

# CYFARFOD PENDERFYNIADAU AELOD Y CABINET

15fed Awst 2023

<b>Yr Aelod o'r Cabinet</b> Cyng. Philip Hughes	<b>Y Portffolio:</b> Trefniadaeth a'r Gweithlu
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## Y Pwrpas:

I sicrhau bod y polisi dileu swydd yn adlewyrchu newidiadau a gyflwynwyd gan Ddeddf Diogelu rhag Dileu Swyddi (Absenoldeb Beichiogrwydd a Theulu) 2023 a ddaw i rym ar 24 Gorffennaf 2023.

## Yr Argymhellion / Penderfyniadau Allweddol Sydd Eu Hangen:

Mabwysiadu'r newidiadau statudol rhagnodedig

## Y Rhesymau:

I gydymffurfio â gofynion statudol.

<b>Y Gyfarwyddiaeth</b> Enw Pennaeth y Gwasanaeth: Paul Thomas Awdur yr Adroddiad: Ann Clarke	<b>Swydd:</b> Prif Weithredwr Cynorthwyol  Uwch Partner Busnes A.D.	<b>Rhif Ffôn: 01267 224825</b> <b>Cyfeiriad E-bost:</b> PRThomas@Carmarthenshire.gov v.uk ALClakre@Carmarthenshire.gov. uk
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**EXECUTIVE SUMMARY CABINET MEMBERS DECISIONS MEETING FOR  
ORGANISATION AND WORKFORCE  
15<sup>TH</sup> AUGUST 2023**

**Redundancy Policy - Update**

**EXECUTIVE SUMMARY:**

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

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

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

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

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

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

**DETAILED REPORT ATTACHED ?**

**YES**

# IMPLICATIONS

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

Signed: Paul Thomas, Assistant Chief Executive

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

## Policy, Crime & Disorder and Equalities

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

## Legal

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

## Risk Management

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

## 7. Staffing Implications

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

# CONSULTATIONS

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

Signed: **Paul Thomas**  
Executive

Assistant Chief

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

**1. Scrutiny Committee**

N/A

**3. Community / Town Council**

N/A

**4. Relevant Partners**

N/A

**5. Staff Side Representatives and other Organisations**

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

**Section 100D Local Government Act, 1972 – Access to Information  
List of Background Papers used in the preparation of this report:**

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