

Are you up to date with Family Friendly Legislation?

The area of flexible working, parental rights and family-friendly provisions has undergone numerous changes over the last few years as the Government attempts to give individuals an opportunity to have a better work/life balance. Given the number of options now available to employees who have children and other caring responsibilities, many employers do not feel confident when dealing with issues relating to family friendly rights.

Recent changes to family friendly legislation that businesses should be aware of include:

1. The extension of the right to request flexible working to all employees who have 26 weeks' continuous employment with their employer regardless of caring responsibilities. For example, employees may request to work flexibly alongside a further education course or in order to combine working with helping to care for grandchildren. Employees may even request to work flexibly simply in order to spend less time at work. Employers have a duty to deal with requests reasonably and can only reject a request on one or more of eight business related grounds
 2. The introduction of shared parental leave and pay. This relatively new regime means that mothers are able to convert up to 50 weeks of their maternity leave and 37 weeks of their statutory maternity pay into shared parental leave and pay and share it with their partner. The regime gives parents significant flexibility; they can apply to take the time off together or separately, in one continuous period or discontinuously. Employers are able to reject some, but not all, patterns of leave requested.
 3. The extension of rights to take unpaid parental leave. Eligible employees are now entitled to take up to 18 weeks of Parental Leave at any time prior to the child's 18th birthday.
 4. New rights for employees to take time off work to attend antenatal and adoption appointments; and
 5. The extension of the right to adoption leave and pay to foster parents approved for adoption and parents of a child born to a surrogate.
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Other rights that employers should be familiar with include the right to maternity leave and pay, the right to paternity leave and pay and the right to take time off to care for dependants.

In addition to the above changes, the government has recently committed to consider strengthening women's rights in relation to pregnancy, maternity and redundancy.

The Government's commitment follows a report by the Women and Equalities Committee which revealed that 6% of women are made redundant and 11% feel forced to leave their jobs on return from maternity leave. It is likely that this matter will be considered as part of the Government's ongoing review of modern working practices, the purpose of which is to consider how the employment market may need to change in order to keep pace with new business models. Further changes in this area are therefore possible.

During March 2017, Taylor Walton will be running a series of workshops exploring this complex area. For more information visit www.taylorwalton.com or contact the events team by telephone on 01582 731161 or by email events@taylorwalton.co.uk.

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