

STAFFING COMMITTEE

Date:- Wednesday, 8 November 2017 **Venue:- Town Hall, Moorgate Street, Rotherham.**

Time:- 10.00 a.m.

AGENDA

1. To consider whether the press and public should be excluded from the meeting during consideration of any part of the agenda.
2. To determine any item which the Chairman is of the opinion should be considered as a matter of urgency.
3. Special Leave Provision for Foster Carers/Adopters (report herewith) (Pages 1 - 5)

Summary Sheet

Council Report Staffing Committee

Title of Report:- Special Leave Provision for Foster Carers/Adopters

Is this a Key Decision and has it been included on the Forward Plan?

This is not a key decision

Strategic Director Approving Submission of the Report

Ian Thomas, Strategic Director, Children and Young People's Services

Report Author(s)

Anne-Marie Banks, Service Manager - Fostering

Ward(s) Affected

All

Summary

The purpose of this report is to obtain approval to enhance the Council's leave provisions for employees who are Rotherham prospective/foster carers and prospective adopters and also to support Rotherham foster carers already providing these types of care by providing time off where necessary.

The plan is to implement a new initiative to support Council employees who also adopt or foster by enabling them additional leave.

Recommendations

That Staffing Committee approves an amendment to RMBC Council employee terms and conditions of employment to incorporate a special leave provision for foster carers and adoptive parents.

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required:

No

Exempt from the Press and Public:

No

Title: Special Leave Provision for Foster Carers/Adopters

1. Recommendations

- 1.1 That Staffing Committee approves an amendment to RMBC Council employee terms and conditions of employment to incorporate a special leave provision for foster carers and adoptive parents.

2. Background

- 2.1 The purpose of this report is to obtain approval to implement a new initiative to support Council employees who also adopt or foster for Rotherham by enabling them to take additional leave for that purpose.
- 2.2 The Council currently has high costs associated with commissioning independent foster provision and out of area residential care due to a shortage of local authority foster carers. RMBC have committed to a number of initiatives to address this including a more attractive 'offer' to foster carers, a 'refer a fostering friend' scheme and a virtual recruitment resource. In addition to this, the service are keen to introduce a 'foster friendly employer' initiative to support the Rotherham recruitment and retention of local provision for children in care by offering flexible working opportunities and time off work for RMBC foster carers employed by the Council and those considering fostering and other forms of permanency.
- 2.3 At present although there is a number of supportive measures available to council employees requiring flexible working there is not currently any specific paid provision which enables carers to have time off to attend fostering or adoption events, such as training, reviews or panel.
- 2.4 The Service view this 'foster friendly employer' initiative evidence of best practice, and a means to encourage more Rotherham Metropolitan Borough Council (RMBC) employees to become foster carers for Rotherham, the Service would promote the support available to enable more employees to take on this role.
- 2.5 This proposal is extended to Rotherham adopters undergoing assessment and during the transition of children into adoptive placements.
- 2.6 If agreed, It is proposed that time off work may be granted under the umbrella of 'special leave' for prospective RMBC foster carers/ adopters undergoing assessment, for adopters during the transition of a child into adoption and for foster carers post approval for example to attend training, reviews or panel. This category of leave must not be used where other forms of leave such as annual and/or flexi leave are more appropriate to the circumstances, such as in the case of a family holiday.
- 2.7 It is essential that employees spend the substantial majority of their contracted hours carrying out the role for which they are employed, however, providing this leave entitlement will demonstrate RMBC's support for Council employees who are RMBC foster carers or adopters.
- 2.8 The law entitles employees to a reasonable amount of unpaid time off for emergencies involving dependants and this will also continue to apply to foster carers. Time off for emergencies already applies to adoptive parents and special guardians, as they hold Parental Responsibility for their

dependents and this will place foster parents in line with other types of permanency care.

- 2.9 The plan is to enable employees who have completed the initial enquiry stage of the adoption/ fostering process and wish to proceed to assessment with the ability to apply for up to 5 days paid leave and 5 days unpaid leave specifically for pre-adoption/ pre fostering approval activities per year.
- 2.10 The 5 days can be taken in a rolling 12 months period to engage in essential activities related to adoption and fostering such as training, introductory meetings, assessments, reviews and panel etc.
- 2.11 Owing to the separate leave arrangements and term time only working applied in schools this entitlement relates to non-schools employees only and is pro rata for part time employees. The entitlement of 5 days paid leave and 5 days unpaid leave will be per adoptive/fostering household and not per child.
- 2.12 Once agreed consultation will take place with HR to implement changes to the Special Leave policy/forms to enable employees to make requests for leave and for Managers to authorise as necessary. The leave type will be recorded as special leave. The hours recorded for the day, whether all classed as adoption/ fostering special leave or a combination of adoption/fostering special leave and other attendance / absence types, should not exceed the time the employee is planned to work, or up to a maximum of 7.4 hours for flexitime workers depending on their normal work pattern.
- 2.13 This arrangement relates only to RMBC approved foster carers or those undergoing assessment with Rotherham. Similarly in the cases of adoption, this arrangement relates to adopters being assessed as Rotherham adopters or those undergoing transition of a child into their care when they are approved as Rotherham adopters.

3. The following are examples of the arrangements in place in other organisations to demonstrate what 'foster friendly employers' look like:

- **The Department for Education (DfE):** In April 2014 the DfE became the government's first foster family friendly employer. Employees who foster, as well as those who care for children of family or friends (such as a grandparent caring permanently for their grandchild) were able to take up to 20 days paid leave in a twelve month period to attend training or meetings relating to their role as a carer. Up to five days leave could be taken during the assessment process, an additional five days during the approval process or when caring for a foster child (for meetings, training or unforeseen emergencies such as an emergency placement) and up to ten days leave at the start of a planned permanent placement. Employees are also entitled to additional unpaid time off to deal with unexpected emergencies, such as welcoming a child into their home at short notice.
- Examples of local authorities within Yorkshire & Humber who currently have a provision for time off for foster carers/adoptive parents.
- **Doncaster:** Adoption - 2 days (14.8 hours) for application for adoption (pre adoption interviews/training/visits/court appearances

- **East Riding:** Fostering – 3 days per 12 month period – assessment/training. 1 day for fostering panel.
- **Hull:** Adoption – Main Adopter = 5 adoption appointments. Secondary Adopter = 2 adoption appointments.
- **North Yorkshire:** Fostering – 5 days paid leave in 1st year for training etc, 2 days in subsequent years. Adoption – 5 days pre adoption
- **Sheffield:** Adoption - allow pre adoption leave, no specific allowance in days
- **Kirklees:** Adoption – max 3 days leave (pro rata) for SW assessments/training per employee. Fostering – following initial assessment employees who go forward to approval process = 8 days paid leave, following approval = 5 days paid leave per year to support new placements/meetings

4. Options considered and recommended proposal

Option One: *Take no action.* 'As is'. This is not in line with best practice, will not set us apart as a 'Fostering Friendly' borough and lacks aspiration and vision.

Option Two: To amend employee terms and conditions to increase the 'offer' to foster carers and adopters by enabling special time off arrangements as set out in paragraph 2.9 to 2.13 of this report. This is in-line with best practice and the recommended option (preferred option).

5. Consultation

- 5.1 In undertaking this report there has been consultation with 3 of Rotherham employees who are also foster carers. Each carer has been able to give examples of how they have had to use their leave entitlement to take time off work to attend statutory training.
- 5.2 In addition to this, whilst not actual consultation, the service is aware of the stress placed on working foster carers of school age children who have required additional support due to issues arising with the child in their care whilst they are at work. Generally this relates to older children and frequently about school exclusion.
- 5.3 There has also been consultation with HR about changing Terms and Conditions, and finance about the associated costs to this arrangement.

6. Timetable and Accountability for Implementing this Decision

- 6.1 Following approval by the Staffing Committee that RMBC Council employee terms and conditions of employment are amended to incorporate a special leave provision for foster carers and adoptive parents. Once this proposal receives full approval HR will implement the policy/system changes, and the Communications Team will be consulted about promoting this across the Council.

7. Financial and Procurement Implications

- 7.1 Currently the Authority has 8 carers that are paid for via the General Fund revenue budget. If the number of in-house foster carers were to increase to 201 then this number could increase to 9 (if the ratios were the same).

7.2 The average daily salary cost for RMBC carers is £95.16. Any additional costs for staff cover would fall to the service the carer works for.

Current Number of Carers	186
Number of RMBC Carers*	8
%	4%
Projected number of carers in 2017-18	201
Estimated Number of RMBC Carers	9
Average Current Daily Rate for RMBC Carers	£95.16

*Excludes schools & Academies (Academies no longer part of the LA)

8. Legal Implications

8.1 There are no direct legal implications at this point, but any change to staff terms and conditions will require the approval of the staffing committee.

9. Human Resources Implications

9.1 Human Resources have been fully involved and consulted on this proposal. The introduction of this additional support will continue to ensure that RMBC are a supportive employer, the Council already has a wide range of arrangements which have helped employees manage their work and home commitments, this addition will provide further support to complement the existing agreements in place. The 'planning of taking special leave' should be done at the earliest opportunity and the employees line manager informed as soon as possible for planning purposes.

10. Equalities and Human Rights Implications

10.1 The implications are that RMBC would be a 'fostering friendly' local authority who promotes better outcomes for children, those on their journey to adoption, and fostering families.

11. Implications for Partners and Other Directorates

11.1 The implications of introducing this scheme are positive in that it promotes better terms and conditions for Council Employees who are also adopters or foster carers.

12. Accountable Officer(s)

Mel Meggs, Deputy Strategic Director, Children and Young People's Services

Approvals Obtained from:-

Finance – Mark Chambers (delegated to Colin Allen) and date: 13/06/17

HR – Theresa Caswell and date: 4/07/17

Legal – Neil Concannon and date: 3/07/17

CYPS DLT on 29/8/2017 minute number: 809/17

SLT on 11/10/2017 SLT were supportive of the initiative & asked for the report to go to Staffing Committee in 2 weeks prior to being adopted.