

Report to Council

Subject: Parental Leave Policy for Councillors

Date: 2 March 2023

Author: Chief Executive

Purpose

To seek approval of the Gedling Borough Council Parental Leave Policy for Councillors.

Recommendation(s)

THAT:

- 1) Members approve the 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 consultation on a draft Parental Leave Policy for Gedling Borough Council was agreed by Council on 25 January 2023. The draft policy has been sent to all members of the Council and was considered by the Independent Remuneration Panel (IRP) as part of the annual review of the Member's Allowance Scheme. There have been no proposed amendments to the draft Parental Leave Policy following consultation and no comments on the allowances paid under the policy from the IRP.

2 Proposal

- 2.1 It is proposed that Members approve the Parental Leave Policy for Gedling Borough Councillors at Appendix 1 to this report.

3 Alternative Options

- 3.1 Members could determine not to approve the draft policy, or make amendments to the proposed policy, however following consultation there have been no proposed changes, and as such approval of the policy at

Appendix 1 is sought.

4 Financial Implications

- 4.1 There will be financial implications arising out of the adoption of a Parental Leave Policy, for example, 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 policy, if adopted proposes maintaining payments of special responsibility allowance to Members during periods of parental leave. The 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 individual 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 has been undertaken with members in relation to this policy and the IRP have considered implications to the Member's Allowance Scheme. Any responses have been considered in the preparation of this report.

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 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