

Changes to legislation affecting AMAZE members 2010

The following changes have been made to legislation that mean changes to the way employment or youth and children's work is carried out. If you have any questions about any of these matters please contact us.

Paternity rights

Fathers of children born from April 2011 are able to take 26 weeks Additional Paternity Leave. This will be paid at the same rate as Statutory Maternity Pay but is conditional that the mother returns to work and gives up a portion of her maternity leave. This must start at least 20 weeks after the birth and end no later than 12 months after it.

Statutory payments

Amounts payable for statutory sick, maternity, paternity and adoption pay as well as national minimum wages have changed. The tiers for National minimum wage have also changed, including the implementation of a new rate for apprentices.

Click [here](#) for details.

JNC pay scales

The latest JNC payscales were agreed in January 2010 and apply from 01/09/2009. They also include 2 new payments for those carrying out residential work, if TOIL is not agreed instead. The Sleeping in Allowance is payable per night where the worker needs to be available at the place of work over night and includes 30mins of call out or work on duty during the night. A further premium, the Disturbance Element is for each hour of work required after that.

Click [here](#) for details.

Professionalisation of youth work sector

From 2010 local authority youth workers will be expected to possess an honours degree level qualification. It is by no means statutory for the voluntary sector to do this, however if Christian youth and children's work providers are to be seen as effective delivery partners we may find that we are increasingly expected to keep the pace.

Fit notes replace sick notes

From April 2010 GPs will issue fit notes rather than sick notes. This may mean that a GP suggests changes to a workers role that enable them to attend work for some duties.

Added fundingcentral.org to resources list

Equality Act 2010

This new act brings together various strands of existing equality legislation and harmonises some of the terminology.

There are now 9 protected characteristics that should not be reasons for discrimination:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Discrimination occurs if an employer discriminates against an employee because of a protected characteristic, whether or not the employee possesses that characteristic (except in the case of marital status or civil partnership). It will be unlawful to discriminate against employees because of their connection with someone else who possesses a protected characteristic, or because they are mistakenly perceived to possess a protected characteristic. This is sometimes called discrimination by association or perception.

Pre employment health questions have been banned to prevent discrimination at an early stage in recruitment. This means you should remove any of those questions from your application forms. It is reasonable to ask, in an interview for example, what reasonable adjustments a potential employee might need an employer to make in order that they can carry out a role. During the recruitment process you should also ensure that all candidates are equally able to get to and conduct any selection methods. This could be a question asked when inviting candidates to interview.

Independent Safeguarding Authority (ISA)

From November 2010 all new personnel, paid or voluntary (including those existing staff changing to new roles) must be registered with ISA before starting work that involves Regulated Activity. Employers will have until 2015 to phase in all current existing workers to the registration scheme.

For more details click [here](#).

If you need further guidance on any of these issues please contact us.