needs in order to be effective homeworkers, such as greater IT skills to be able to resolve problems without face to face support.
- IT sections may need to be developed to enable them to provide an effective telephone service to homeworkers.

Other operational issues

- Times when the individual can be contacted at home about work need to be clear. It may be possible for these to be different from the current hours of availability in the employer's workplace. It is important, however, that there are clear times when the employee will not normally be contacted. It is also necessary to have provision for breaks during the day, to comply with the Working Time Regulations.
- Where a home-working policy is part of an accommodation review aiming to reduce the Council's facilities budget, authorities may want to encourage as

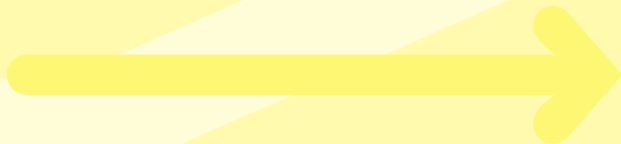
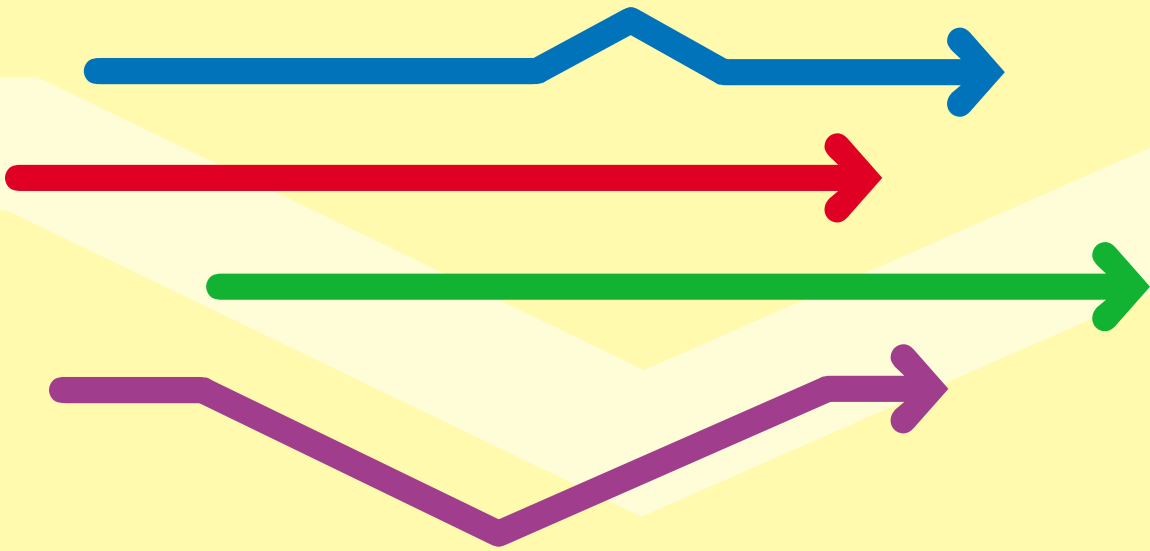
many employees as possible to homework. In these circumstances arrangements for employees who either cannot work at home because they do not have an appropriate space to work, or would prefer not to homework need to be considered.

- Ideally home-working policies should make provision for employees to return to working at or from the work base. Evaluation may indicate an adverse effect on their work or on the team, such that it is better to increase the amount of time they spend at the work base or end the homeworking arrangement. It is quite common for employees to enjoy working at home at the beginning, but subsequently find they are feeling isolated and out of touch and want to return to the work base. A change in personal circumstances, such as moving house, or becoming a parent, may also make homeworking difficult.

Considerations about the home

- Policies should cover how the employer and employee obligations under the health and safety at work legislation will be exercised.
- The circumstances in which the employer will fund office furniture, IT equipment and separate telephone lines need to be considered and other costs such as energy and wear and tear.
- The employer's property in an employee's home needs to be insured. This may be covered by the employer's insurance policy, or may need to be achieved through an extension on the employee's policy, paid for by the employer.
- If the employee needs to take confidential material home, they will need secure storage space.
- Employees need to check the details of their rental or mortgage agreements and their home insurance to ensure that working at home is not prohibited.
- Where a room is used purely for work purposes, there may be implications for business rates, or capital gains on sale of the house or flat.

Leave



Leave

Introduction

There are many reasons why employees might need or wish to have time away from work when they would usually be at work. These include time for:

- Having children, including adopting them.
- Caring for children and others.
- Rehabilitation after developing an impairment.
- Bereavement.
- Religious observances.
- Study, for career development or wider interests.
- Various types of community involvement.
- Other personal projects, such as travel.
- Easing into retirement.

The timing and amount of leave needed or wanted varies with the event, the employee's personal circumstances, and also the degree of flexibility that the employee already has in their current working arrangements.

Some types of leave are a legal entitlement. Others are subject to national or local terms and conditions.

Why is it important?

The ability to agree time away from work to deal with life events, caring responsibilities and other priorities and interests can greatly reduce employee stress and increase job morale and motivation.

The legislative framework providing entitlements to time away from work for caring responsibilities has recently been extended, and is likely to be further extended in 2003. Policies on leave to help employees reconcile work and family life are high priority for both the EU and the UK Government. They include rights for fathers and other carers as well as mothers and are seen as an important component in promoting social inclusion and equal opportunities both at work and in the domestic sphere.

Policies that support people who develop impairments to recover and adapt are a key component in helping disabled people to remain in the labour market.

Employer initiatives that go beyond strict compliance with the law bring with them a number of benefits. These include:

- An increased ability to tailor the rights to leave to the circumstances of the individual employee and the work they do, thus reducing stress and potentially reducing the impact on services.
- Being an 'Employer of Choice' in areas with tight labour markets, and thus enhancing recruitment and retention strategies.

- Recognising the breadth of different employees' commitments and interests, and thus minimising resentments from employees who have fewer statutory rights to time away from work.

Points to consider

The law

- New laws and regulations regarding leave and time off for dependents have been introduced recently and more are expected in 2003. Many employers already had agreements about time away from work for caring responsibilities and bereavement. Local agreements need to be reviewed to ensure they are coherent in relation to the law.
- All entitlements to leave should be available on a pro-rata basis to part-time staff.

The Green Book

- Paragraph 9.1 of Part 2 of the Green Book states that temporary employees should have the equivalent terms and conditions to those on open-ended contracts. The government has recently consulted on extending such rights to all employees on fixed term contracts.

Terms and conditions

- Where employees work varying hours, the basis for calculating leave and pay during leave needs to be explicit and fair.
- For paid leave, the amount paid on leave to those who regularly work paid overtime should be clear.
- Employees should be informed about the impact of extended periods of unpaid leave on other conditions such as annual leave, continuity of service, and pension entitlements before they decide to take such leave.

Operational issues

- Reasonable procedures should exist to enable an employee to apply for the different types of leave, or notify their employer that they wish or need to take leave. These should be appropriate to the event or circumstances that are being covered.
- Records of leave applied for and taken should be kept, to ensure that management discretion is not being exercised unfairly, and that the entitlement is not being abused by the employee.
- There needs to be systems to ensure that employees who wish to keep their reasons for taking the leave confidential are able to do so, whilst meeting the criteria of entitlement.
- Policy needs to be developed to cover the way in which different types of leave might relate to one another. For example, the way that antenatal leave might interact with special leave, or maternity leave with a career break.
- Policy also needs to be developed on the way periods of leave might interact with the authority's other flexible working policies. For example, a period off as carers' leave might be complemented by a temporary or permanent reduction of hours on return to work. Where leave is unpaid, it may be

possible for employees to avoid pay reductions through banking the time in advance, or making it up on return if this is possible in relation to the work that they do.

- The Authority's policies and procedures on leave should be well publicised to all employees.

Leave during pregnancy

1 Antenatal leave

What is it?

Antenatal leave enables a woman to have time off for appointments relevant to her pregnancy. This includes time off for travelling time. Government guidance states that "antenatal care can include not only medical examinations but also, for example, relaxation classes and parentcraft classes."

Why is it important?

Antenatal care will contribute towards a healthy pregnancy. It is therefore an integral part of any successful maternity and employee welfare policy, and their benefits for employers and employees.

Current experience

- Blackburn, Hyndburn & Ribble Valley NHS Trust allows paid time off for all antenatal visits including relaxation classes and parentcraft classes.
- Paid time off for antenatal care for all nominated carers is given by Hammersmith & Fulham Council.

Points to consider

The law

- All pregnant employees are entitled to keep appointments for antenatal care made on the advice of a registered medical practitioner, registered midwife or registered health visitor, regardless of their hours, pay, or length of service.
- All time off for antenatal care must be paid at the employee's normal rate of pay.

The Green Book

- The NJC recommends that authorities may grant time off for antenatal care to partners or nominated carers as defined under Paragraph 7.6 in Part two of the Green Book.

Other issues

- The employee will not be in control of the timing of all antenatal appointments. For appointments not covered by the law, authorities need to consider fair treatment between full-time and part-time employees. For example, part-time employees should not be required to make the time up if they have to attend an appointment during their working hours if full-time employees are not required to. However there may be circumstances when it would be reasonable for a part-time employee to arrange an appointment in their own time.
- Antenatal services differ across health authorities and GPs, and different pregnancies will require different levels and types of care.

- Authorities should ensure that the pregnant woman can comply with whatever recommended action results for the antenatal appointment. Adjustments may need to be made to the working environment (such as not standing for extended periods) to the place of work (for example, introducing some home working to ease the stress of commuting) or to working hours.
- Some antenatal care may point to medical difficulties that require further appointments, or treatment, and may in some cases mean that the pregnancy is not viable. It is good practice to give sympathetic consideration to the circumstances and where necessary grant special leave or sick leave to the pregnant employee and special leave to her partner/carer, as appropriate.

2. Fertility treatment

What is it?

About one in six couples need medical help to have a child. This may involve taking time off for appointments or treatment. In a few instances, many visits may be necessary over a lengthy period of time. Fertility problems can be very stressful. Treatment may include counselling sessions.

Why is it important?

The need for fertility treatment only affects a small minority of employees at any one point of time, but for them it is a major issue. People are increasingly trying to start families later in life when they are less likely to be as fertile. Unlike most other medical treatments, employees with fertility problems may have difficulty getting the necessary time off. Their partners may have even greater difficulties getting time away from work to attend appointments together.

Current experience

Paid time off for fertility treatment is provided by a number of employers including Royal & Sun Alliance, Scottish Widows (10 days in any year), the National Radiological Protection Board (10 days).

Points to consider

The law

- There is no specific legal right to have time off for fertility treatment.

The Green Book

- NJC guidance (circular 7/00) states that authorities are recommended to make reasonable time-off arrangements for employees undergoing fertility treatment.

Other issues

- The need for time off for fertility treatment affects more women than men. A positive policy is a valuable component of an authority's equal opportunities policies.
- Fertility treatment will vary, depending on the needs of the prospective parent(s). It may involve medical advice or simple tests as an out-patient, invasive tests or operations, or courses of treatments. Some of the drugs taken during treatment can make people experience sickness and other side-effects. Some of the treatments may include the recommendation that the woman has periods resting at home, or avoid standing for prolonged periods of time.
- Confidentiality should be guaranteed.
- Some employers only allow leave for NHS appointments. However access to NHS fertility treatment varies according to health authority. It is fairer for all employees to have the same access to leave for fertility treatment, regardless of whether the treatment is provided by the NHS or privately.
- The timing of some treatments is critical. This needs to be recognised in procedures for granting leave.
- While the treatment may only directly require the attendance of one person, authorities may like to consider allowing the partner/nominated carer leave to attend.

3. Miscarriage, termination, still birth and death of a baby

Unfortunately things can go wrong during pregnancy, or the pregnancy may be unwanted. These are sensitive issues when employees need sympathetic treatment. This section of the Guide aims to direct the user to other sections for advice about these events.

In the Green Book, the provisions for these circumstances are set out in Circular 7/00. They are:

- **Miscarriage and termination**
Where an employee has a miscarriage or termination, authorities should give sympathetic consideration to the circumstances and where necessary grant special leave or sick leave.
- **Still birth and death of a baby**
Where the baby dies or is still born after 24 weeks of pregnancy the full maternity scheme applies. See sections on Maternity Leave and Maternity Return.

In addition, bereavement leave may apply for others who were closely involved with the baby.

Maternity Leave

What is it?

Maternity leave is the time away from work that a pregnant woman takes in the weeks before and after the birth of her child.

Why is it important?

Maternity Leave is a crucial part of any equal opportunity policy. It also helps employers retain valued employees' skills and expertise.

Pregnant women and their families experience great change at the time of childbirth. Mothers need time to recuperate physically, and to get to know and settle their babies.

Current experience

- The DfEE survey found that 40% of women would prefer longer maternity leave. However 55% said that, if they had to choose, they would prefer greater flexibility on their return to work, rather than longer leave.
- 20% of employers provide enhancements to statutory rights to maternity leave.

Points to consider

The law

- Pregnant women have statutory rights to maternity leave and pay. The law has changed recently, and is expected to change again by 2003. For example, the government proposes to introduce the right to a year of maternity leave, and an increased rate of statutory maternity pay for 26 weeks by April 2003.
- In addition pregnancy has implications under the Sex Discrimination Act with consequent further complexities in case law. The interaction with sick leave is complex. It is recommended that up to date legal advice is sought if there are doubts about a particular individual's circumstances.

The Green Book

- The Green Book provides for 12 weeks on half pay in addition to the basic rate of statutory maternity pay for those returning to work.
- New legislation has changed the notification requirements for pregnancy and the expected week of childbirth. Paragraph 11.2 of Part 2 of the Green Book has been amended to reflect these changes.

Terms and conditions

- Variations in pay over the year may have implications for statutory maternity pay.

Other issues

- Authorities might consider offering pregnant women additional flexibilities prior to taking maternity leave, and beyond the minimum health and safety requirements. For example, varying start and finish times to avoid rush hours; some homeworking where this is possible within the context of the job; adjustments to the job to reduce travelling.
- Employees need to be informed about whether reducing their hours, and thus their pay, prior to maternity leave will affect their maternity pay.
- It is good practice for personnel and/or the manager to ask the pregnant employee whether they want an announcement made to other employees in the section when they have had the baby.
- It can be very helpful to agree to ways in which the employee on maternity leave can be kept in touch with important developments in the organisation and in her work, given the pace of change.

Maternity Support Leave/Paternity Leave

What is it?

Maternity support leave is leave for the purposes of supporting a woman around the time of birth and to help care for a baby in the early days of its life. Leave is most often taken by the father and is commonly known as paternity leave. Leave may also be given to a nominated carer: the person nominated by the mother to assist in the care of the child and to provide support to the mother at the time of the birth. This could be the partner (including same sex partner) of a pregnant woman, or another relation or friend.

Why is it important?

Employees with responsibility for maternity support need time off at the time of childbirth. New fathers or other maternity supporters may want to:

- Be present and give support at the birth.
- Help the mother and baby move from hospital to home.
- Have time with the mother and new-born baby.
- Provide support around the house or with childcare.

Paternity leave can be important to maintain competitive pay and conditions.

Current experience

The DETR survey found that 88% of local authorities provided some paid paternity leave.

A 1994 Equal Opportunities Review survey found that the cost of paid paternity leave to employers was negligible at the equivalent of 23 minutes per employee per annum.

Most public sector bodies provide paid paternity leave, as do around three quarters of private sector companies.

An entitlement of 10 to 11 days is common among some city councils and in London Boroughs. Some authorities go further, for example, LB Hammersmith & Fulham; Brent; Southwark; and Oxford City Council give 15 days. Some of these have a service requirement for leave longer than the NJC minimum.

In most cases, leave may be taken flexibly, in parts, or in a block. Leave may begin with little warning. Most employers do not require long periods of notice or medical evidence of the birth. Where medical evidence is requested it is usually the Mat B1 certificate of the expected date of childbirth, or the birth certificate. (IRS, Employment Trends, 646, 1997)

Points to consider

The law

- The Maternity and Parental Leave Regulations, 1999, provides for reasonable time off for dependants who give birth.
- Fathers with one year of service who wish to take parental leave at the time of birth are entitled to do so with 21 days notice of the expected week of childbirth and the length of leave requested. (See the section on parental leave in this guide.)
- The Government intends to introduce paternity leave of two weeks at the same flat rate as statutory maternity pay from April 2003

The Green Book

- Under the NJC agreement, employees are entitled to five days of paid maternity support leave, granted to the child's father or the partner or nominated carer of an expectant mother at or around the time of birth.

Other issues

- It may suit both the employer and the employee to be flexible about how the leave is taken. For example, it might suit the employee better to take fractions of days rather than whole days, and spread it over a period of time. Service managers might also find a flexible approach to the leave easier to cover.
- Authorities might consider extending the length of leave, paid or unpaid.
- The relationship with eligibility for other forms of leave needs to be considered.

Maternity returner schemes

What are they?

Maternity returner schemes aim to enable women to adjust their working patterns to take account of the new baby.

Why are they important?

Maternity returner policies are a crucial part of an authority's equal opportunities policy in helping retain women employees. Simultaneously they reduce the employer's recruitment costs.

When a woman returns to work after maternity leave, she may have particular wishes and needs connected to the new baby, ranging from time and facilities to help with breast-feeding to temporary or permanent changes in the number and arrangement of hours worked.

Breastfeeding has been shown to provide positive health benefits for both babies and mothers. The UK Government is signatory to the Innocenti Declaration on Breastfeeding which states that "all women should be enabled to practice exclusive breastfeeding and all infants should be fed exclusively on breastmilk until four to six months of age".

Current experience

- North West Water allows women with more than one year of service to work on a reduced hours basis for up to three months.
- Defence engineering firm Pilkington Optronics allows women the option of returning to work on a part-time basis for up to six months.
- In France, breastfeeding mothers have a statutory right to two thirty minute breaks per day until the baby is 21 months old. In Austria they are entitled to one forty five minute break a day. In Italy, new mothers can take two rest periods of one hour each. These can be used at the end of the day to shorten the period at work.

The law and the Green Book

- The law now assumes that the employee will return to work at the end of maternity leave, and the notification requirements have been changed. This has implications in relation to sickness at the time of return. Paragraphs 11.7 (a) and (b) of Part 2 of the Green Book have been amended accordingly. These paragraphs also deal with an interruption to work at or around the time of return.
- Paragraph 11.7 (c) of Part 2 of the Green Book has been added to encourage authorities to consider flexible working arrangements and support facilities for employees returning to work, particularly in the case of employees who are breastfeeding. This could range from the provision of appropriate facilities at work through to flexible working patterns.

- The government has set up a task force to consider how parents of young children could have the right to request a variation in working patterns, including a reduction in hours. The task force will report to the Minister in November 2001, with the expectation that the new right will be implemented by 2003.
- Under the Management of Health and Safety at Work Regulations 1999 steps must be taken to eliminate risk if the work carried out by a woman who is breastfeeding poses a risk to her health and safety. If it is not possible to eliminate the risk, then the employee's working conditions or hours of work should be altered so that the risk is avoided. If this is not reasonable, then she should be offered suitable alternative work. If this is not possible, then she should be suspended with pay.
- The Workplace (Health, Safety and Welfare) Regulations 1992 oblige the employer to provide suitable facilities for a breast feeding mother. The Regulations do not state what 'suitable facilities' are, but the Code of Practice states that they should include the facility to lie down to rest.

Other issues

- Authorities may wish to consider breaks for breastfeeding or expressing milk. For expressing milk, access to a fridge will be required. Both require access to a quiet space, which could be the workplace first aid or medical room. The ladies toilets are not an acceptable facility.
- Under the Parental Leave Regulations, mothers can ask to extend maternity leave through adding on parental leave if they wish.
- It is good practice to maximise the flexibility of leave, the number of hours worked and the arrangements of hours in order to facilitate the return to work and enable the mother to work effectively.
- It is important to allow time for re-induction on return if there have been significant changes at work.

Adoption Leave

What is it

This is the leave that parents who adopt children take during the period up to adopting the child or children, and subsequently.

Why is it important?

Relatively few employees put themselves forward to adopt children, but for those that do the process is extremely important. Once the child is placed, adoptive parents have the same legal rights as other parents to parental leave and time off for dependants. However, the initial period has different requirements to those connected to childbirth, such as appointments with social services and court appointments.

Over 75% of all children adopted into new families come through the care system and many have disabilities. They have particularly strong needs for time with their new families to form feelings of stability and attachment

Current Experience

Nottinghamshire County Council gives 'time off with pay' for pre-adoption interviews, meetings and introductory visits.

Barclays Bank has agreed a total of 21 hours (pro-rata for part-time staff) in the immediate pre-placement period.

Points to consider

The law

- There is currently no legal right to paid time off for adoptive parents in the period preceding after adoption. The Government proposes to introduce adoption leave of the same length of time, and at the same flat rate of pay as maternity leave after April 2003. The right will apply to one parent. This could be a woman or a man. The other adoptive parent is likely to have the right to paternity leave.

The Green Book

- Paragraph 7.8 of Part 2 of the Green Book recommends that authorities introduce adoption leave schemes.

Other issues

- Prospective adoptive parents may need time away from work for meetings with social services, the adoption agencies and the child before adoption takes place.
- Once adoption has taken place, the parents need time to settle the child. Ideally they should have the option of both leave and/or different or reduced working hours.

- Prospective adoptive parents may be given very short notice of when the child will be placed, and procedures need to take this into account.

Parental Leave

What is Parental Leave?

Parental leave is leave for parents, adoptive parents and guardians to care for their children.

Leave may be required or desired by parents to settle a child under five into a new form of childcare, to attend events, such as nursery or school opening days, the child's birthday, or simply to spend more time with the child.

This section of the guidance focuses on issues arising from parents' rights to parental leave under the Employment Rights Act 1996 and the Maternity and Parental Leave Regulations 1999. Emergency leave is covered in the section below on Bereavement and Other Leave for Dependents.

No agreement had been reached on the Trade Unions' side of the National Joint Council for Local Government Services' parental leave claim at the time of writing.

Why is parental leave important?

Parental leave policies recognise the complexity of reconciling particular work patterns with responsibilities for young children. They provide a framework to agree time away from work to enable employees to participate more fully in their children's lives and support their development.

They also support equal opportunities policies by encouraging fathers to take time away from work to be with their children.

Current Experience

The DfEE survey found that 40% of establishments with more than 500 employees who knew about the regulations either had, or intended to provide, additional benefits. These included pay for all or some of the leave, extending provision to all parents, and allowing more flexibility in ways of taking leave.

Points to consider

The law

- The Employment Relations Act 1996 provides a right to 13 weeks of parental leave for all employees with continuous service of one year or more. The details of the right are provided in the Maternity and Parental Leave Regulations 1999. The regulations propose minimum conditions and a default scheme. The DTI Guide for Employers and Employees stresses that "wherever possible, employers and employees should make their own agreements about how parental leave will work in a particular workplace". Where local agreement is not reached, the default scheme applies.

- At present the law does not apply to children born or adopted before 15th December 1999. However the Government has announced its intention to extend the right to these children before the end of 2001. Authorities may like to consider adapting their policy before this amendment is made.
- For adopted children, the law applies to the first five years after adoption, or until the child is 18.
- For disabled children, the leave can be taken up to the child's eighteenth birthday. The Government intends to increase the amount of leave for disabled children to 18 weeks before the end of 2001.
- The default scheme has rigidities, such as a 21 day notice period, the requirement for leave to be taken in units of one week, and no more than 4 weeks to be taken in one year. Authorities might like to consider whether a more flexible system might better meet the varying needs of parents and be easier to accommodate to service requirements. For example, in some circumstances, it may be easier to accommodate the odd day or two, or shorter working days. Cover might be easier to arrange for periods longer than one week, through acting up, secondments or recruiting temporary staff.

The Green Book

- Amendments to the Green Book await the settlement of the National Trade Unions' claim on parental leave.

Other issues

- Authorities need to consider how their parental leave schemes relate to other forms of leave. Authorities need to decide whether some or all of parental leave should be paid. It is felt unlikely that many fathers will take it if it is unpaid.
- Authorities might consider allowing nominated carers, as understood in the Green Book for Maternity Support Leave, to take Parental Leave. Recognition of the responsibilities of lesbian and gay parents is an important part of mainstreaming equal opportunities for lesbians and gay men. Exclusion may become unlawful when the legislation outlawing discrimination on grounds of sexuality is implemented in 2003.

Bereavement and other leave for dependants

What is it?

This covers leave for a variety of important personal reasons. Employer policies on special leave, compassionate leave, family leave, emergency leave or time off for dependants often relate to this type of event.

Events that may be covered include

- Bereavement – including the initial emotional shock and later funeral or other arrangements.
- Caring for a family member taken ill or who has had an accident.
- Attending hospital appointments with a child or with another relation who may be seriously ill.
- Arranging care for children if the usual carer is unexpectedly unavailable.

The Employment Rights Act 1996 gives all employees the right to take a reasonable amount of unpaid time off to deal with specified emergencies (see below). Employer policies may extend these rights to cover situations which might not strictly fall under this definition of emergency, and include the right to additional time, paid or unpaid, away from work than that strictly required to comply with the law. The National Trade Unions' current claim also has relevant sections.

Why is it important?

This type of leave recognises that there can be events in employees' lives which it is desirable that they should be able to have time away from work to deal with.

Formal policies that comply with, and possibly add to, legal rights provides the framework for employee and employer to deal with such events. Reasonable enhancement of legal entitlements can contribute to a workplace culture of caring for employees.

Current experience

- According to the DfEE and DETR surveys, nearly all employers and nearly all local authorities provide bereavement leave. In 84% of local authorities this is fully paid.
- At LB Croydon, five days is given for the illness of a dependant, which may be extended to up to three weeks' paid leave in exceptional circumstances. Chesterfield Borough Council provides 3 days for family problems, but up to seven in exceptional circumstances.
- Hastings and Rother NHS Trust provide 2 weeks on full pay and 4 on half pay for the care of a terminally ill dependant.
- At the Highland Council, up to five days paid leave may be granted on a discretionary basis for serious illness of an immediate relative and to accompany a relative on a hospital appointment

- According to an IRS Pay and Benefits Bulletin survey, 96% of organisations surveyed had bereavement leave agreements, most granting 3 to 5 days paid leave, but 14% gave more than this, and 23% left entitlement to manager's discretion. Several provided a variable number of days, depending on the "closeness" of the relationship. Others give more time off where the employee is responsible for finalising the affairs of the deceased. For example, LB Camden gives five days for a close relative, and 10 days for a parent or child, or where the employee is finalising the affairs of a deceased close relative.

Points to consider

The law

- The Employment Rights Act 1996 provides for reasonable time off for dependants which is necessary to:
 - provide assistance when a dependant falls ill, is injured or assaulted or gives birth (see Maternity Support Leave on this point).
 - make arrangements for the provision of care for an ill or injured dependant.
 - as a consequence of the death of a dependant.
 - deal with the short term consequences of unexpected disruption or termination of care arrangements.
 - to deal with an unexpected incident involving a child at school.

The employee's presence must be needed to solve the problem, or for the welfare or recovery of the dependant. Time off may be taken to deal with a short term problem, or to make longer term arrangements.

A dependant is defined as a spouse, a child, a parent or a person who lives in the same household as the employee, other than someone who is an employee, a lodger or a boarder.

The Green Book

- Para 7.9 of Part 2 of the Green Book covers special leave, and states that additional leave, with or without pay, may be granted at the discretion of the employing authority.

Other issues

- Authorities need to consider how the legal right for time off for dependants interacts with other forms of leave, paid and unpaid, covering similar circumstances.
- Authorities might like to consider extending, or being more specific, about the definition of dependant to ensure that all similar close relationships are covered, including lesbian and gay relationships.
- Notification procedures need to be reasonable, and take account of the nature of the emergency.
- A degree of discretion on the enhancement of legal rights is helpful in tailoring rights to leave to the circumstances of the case (for example, the

need to arrange/travel to funerals abroad). However authorities need to consider how such discretion can be exercised fairly.

Additional leave for carers

What is it?

Carers' leave policies build on the rights to time off for dependants and parental leave provided for under the Employment Rights Act 1996. They enable longer periods to be taken away from work to deal with childcare and other caring responsibilities than that provided for in law.

Responsibilities as a carer can include:

- Assisting a dependant during and after a hospital stay.
- Providing support during a move to residential or another form of care.
- Providing support during a period of illness.
- Helping a dependant through the course of a planned medical procedure.
- Adjusting to longer term care needs as a result of illness or accident.
- Supporting an adult or child with disabilities.

Why is it important?

The government has published a national strategy to address the needs of carers in a range of ways. A key element of that strategy is providing for flexibility at work for the two-thirds of working age carers who are in paid employment.

Carers' leave can assist employees in getting through a particularly stressful time both for themselves and the people they are caring for. The idea is to assist the employee during difficult circumstances, which may require more time than that normally provided for in the arrangements for time-off for dependants. In some circumstances, access to carers' leave may enable an employee who might otherwise have resigned to remain in work.

Current experience

Around 80% of local authorities provide for leave to care for others, paid in 46% of cases. This compares with 50% of employers who provide for either paid or unpaid leave in the wider economy.

Asda allows up to three months unpaid leave, regardless of job, contract or length of employment.

Points to consider

- The relationship between this and other forms of paid and unpaid leave needs to be clear.
- The needs of carers are very various and likely to change depending on the needs of the person they are caring for. It is good practice to encourage as much flexibility as possible between leave, and flexible and reduced hours, consistent with the management of the service.

- It may be difficult for the employee to know how much leave they will need, where, for example, they are looking after a seriously ill partner or child. Ideally policies will try to accommodate this.

Disability related leave and flexible working practices

What are they?

Disability related leave and flexible working practices are key components of policies designed to assist the recruitment and retention of disabled people. They address barriers in access to work for disabled employees, and support employees who develop impairments to return to work rather than resigning.

There are several types of Disability Related Leave. One applies when an employee takes disability related sick leave. Case law under the Disability Discrimination Act suggests that where an employer has an absence policy linked to the amount and/or frequency of sick leave taken, this policy should make allowance for sick leave linked to disability. This may cover illness, or absence for treatments linked to the disability. Employers are therefore advised to distinguish disability related sick leave from other sick leave in their record keeping.

Another relates to periods of rehabilitation, after an employee has either developed an impairment, or a disabled employee's condition has changed, such that they require treatments or training to enable them to effectively re-enter the workplace. Rehabilitation can include physiotherapy, counselling or training to develop skills that have been lost, or acquire new skills.

A third is absence during the usual working hours to attend to matters supporting access, such as visits to the vet for a guide dog, or repairs and maintenance to wheel chairs.

Flexible working involves reasonable adjustment in the number of hours, the pattern of hours, the place of work, or the content of work that will enable a disabled employee to contribute their full potential at work. For example, changing start and finish times may enable a disabled person to avoid the rush hour. A temporary reduction in contractual hours may help a newly disabled employee re-enter the workplace.

In addition disabled employees may require time 'on the job' to learn how to use aids and adaptations.

Why are they important?

Disabled people represent 18% of the working age population. They are twice as likely to experience long term unemployment compared with non-disabled people. Frequently this has been shown to link with prejudice about their abilities, or other removable barriers to work.

Research shows that someone who becomes disabled is much more likely to continue to participate in the labour market in the future if they are able to return to their previous job. Developing a serious impairment may have major implications for an individual's sense of themselves and their self confidence. It is usually much easier for them to return to a familiar environment on recovery,

than to compete in the labour market for a new job. Their employer is also already aware of their knowledge and expertise, and thus they are less likely to experience blanket prejudice focused upon their impairment.

Good practice on disability related leave and flexible working will help ensure that an employer complies with the provisions of the Disability Discrimination Act 1995 (DDA).

Current experience

Disability leave connected to retention is beginning to be more widely recognised, particularly following pioneering research and development work carried out by the Royal National Institute for the Blind (RNIB) in the 1990s. Their concluded from the pilot project that it was most important to have a clear procedure for employment assessment at the earliest possible opportunity to establish what adaptations to the job or the workplace might be necessary. Disability leave for rehabilitation and re-orientation was part of the possible retention package that they recommended.

The RNIB estimated that less than 1% of employees would need to take disability leave in addition to sick leave to assist their retention.

The Employers' Forum on Disability has found that 'evidence to date indicates that employers who have given paid disability leave have not found the costs unreasonable'.

A study of over 500 organisations (Disability and Employment – the Organisational Response. Woodhams C and McGoldrick A) found that 27% had a written retention policy. A further 31% had an established procedure to follow, while the remainder had nothing specific to the retention of disabled employees in place.

The Ministry of Defence has an established procedure with a checklist of questions to identify key issues and assist retention.

Nottinghamshire County Council records absence as disability leave when weather conditions are so severe that it would be very difficult or dangerous for the disabled person to get to work.

Many examples of flexible working in time and place, which can assist in the recruitment and retention of disabled employees, are given in other parts of this guide.

Points to consider

The law

- Under the Disability Discrimination Act 1995, employers are obliged to consider reasonable adjustments to working conditions when considering recruiting or retaining disabled employees. Reasonable adjustments include:
 - adjusting the work hours, premises, duties or place of work.
 - providing appropriate training, supervision, readers or interpreters or equipment.
 - allowing absence during working hours for rehabilitation, assessment or treatment.
 - redeployment.

Flexibility to individual and service requirements

- The personal requirements of disabled people will vary enormously, and any policy needs to be able to accommodate this in a way that is responsive to both the individual, and the requirements of the service they provide.
- Disability related leave is absence that is required because the person is disabled. It is helpful to consider whether or not the leave would be required by a non-disabled person. It is inadvisable to have pre-set limits for all disabled staff, as employment tribunals will relate the concept of reasonableness to the individual circumstances of the disabled employee.

Benefits and Pay

- In developing disability leave policies it is essential to be informed about how they are likely to interact with the benefit system.
- The individual employee will also need advice on how particular arrangements will impact upon their pay and wider terms and conditions, such as continuity of service and pension entitlements
- The individual will also need to seek advice about any impact upon entitlement to tax credits and benefits.
- The relationship between reduced hours and sick pay is very complex, and it is strongly recommended that advice is sought.

Development needs and advice

- The involvement of the disabled individual is essential in deciding what adjustments, in technical and environmental adaptations, and in working hours etc, will be helpful. Occupational health professionals and appropriate disability organisations may also be helpful in advising on individual circumstances.
- Where appropriate, authorities might consider specific awareness training for the employee's manager, team and others to help them learn to work with the disabled employee in a constructive and unprejudiced way.
- Disabled employees may require additional training to help them learn to tackle their job in a different way.
- The RNIB (with Rehab UK) has produced a helpful series of guides called 'Get Back!' which recommend good practice policy and procedures for employers, employees and employment advisers, focusing on: early initial assessment,

disability leave, case management, financial considerations and promoting a pro-retention culture within organisations. This is available from RNIB Customer Services on 0845 702 3153.

Time off for religious observances

What is it?

Time away from work may be needed by employees whose religious duties are not covered by weekends and the current statutory bank holidays. This can include days off for religious festivals, time away from work during the day for prayer, and adjusting working time to accommodate periods of fasting (eg, reducing the lunch hour and enabling an earlier departure from work).

Why is it important?

Enabling employees to respect their religious observances is an important component of any equal opportunities policy, and contributes to attracting and retaining a diverse workforce.

Current experience

According to a Labour Research Department survey, 15% of workplaces had a local agreement on religious observance. Workplaces with more than 5% of the workforce from ethnic minorities were more likely to have an agreement.

Board of Deputies of British Jews guidance suggests that employers consider setting deadlines other than Fridays so that practising Jews do not feel they have to work late on Fridays to complete a project.

At the Welsh Office, their Equal Opportunities' Handbook recommends that managers allow annual or special leave when an important religious occasion is to be celebrated.

At GKN Westland Aerospace, provision has been made for a prayer room within the company building.

Points to consider

The law

- Article 9 of the Human Rights Act covers freedom of thought, conscience and religion, and may cover the right to reasonable time away from work for religious observance.
- The Equal Treatment in Employment Directive will prohibit direct and indirect discrimination on grounds of religion when it is implemented by December 2003. Discrimination on grounds of religion may also amount to race discrimination, in which case it would be prohibited under the Race Relations Act 1976.

Other issues

- Time off for religious observance can be planned in advance. Policies need to establish reasonable notification periods.

- Authorities need to be aware that some religious events occur on different dates each year.
- Policies may need wide publicity to managers and employees to raise awareness of the rights, and understanding of the issues.
- Reference to the policies in recruitment literature may assist employers in improving recruitment of ethnic minority staff.
- Where the need for breaks during the working period is for prayer, the authority might consider providing access to quiet facilities where this can take place.
- It might be possible for time off for prayer to be made up through, for example, shorter lunch breaks, or earlier or later working times, bearing in mind the requirements for breaks in the Working Time Regulations.

Pre-retirement leave and flexible working

What is it?

These are policies to enable employees to take additional time away from work, paid or unpaid, as they approach retirement. They may be a form of reduced hours, for example tapering down from full-time to part-time in the period preceding retirement. They may also include provision for breaks in employment (see career breaks and sabbaticals).

They may also include the provision of pre-retirement courses, to help employees prepare for the transition between paid work and retirement. These can cover practical issues, such as finance. They can also address some of the emotional challenges that employees may face.

Why is it important?

The EU, and the Government are increasingly aware of the need to retain older workers in employment beyond the current retirement age, because of the overall ageing of the population. This will be necessary to protect pension funds and act against poverty in old age.

This will require older employees' expectation of how they plan their careers in relationship to retirement to change. It will also require the challenging of prejudices about the capacity of older workers to contribute at work.

Relating positively to older workers' aspirations, from work and from eventual retirement, can assist employers to retain their knowledge, skill and expertise for longer. Tapering into retirement can be an opportunity for older workers to help induct their successors, as well as winding down their working life. Support in tackling the issues that retirement will bring can reduce employee stress.

Local government has a proportionately older workforce than the economy at large, with a high proportion of over forty year olds. It is therefore even more important that local government devises ways to retain these employees as they get older.

In addition for local government, linking pre-retirement leave to opportunities for voluntary work in the community can provide an important strand in promoting the social, environmental and economic well being of their communities.

Current experience

- J Sainsbury PLC has developed a scheme to allow people approaching retirement to gradually reduce their hours without significantly depleting their net income.
- Bradford MBC has established a strategy based on developing in-house expertise on retirement and related issues, and educating and informing employees on options available later in life.

- Granada Group are planning an extended retirement scheme to allow people to continue working if they wish.

Points to consider

The law

- Age discrimination will be unlawful when this part of the Equal Treatment in Employment Directive is implemented. This will be on or before 2006. Amongst other things, this will almost certainly abolish fixed ages for retirement from work.
- The Government's code of practice on age discrimination in employment makes recommendations about how employers should approach the issue of pre-retirement.

Pay and conditions

- Where contractual hours are reduced, there will be an impact on pension entitlements. For example, halving full-time hours means that a calendar year at work will count as half a year for pension purposes.
- Where leave is unpaid, the impact upon eventual pension entitlement and continuity of service needs to be assessed.
- It is strongly recommended that, whatever options local authorities and employees are considering, they discuss the pension implications with the Pension Section of the authority administering the pension fund before finalising agreements.

Other issues

- The authority might consider developing links with voluntary organisations in their community to promote opportunities for voluntary work on retirement.
- According to the Pre-Retirement Association, some pre-retirement courses have been inadvertently patronising and inappropriate. Where the authority decides to introduce courses, they need to ensure that these genuinely meet the needs of participants.
- It is sensible to have 'succession' policies, similar to induction policies that enable the organisation to benefit from the retiring employee's knowledge.

Leave for other reasons

There are other reasons why employers might be required, or wish to provide leave. These include:

- Domestic emergencies, such as plumbing, gas escapes or dealing with the aftermath of a crime at home.
- Relationship breakdown.
- Domestic violence.
- Moving house.
- Study leave to enable an employee to attend a part-time course, or prepare for and take an examination.
- Attending a job interview.
- Undertaking a public duty or a public service such as jury service.
- Volunteering for the non-regular forces.
- Participating in a high level sporting event.
- Going on a 'trip of a lifetime'

Why is it important?

Some of the reasons for this type of leave can support the personal development of employees, and have consequent benefits for the employer. Recognition of the time required to deal with personal crises like relationship breakdown can mitigate on the impact these have upon work, and help the employee to deal with them.

In some instances, there is a legal duty to allow leave. Extending the possibilities of paid or unpaid leave beyond the strict legal entitlement may enhance productivity, improve morale, and assist in recruitment and retention.

Current experience

- According to the DETR survey, 90% of local authorities provided paid study leave. Just over 20% of all employers provided study leave, paid or unpaid. 71% of local authorities provide for paid territorial leave.
- According to Labour Research Department research, a number of special leave agreements cover paid leave for domestic emergencies and personal crises, such as relationship breakdown.
- The London Borough of Tower Hamlets provides time off to be a representative at the Olympics.
- An employer allowed an employee to return to his job after an 18 month custodial sentence. She reasoned that his offence had been out of character, with no relevance to his job, and that his chances of rehabilitation would be greatly improved if he had a secure base to restart his life from.

Points to consider

The law

- There is a right for leave for public duties, such as jury service, under Section 50 of the Employment Rights Act 1996.
- Employees aged under 18 have the right to time off for study or training under section 63A of the same act.
- Employees who are being made redundant have the right to time off to look for work, and arrange training.

The Green Book

- Para 7.5 of Part 2 of the Green Book provides for paid leave of absence for undertaking public duties.
- Para 7.9 of Section 2 of the Green Book covers special leave, and states that additional leave, with or without pay, may be granted at the discretion of the employing authority.

Other issues

- Where leave is unpaid authorities could consider enabling employees to bank hours or make up the time where the work permits this.
- For a regular event such as attending a training course once a week, employers and employees may wish to consider whether compressed weekly hours might be appropriate.

Career Breaks and Sabbaticals

What are they?

Career breaks involve more extended periods of time away from paid work, usually a year or more. There is often a guaranteed right to return to the same, or a similar job. However for longer periods, there may be a right to be given prior consideration for vacancies rather than an absolute right of return. Some schemes include requirements for employees to keep in contact with the employer at agreed intervals.

Sabbaticals are frequently used for periods of full-time study, although they may also be available for periods of travel, VSO etc.

Why are they important?

Career breaks have traditionally been seen as a way in which parents, usually mothers, could take an agreed break from work to care for young children. In local government and the financial sector in particular, with high percentages of women in the workforce, they were seen as an important tool to help staff retention. More recently, the facility to take career breaks/sabbaticals is being seen as a way of recruiting younger people into the local government workforce, and a way of motivating and retaining older employees.

Current experience

- The DETR survey found that 35% of local authorities had career break schemes, mainly unpaid. This compared with 28% of employers in the wider economy. 7% of men and 6% of women had had a career break in the last year.
- An IRS survey of 85 employers, reported in February 2000, found that 4 in 10 had career break policies, most of which were available to all employees.
- Some authorities offer leave of absence for, for example Voluntary Services Overseas, or a career break for travel purposes, to avoid employees resigning.

Points to consider

Pay

- In the past, sabbaticals were perceived as rewards for long service and were paid. This is probably less common today.
- There are a number of ways in which career breaks can be paid for. They are usually not paid by the employer, and are thus at the employee's expense. However, authorities may like to consider time banking, or a proportionate reduction in pay whilst at work, to enable more employees to take advantage of the schemes.

Conditions of service

- Employees should be informed about the way in which career breaks and sabbaticals will impact upon continuity of service, pension entitlements and any other conditions of service.

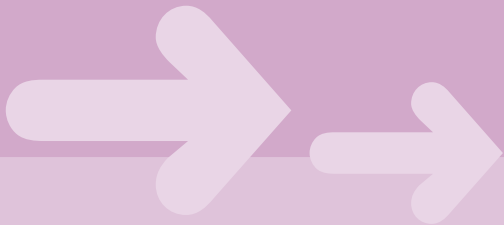
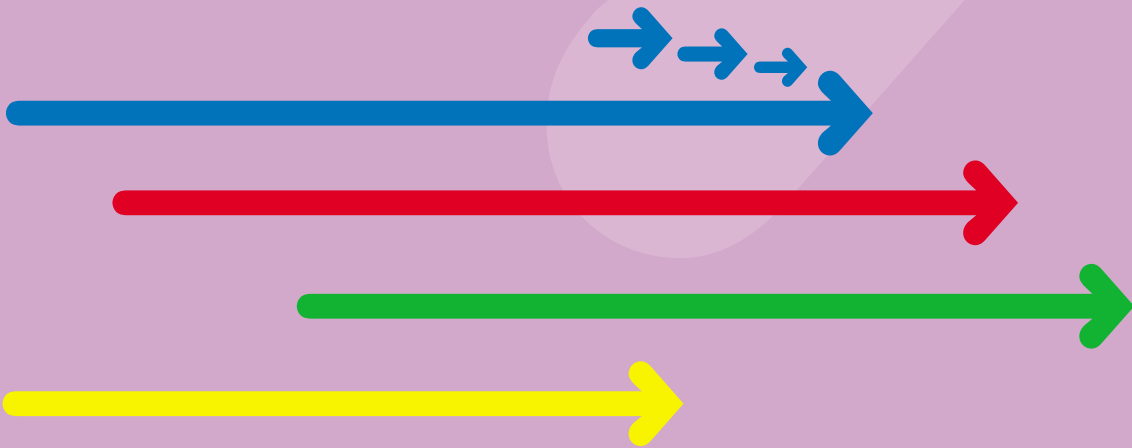
Right of return

- Policies need to be clear about the time scales for a right of return to the same job, a right of return to a similar job, and how reorganisations during the break will impact upon these rights.

Return to work

- Given the current pace of change in local government, authorities need to consider an induction period for employees returning from a break of more than six months.
- It is also worth discussing ways of keeping the employee informed of important developments whilst they are away from work.

Support with child care and other care responsibilities



Support for childcare and other care responsibilities

Introduction

The most common form of caring responsibility is for children, with 78 per cent of women with school aged children now working outside the home. Employees may also be caring for a disabled partner or relative or they may be responsible for the care of an elderly parent.

People with childcare or other care responsibilities may experience more stress in reconciling work and family life than other employees. For all employees, having a reliable system of carer support makes planning work easier and relieves the pressure on colleagues without dependants to 'step in' at the last minute. The net result of providing support with care will be more effective working patterns and arrangements.

Specific needs depend on how far people are able to share their caring responsibility within a network of family and friends and the accessibility of formal public, private or voluntary and community services. Their needs will also depend on their pattern of work.

Information about childcare/eldercare

What is it?

Authorities can provide practical assistance through the provision of information about local facilities and support networks.

Authorities with social service and education departments have a responsibility to set up Early Years' Development and Childcare Partnerships. There should be a functioning Children's Information Service in each county, metropolitan and unitary authority and London Borough. This service helps parents and others find out about childcare in the area.

The Government's freephone ChildcareLink information line (0800 096 0296) provides leaflets and advice on:

- childcare options
- what to look for when choosing a childcare provider
- ways of funding childcare
- local childcare information in each area.

Where possible, they will also refer callers to other organisations with any child-related query that they cannot answer.

Their website at www.childcarelink.gov.uk provides the same information about childcare services throughout England and Scotland on-line. Employers can add this site to their own intranets free of charge.

Various commercial and voluntary sector bodies provide information services to which employers can subscribe. The subscription gives employees access to a range of services, from information about childcare to those covering the full range of care-related services. Some also provide legal and financial advice and factsheets on family issues or counselling. The fee is usually calculated according to the level of service and number of users of the service.

Why is it important?

It can be difficult to obtain information about available services without a lot of telephoning around. An employee spends an average of 16 hours searching for childcare or eldercare. This frequently can only be done during working hours. (Daycare Trust: 'The Childcare Gap' – Briefing Paper No. 1 - 1997).

Access to good quality information about a range of support services will reduce stress for employees who are also carers, as well as reduce the amount of time needed to make arrangements.

Current experience

The DETR survey found that 48% of local authorities provide information about child care, and 18% provide information about other forms of care, compared with 12% and 8% respectively in the wider economy.

Points to consider

The Green Book

- In guidance accompanying the revised Green Book maternity scheme, local authorities are advised to develop contact schemes with staff on maternity leave and make available good clear information on maternity, parental and other family friendly issues. In following this advice, local authorities may also use the opportunity to develop information services on childcare options.

Other issues

- One simple option would be publicising the ChildcareLink Service number and enabling calls and internet access to be made (with support for employees with difficulties accessing it) during work time.
- For the most accurate and up-to-date information about suitable services personnel could collect contact points for the Local Authority Childcare Information Services and sections of social services dealing with services for the elderly and disabled. This could be possible for the areas in which most of their employees live, as well as services close to authority workplaces.
- Authorities might consider funding a counselling service.
- It is important that information about these services reaches the right employees. Those on maternity leave should be reasonably easy to identify, and can be supplied with information about childcare options suitable for babies and young children. There is also a wider group who would benefit from advice about caring support and options. These can be contacted through, for example, staff newsletters, Intranet, notice boards, line managers and trade unions.
- Local authorities might consider providing targeted support at particular times of the year. Setting up specific information services in the period before school holidays has been shown to be particularly popular with employees.

Financial support for childcare and eldercare

What is it?

Some employers pay childcare allowances to parents to assist with childcare. The amount paid may vary according to salary and may be in the form of a loan or salary advance. Additional pay to assist with responsibilities for elderly persons is also an option.

Another option is to provide 'childcare vouchers'. These are bought from a commercial operator by the employing authority and passed to qualifying employees who can spend them on childcare. They are usually redeemable by registered sources of care for pre-school or school age children. An advantage of childcare vouchers is that, unlike allowances, they are not liable for National Insurance contributions, although both count as taxable pay.

Why is it important?

The cost of childcare can be a major barrier to women returning to work after they have had children. Parents who pay for full-time formal childcare in the UK typically spend more on it than they spend on food or housing. (Daycare Trust: 'Investing in Success', 2000).

A MORI survey, carried out in May 2000, found that 80% of parents thought that employers should provide more help with childcare, with over two thirds of parents saying that affordable childcare is essential to enable women to return to work. 30% of those surveyed would like to see employers help with childcare costs.

Providing assistance with childcare costs has the advantage of giving employees choice about the details of the arrangements they make.

Current experiences

According to the DETR survey, 14% of local authorities provided financial support with childcare, compared with 8% in the wider economy.

Over 200 UK companies distribute childcare vouchers. The average weekly allowance for full-time employees is £40.

According to the Labour Research Department database of agreements, and the Equal Opportunities Review Survey of March 1997, local authorities which provide financial assistance with childcare include Cambridge City Council, Chesterfield Borough Council, Colchester Borough Council, the London Borough of Hounslow and Westminster City Council.

Those offering vouchers include Cornwall County Council, Luton Borough Council, and the London Fire and Civil Defence Authority.

The London Borough of Hammersmith and Fulham's eligibility criteria for vouchers includes all male and female employees with children under 14. Subsidy is higher for those on lower grades. Special circumstances are also taken into account, eg. lone parents, parents/children with a disability. There is also a contingency budget for new employees. If the child is under 8, the voucher covers registered individuals, nurseries, or a blood relative.

Points to consider

Pay

- Payments for childcare support should be treated as 'pay' for the purposes of equal pay legislation and so it is important to ensure that any scheme operates in a fair and transparent way and does not contravene Equal Pay legislation.

Amount

- Some employers offer these services on a sliding scale depending on salary levels, with higher contributions being available for those with lower incomes. Others pay a flat rate, which may be limited to certain grades. Some pay on a "per child" basis, others only pay for the first child. Payment will end when the child reaches a certain age, which needs to be determined. Some end payments when children start school. Others have allowances for out-of-school care. For those requiring it, out of school care is likely to cost more during the holidays than the term.
- Most employers limit payment to registered/qualified sources of childcare, for reasons of child welfare. However, this excludes arrangements where the parent pays a relative as relatives are rarely registered.

Direct child care/elder care provision

What is it?

Some employers have decided that the best way to fill the childcare gap is to provide their own childcare places directly to their employees. In some instances the employer establishes its own workplace nursery or out-of-school scheme. In other cases it might mean entering into a partnership with other employers to set up a joint provision. Another option is to purchase places in existing daycare or out-of-school care establishments as required. Local authorities that provide childcare services to their communities might also want to consider whether this could be accessed by employees.

Direct provision of eldercare is less common, but is an option.

Why is it important?

Giving employees information about childcare/eldercare provision and the financial means does not guarantee that there will be sufficient appropriate local facilities. Direct provision can increase capacity, and ensures that places are there for employees.

For many parents the option of a workplace nursery could provide the ideal caring arrangement. Parents have peace of mind knowing that they are near their children in the event of an emergency. The provision of a workplace nursery is a clear inducement to return to work. Similar benefits might accrue to provision of an employer supported eldercare centre

Where the employer is involved with direct provision, it can be tailored to take account of the work environment. For example, the employer can influence where and whether places are provided on a full-time or part-time basis, or ensure that the timings of the provision take account of unusual shift patterns.

Current experience

The DETR survey found that 9% of local authorities have workplace nurseries. 9% provide subsidised places in other nurseries. According to the Labour Research Department database of agreements, the London Borough of Croydon and Somerset County Council are both examples of local authorities with established workplace nurseries.

According to the Equal Opportunities Review of March 1997, Harlow District Council provides 14 places in two local nurseries, one council-run, the other run by a co-operative.

At Luton Borough Council, all employees pay the same for the places the council provides. In Reading Borough Council, employees pay on a sliding scale, linked to salary.

The development of partnerships to provide nursery places is increasing in both the public and private sectors as well as between the two. The HSBC, for example, have entered into partnerships with colleges, hospitals, local authorities and private nurseries to provide 800 places in nurseries for their 44,000 staff.

The Labour Research Department database cites the London Borough of Havering as an authority where employees can use places in council nurseries on an emergency/short-term basis.

Points to consider

Whether to set up a work place nursery/out of school care

- Whether it is better to set up from scratch or buy existing places will depend on the availability of the latter. Where there is good availability, buying in can allow for greater parental choice and access to different sites, particularly for those with children of different ages and needs.
- If it is considered that it is better to set up a new facility, the Daycare Trust is a source of information about the costs of setting up and running a workplace nursery, including European or government funds that may be available. The Kids Club Network can provide information about out of school care.
- Sharing a new scheme can reduce both the start-up and running costs, as the demand for places is likely to be more stable.

Eligibility and charging policy

- Authorities are unlikely to be able to provide places for all who would like to have them. Some operate a points system designed to ensure that those with lower incomes are given priority. Another factor often taken into account is whether siblings are already using the facilities. Some employees will need places for only part of the day or week.
- A charging policy needs to be developed which may include subsidies. Some employers offer a greater subsidy to those on lower incomes. Others charge a set subsidised fee, but may allocate according to income criteria.
- Where fees are subsidised for a workplace nursery, the employer subsidy is not liable for income tax, but it is arguable that it could be defined as 'pay' for the purposes of the Equal Pay Act. In addition the Sex Discrimination Act and Race Relations Act would cover the benefit of access to places. Employers should ensure that the basis on which places in the nursery/eldercare centre are allocated, and a subsidy included, are fair and transparent.

Links with other forms of childcare and other care support

- Workplace nursery facilities will not suit all parents. In particular, those whose main work location is at a distance from the nursery site or who have difficulties commuting with a child may find little benefit. Nurseries do not help parents of older children. Making workplace nurseries part of a package of provision, including financial support, will ensure that a wide group of employees benefit.
- Similar points can be made in respect of directly provided eldercare.

Resources



Resources

Employers' Organisation for Local Government (EO)

www.lg-employers.gov.uk

- **Maternity and Parental Leave (2000)**
This covers maternity leave, parental leave and time off for dependants. It is a practical tool designed to help authorities assess their obligations and develop policies and procedures. It is specifically geared to local authorities, covering both Green Book conditions of service and statutory obligations. To order, contact Publications (book.sale@idea.gov.uk , 020 7296 6522). Cost £35
- **Working Time Guide (1998)**
This covers the provisions of the working time regulations. To order, contact the Employment Relations Unit (eru@lg-employers.gov.uk, 020 7296 6570) Cost £15.00 to local authorities
- **The Time of Our Lives in Bristol (1999)**
This publication reports on the first year of an EU sponsored social partnership project developing positive flexibility, with the EO and the TUC in national social partnership, and Bristol City Council and the trade unions in local social partnership. To order contact Bonnita Thomas (bonnita.thomas@lg-employers.gov.uk, 020 7296 6570). This is free publication for local government.
- **Teleworking and Local Government: Assessing the costs and benefits (reprinted 2001)**
This report written by Ursula Huws for the EO, analyses the potential of teleworking in relation to local authorities' role as major employers, service providers and enablers, planners and facilitators of community economic development. To order, contact the Publications Department (book.sales@idea.gov.uk 020 7296 6522). Price £15 to local authorities.
- **Flexibility and Fairness (1998)**
Notes from a national conference held in 1998, including presentations from national policy makers and case studies from eight local authorities. To order contact Bonnita Thomas (bonnita.thomas@lg-employers.gov.uk, 020 7296 6872). This is a free publication.
- **Flexible Working Patterns in Local Authorities and the Wider Economy (1998)**
This report describes the incidence of different patterns of working in local authorities England and Wales in 1996, and compares these with the wider economy. It identifies policy issues that authorities might wish to consider, and analyses the different working patterns by gender, ethnicity, age and disability status. To order contact the Publications Department (book.sales@idea.gov.uk 020 7296 6522)

- **Managing the Flexible Workforce (1997)**

This publication focuses upon the service, employee and community drivers for considering different working patterns in time and place. It highlights the management issues that need to be addressed to achieve the full benefits of flexible working. To order contact Bonnita Thomas (bonnita.thomas@lg-employers.gov.uk, 020 7296 6570). This is a free publication.

General and Municipal Workers Union (GMB)

www.gmb.org.uk

The following are available, free of charge to GMB members, from GMB regional offices, or GMB National Office (020 8971 4263 or e-mail

christine.turner@gmb.org.uk

- **GMB Negotiators Guide to the Family Charter**

- **GMB Bargaining Brief**

This guide is for GMB workplace representatives and is available to members from their GMB Regional Officer. It frequently covers work-life balance issues. Back issues are available on:

- Annualised hours
- The business case for family friendly
- Homeworking
- Job sharing
- Maternity rights
- Parental leave
- Part-time working
- Public holidays and religious festivals
- Race discrimination
- Time off for dependants
- Working Time Regulations

Transport and General Workers Union (T&G)

www.tgwu.org.uk

The following are available from members' regional offices, or the T&G at Transport House, (contact Margaret Higgins. mhiggins@tgwu.org.uk 020 7611 2640).

- **T&G Family Pack**

This includes:

- T&G Maternity, Parental Leave and Family Rights at Work
- Health and Safety for Pregnant Women and New Mothers
- Working Time Flexibility for Families
- Childcare Assistance at Work
- Bargaining for Carers
- Bargaining for Work-Life Balance (available from Autumn 2001)

- **The Working Time Regulations: A T&G Guide**
- **T&G Model Equal Opportunities Policy and Agreements**
This includes model agreements on:
 - Maternity and Family Leave
 - Tackling Institutional Racism
 - Disability Equality
 - Lesbian, Gay and Bisexual Equality
 - Religious and Cultural Needs
- **Disability Rights at Work: T&G Guide for Negotiators**

Unison

www.unison.org.uk

The following publications can be obtained by contacting:

Mike Carley at UNISON, Communications Department, 1 Mabledon Place, London WC1H 9AH, fax 020 7551 1461, n.carley@unison.co.uk . The number in brackets refers to the stock reference number.

- Negotiating Childcare Guide (1591)
- Parents and Childcare Survey, May 2001 (1593)
- Negotiating Guide to Parental Leave (1759)
- Negotiating Guide to Time-Off for Dependants (1795)
- A Negotiators' Guide to the Working Time Regulations (1575)
- Local Bargaining: a guide for UNISON negotiators (1801)
- Disability Discrimination Act Negotiating Guide (1434)
- Best Value Equalities Toolkit (1799)

Trade Union Congress (TUC)

www.tuc.org.uk

TUC guidance on flexible and family friendly employment is available from their publications department at Congress House, Great Russell Street, London WC1B 3LS. They include:

- **Changing Times: A TUC Guide to Work-Life Balance (2001)**
Changing Times is a practical guide to a unique process developed by the TUC which helps unions and organisations to work in partnership to maximise staff options and improve their work-life balance, whilst improving the delivery of services. The Changing Times process is based on experience in the Time of Our Lives project, (carried out in national partnership with the Employers' Organisation for Local Government and with local partnership with Bristol City Council and local government trade unions) and a partnership project between the Inland Revenue and the PCS.
This publication is available at £5 a copy for member unions, £8 for voluntary organisations and the education sector, and £30 for commercial

organisations, with substantial discounts for orders over 20 copies.

- **Great Expectations: a guide to maternity and parental rights and benefits**
£25.00 to unions, £30.00 to charities and the voluntary sector, £85 to others.

Department of Trade and Industry Work-Life Balance Team

This team moved from the Department for Education and Employment to the Department of Trade and Industry in the post election departmental re-organisation.

Their web site is currently at www.dfee.gov.uk/work-lifebalance. They will have a new address www.dti.gov.uk/work-lifebalance in Autumn.

This team administers the **Work-Life Balance Challenge Fund** that pays for consultancy support to help introduce win-win work-life balance practices. More than 30 applications from local government have already been successful, and the team is eager to hear from innovative projects in the public sector. Details are on the web site, or contact their publication order line (details below)

Publications are available on the web site, or from DfEE Publications on 0845 60 222 60, dfee@prolog.uk.com citing the reference number. These include:

- **Creating a Work-Life Balance – a good practice guide for employers (WLBGPGE1)**
This offers advice to employers on how to set up policies and working practices which enable their employees to achieve a better work-life balance. It features nine detailed case studies from a range of organisations of various sizes, all of which have enjoyed significant business benefits from introducing flexible working practices in their organisation.
- **Work-Life Balance 2000 (WLBSUMBS1)**
This is a summary of findings from a DfEE survey of 7,500 employees. It is part of a comprehensive study on work-life balance, which also covers 2,500 workplaces and 250 headquarters.

It reveals that everyone, not just parents, want to get a life. Employees, regardless of whether they have children, want flexible working practices so they can better balance the demands of work and home life.

The full report is also available: Research report RR249.

Department of Transport, Local Government and the Regions (DTLR)

As the Department of the Environment, Transport and Regions (DETR) the DETR undertook a survey complementing the DfEE survey:

- **Work-Life Balance: A survey of local authorities (March 2001)**

Copies, priced £10, are available from DETR, Publications Sales Centre, Unit 21, Goldthorpe Industrial Estate, Rotherham S63 9BL, telephone 01709 891318, fax 01709 881673.

Department of Trade and Industry: Partnership at Work Fund

www.dti.gov.uk/partnershipfund

This concerns developing better employment relations within work through:

- Joint approaches to solving business problems.
- Implementing changes through the consultation and involvement of employees.
- Emphasising shared culture and shared learning.
- Helping to improve the balance between work and other life responsibilities.
- Recognising the rights and responsibilities of both management and employees.

Up to £5million of Government Funding is available over four years. Support can be for up to 50% of the eligible costs of individual projects, up to a maximum of £50,000 per project.

To register an interest email partnership@dti.gsi.gov.uk or telephone the helpline on 020 7215 6252.