

## MEMBERS' PARENTAL LEAVE

### Governance Committee - 6 November 2018

Report of                      Monitoring Officer

Status                         For Decision

Key Decision                No

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**Executive Summary:** The Council does not have a policy relating to Parental Leave for Members. This report proposes the steps towards incorporating such a policy into the Constitution.

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**Contact Officer**        Martin Goodman, Ext. 7245

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#### **Recommendation to Governance Committee: That:**

1. the report be noted; and
2. the views expressed by Members on the merits of a Parental Leave policy be noted; and
3. if Members deem it to be appropriate, a working party of three Members selected from the Governance Committee be formed to draft a parental leave policy and report back when finished.

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**Reason for recommendation:** To enable a Parental Leave policy in line with Member wishes to be drafted.

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#### **Introduction and Background**

- 1        The Monitoring Officer has been approached about incorporating a policy relating to Member parental leave in the Constitution. This Council does not have any such policy and only four other Councils have adopted a parental leave policy. Members are invited to consider whether the current position is appropriate and whether the introduction of a policy is desirable in view of the demographic make-up of the Council.
- 2        Members are not employees and do not need permission to miss meetings. However, section 85 of the Local Government Act 1972 sets out that if a member of a local authority fails to attend any meeting of the authority for a period of six months they automatically cease to become a Member.
- 3        This provision may be avoided if the absence is approved by the authority before the expiry of six months. It is always a Member's own responsibility to attend meetings or in good time to seek an appropriate resolution of the Council.

- 4 It has been suggested that the best way to incorporate a policy on parental leave into the constitution may well be to amend the Members' Allowances Scheme to reflect new provisions relating to parental leave. At present Members who are absent from the Council for any reason continue to be paid full allowances without deduction. It would not be financially beneficial to new parents to deviate from this approach.
- 5 An alternative approach would be to adopt a 'standalone' policy covering a wide range of issues. However, this would not in any way avoid the provisions of section 85 of the Local Government Act 1972 which sets out that if a member of a local authority fails to attend any meeting of the authority for a period of six months they automatically cease to become a Member. However, it is possible that any new policy could be drafted so as to make it easier for Members to obtain the permission of Full Council to miss meetings.
- 6 Members may wish to consider whether it would be beneficial to formalise arrangements for covering ward casework and communication. If minded to adopt a policy, Members may also wish to consider whether they would like it to relate to any form of approved absence (such as ill health) or only parental leave. Any policy could also set out levels of pastoral support available to those affected.

#### **Next steps**

- 7 Members are invited to consider the correct approach in this matter and two steps are suggested so as to promote discussion.
  - i. Members should provide their views regarding the benefits of a Parental Leave policy;
  - ii. Members consider forming a working party to draft a policy and report back to the Governance Committee.

#### **Other Options Considered and/or Rejected**

This report retains all options.

#### **Key Implications**

##### Financial

None other than the payment of allowances, which are within budget.

##### Legal Implications and Risk Assessment Statement.

A Parental Leave Policy for Members is not compulsory. Members are reminded of the provisions of section 85 of the Local Government Act 1972 as set out above.

