

Report to Council

Subject: Parental Leave Policy for Councillors

Date: 25 January 2023

Author: Chief Executive

Purpose

To seek approval to consult on a draft Gedling Borough Council Parental Leave Policy for Councillors.

Recommendation(s)

THAT:

- 1) Members agree to launch a consultation on the Draft Gedling Borough Council Parental Leave Policy at Appendix 1 in line with details set out in the report.**

1 Background

- 1.1 There is at present no legal right to parental leave of any kind for people in elected public office. This applies to MPs as well as Councillors. In 2017 only 4% of Councils in England and Wales had a formal parental leave policy in place, other authorities made informal arrangements. The Local Government Association's ("LGA") Labour Women's Taskforce was set up in 2018 to look at the issues faced by women in local government and as part of this work a model policy establishing parental leave for Councillors was drafted.
- 1.2 The LGA's 21st Century Councils Equalities Toolkit produced in 2019 recommends that Councils adopt a parental leave policy for members and as of February 2022, 33 councils had adopted the model policy created by the LGA.
- 1.3 The model policy aims to encourage a wider range of people to become Councillors as well as offering support to those already in the role who may wish to start a family but remain as Councillors.

- 1.4 The model policy includes the following provisions for Members:
- a period of 6 months maternity leave which can be extended to 52 weeks by agreement
 - a period of 6 months adoption leave which can be extended to 52 weeks by agreement.
 - Shared parental leave if both parents are Members up to a maximum of 50 weeks
 - Continued payment of basic allowance and special responsibility allowances during periods of leave
- 1.5 The model policy is clear that Members are still required by virtue of s.85 of the Local Government Act 1972 to attend a meeting of the Council within a 6 month period unless the Council agrees to an extended leave of absence prior to the expiration of the 6 month period. This legal duty remains and Members would have to ensure contact with the Council during any periods of parental leave.
- 1.6 Any agreed payment of allowances under a Parental Leave Policy, would need to be reflected in the Member's Allowance Scheme.
- 1.7 A draft Parental Leave Policy for Gedling Borough Council has been prepared and is attached at Appendix 1. This draft is based on the LGA model policy. Further views from members on the proposals in the draft policy now need to be obtained.

2 Proposal

- 2.1 It is proposed that Members support a period of consultation on the draft policy so that all Members have an opportunity to express their views on the document through a consultation process. Democratic Services will, if consultation is agreed, circulate the draft policy to all Members individually inviting comments on the proposed arrangements. The period for consultation will run for three weeks with responses and subsequent decision on adoption of a Parental Leave Policy to be considered at the next meeting of the Council.

3 Alternative Options

- 3.1 Members could determine not to consult on the draft policy, however it is considered that all Member's views should be considered before any final decision is taken on whether to have a Parental leave Policy and what such a policy should contain. In particular, any payments of special allowances and basic allowance during parental leave would need to be taken into account as part of the Member's Allowance Scheme which is also due to be presented to the next meeting of the Council.

4 Financial Implications

- 4.1 There will be financial implications arising out of the adoption of a Parental Leave Policy, for example, in the draft policy, it is proposed that any Members taking leave under the policy would continue to be entitled to basic allowance and special responsibility allowance through leave periods. In relation to basic allowance, even without the policy a Member could essentially refrain from attending meetings for up to six months and still be entitled to basic allowance so the impact is minimal.
- 4.2 Members are currently entitled to special responsibility allowance where they have special responsibilities in relation to the Council, full details are included in the Members Allowance Scheme. The draft policy, if adopted proposes maintaining payments of special responsibility allowance to Members during periods of parental leave. The draft policy also proposes payment of special responsibility allowance to any temporary replacements who may take over the special responsibilities of the Member on parental leave. This will have a budgetary impact as essentially special responsibility allowances may be paid twice for the same role but not to the same Member. It is clear in the draft policy and in the Member's Allowance Scheme that no member can be paid more than one special responsibility allowance.

5 Legal Implications

- 5.1 There is no legal requirement to have a parental leave policy for Councillors however improving accessibility to Members roles as well as supporting those in office who wish to have children is in alignment with the Equality Act 2010. The policy does take into account the statutory requirement for Members to attend Council meetings by virtue of s.85 of the Local Government Act 1972 and that duty remains.
- 5.2 The payment of basic and special responsibility allowance is made in accordance with the Council's Member Allowances Scheme which is in line with the Local Authorities (Member's Allowances)(England) Regulations 2003. Any changes to that scheme would need to be approved by Council if a Parental leave Policy were adopted.
- 5.3 Consultation with Members will ensure that Members get the opportunity to fully express their views on any such policy and regard must be had to those consultation responses as part of any final decision on adoption of a Parental Leave Policy.

6 Equalities Implications

- 6.1 Improved provision for new parents would contribute towards increasing the diversity of experience, age and background of local authority Councillors. It would also assist with retaining experienced Councillors – particularly women – and making public office more accessible to

individuals who might otherwise feel excluded from it.

7 Carbon Reduction/Environmental Sustainability Implications

7.1 There are no carbon reduction/sustainability implications arising from this report.

8 Appendices

8.1 Appendix 1 – Gedling Borough Council Draft Parental Leave Policy for Councillors

9 Background Papers

9.1 Local Government Association 21st Century Equality Toolkit

[Twenty-first Century Councils | Local Government Association](#)

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Drafted by the Monitoring Officer