**14 hour rule note**

**LCCSA Meeting 14.05.18**

1. The rule is still causing serious problems for PT and FT duty solicitors. The majority of these are women with caring responsibilities, although others have disabilities and long term health problems.
2. We have gathered many case studies which include LAA removal, the pre-emptive removal of DSs from the schemes by firms to prevent LAA action. There are also many cases of threats of removal by CM’s which cause stress for the firms and individuals involved.

To illustrate note the following scenarios, (2 of many):

A. A part time worker who has a sick baby. He has a serious heart condition. She has recorded between 10 and 14 hours a week. Threatened with removal. Has been advised by CM that she has to make up hours missed when she’s on holiday. She’s been advised to write directly to JS.

B. A part time solicitor who works term time only as she’s the mother of a disabled child at special school. She undertakes all of her duties and complies, but for time off when she has to look after her disabled child when he is not at school.  She’s a single parent. Removed from rotas. Now firm making redundancies. She’s almost certainly going to be selected as she’s no longer got the benefit of DS status. She will struggle to gain employment elsewhere in this climate without it.

1. There is a serious inconsistency in the approach of different CM’s.
2. We have consent from counsel to share advice with EHRC, WICL and TLS and an other body on a confidential and without prejudice basis.

Next steps:

1. Counsel has provided an advice with useful legal points to be raised with LAA about indirect discrimination and a failure to comply with their public sector equality duty.
2. The LAA were dealing with 10 appeals and JS informed the CCCG that guidance would then be issued. We need to an update on what representations were made on behalf of the LCCSA, particularly after the advice was provided.
3. We now know there’s a consultation process so we MUST feedback our findings to TLS.
4. They can only be consulting because they know the rule isn’t working in its current format. They have likely been confronted with the discrimination issue via appeals.
5. TH is arranging a meeting with Christina Blacklaws at TLS to raise issues on behalf of WICL.
6. The issue of any legal challenge is uncertain but serious concerns must be made directly to TLS, backed by as many agencies, rep bodies as possible (YLALs, SALs and others who support our views re discriminatory effects)
7. Given the meeting next week between LAA and TLS representations which may not have been made TLS in the CPG meetings must be agreed and made now, before this window closes.