

## For General Release

<b>REPORT TO:</b>	<b>FULL COUNCIL 28 JANUARY 2019</b>
<b>SUBJECT:</b>	<b>PARENTAL LEAVE: AMENDMENT TO ALLOWANCE SCHEME FOR MEMBERS</b>
<b>LEAD OFFICER:</b>	<b>JACQUELINE HARRIS-BAKER, DIRECTOR OF LAW AND GOVERNANCE, COUNCIL SOLICITOR AND MONITORING OFFICER</b>
<b>WARDS:</b>	<b>ALL</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:</b> The Council is required under the Local Government Act 2000 and the Local Authorities (Members' Allowances) (England) Regulations 2003 to undertake a review of its Members' Allowances scheme. Where amendments are sought to be made to the allowances scheme, any such amendments are required to be approved by full Council.	
<b>FINANCIAL IMPACT</b> The report recommendations will ensure councillors continue to receive allowances during any periods of sickness, paternity, maternity, shared parental and adoption leave. In the case of maternity, adoption, shared parental and sickness leave, special responsibility allowances will be reduced by 50% should a Councillor request to continue their leave by a further 6 months.	

### 1. RECOMMENDATIONS

Council is recommended to consider the proposals contained in this report and

- 1.1 Agree the amendment to the Scheme of Members' Allowances to provide for maternity, adoption, shared parental, paternity and sickness leave detailed in this report and appended in full at Appendix 1.

### 2. EXECUTIVE SUMMARY

- 2.1 In line with the commitment already agreed by full council making provision for councillors to receive maternity, adoption, shared parental, paternity and sickness leave similar to staff provision this report now recommends the adoption of a detailed scheme setting out the proposed arrangements.

### **3. SCHEME OF MEMBERS' ALLOWANCES**

- 3.1 The Council is required under the Local Government Act 2000 and the Local Authorities (Members' Allowances) (England) Regulations 2003 to undertake a review of its Members' Allowances scheme and approve any amendments to the scheme. The Council's scheme of Members' Allowances was last reviewed and amended in July 2018.
- 3.2 Any changes in to the allowances scheme are required to take into account the recommendations of a local independent panel on remuneration for Councillors. The most recent of which were recommendations made in the Independent Remuneration report to London Councils (January 2018). A link to the report is included here for ease of reference: <https://www.londoncouncils.gov.uk/who-we-are/about-us/financial-information/leadership-and-expenses/remuneration-councillors-london>
- 3.3 In relation to maternity and paternity leave, the Independent panel recommended that members' allowances schemes should allow the continuance of Special Responsibility Allowances in the case of sickness, maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies) and these recommendations currently form part of the Council's Allowances Scheme as adopted.
- 3.4 It was recognised by the Independent panel that one of the barriers to becoming a councillor related to child care and maternity/paternity arrangements.
- 3.5 The proposals within this report seek to go beyond what is proposed by the Independent Panel and are based on the proposed policy by the LGA Labour Women's Taskforce. The LGA Labour Women's Taskforce, set up in 2018 to look at the issues faced by women in Labour local government, has proposed a more fulsome parental leave policy for councillors with a view to giving greater certainty to councillors and councils alike when a councillor needs to take time off after the birth or adoption of a child, and seeking to mitigate the instances where the lack of parental leave would be a deterrent to someone becoming a councillor.
- 3.6 In 2017 the Fawcett Society found that only 4% of councils in England and Wales had a formal parental leave policy in place. Others make informal arrangements which were based entirely on the discretion of the leader at the time. The LGA Labour Women's Taskforce expressed the view that parental leave for councillors shouldn't just be a 'nice to have', dispensed at someone's discretion, and it shouldn't be seen as just being for women. It was considered that support such of this nature is important in encouraging women and men of all backgrounds to be councillors.
- 3.7 In light of the work by the Taskforce, a model policy was prepared and was sent out to all Labour council leaders and Labour group leaders. A copy of the full proposals can be viewed here: <https://www.local.gov.uk/lga-labour/about-us/parental-leave-policy-councillors>
- 3.8 The objective of the proposed policy is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth or adoption, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave

taken. The proposed policy also includes provision in relation to long term sickness absence.

- 3.9 It is hoped that improved provision for new parents will contribute towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.
- 3.10 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. These policy proposals can therefore only currently be implemented on a voluntary basis.
- 3.11 The policy proposes an entitlement of six months parental leave, with an option of extending it for a further six months if agreed locally. The policy also provides for long term sickness leave for a period of up to 6 months subject to review and possible extension by six months. Even if the policy is adopted and forms part of the allowances scheme, Croydon members will still have to ensure that they attend one meeting every six months as a legal requirement, and this is noted as part of the policy. There is also reference to the basic allowance, which all councillors will continue to receive and to what to do in the event that a councillor receiving an SRA takes parental leave. Provision is also made with regard to recommended notification procedures in the event that parental leave is required and the option for a temporary replacement to be appointed during a period of absence should this be necessary.
- 3.12 The proposals are incorporated within Appendix 1 via tracked changes for members' consideration and approval.

## **4. CONSULTATION**

- 4.1 Both political groups represented on the Council have been consulted on the proposed changes detailed above.

## **5. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

Revenue and Capital consequences of report recommendations

### ***1 The effect of the decision***

The report recommendations will incur additional costs only when a Councillor is in receipt of Special Responsibility Allowances (SRA), otherwise all allowance payments remain as budgeted. This is because another Councillor nominated to cover will also be in receipt of that SRA for the duration of the absence.

### ***2 Risks***

The level of future sickness, paternity or maternity leave is unknown, but the report proposals will only result in additional costs where Councillors are in receipt of SRAs.

### ***3 Options***

None - these proposals are the only option set out in this report.

### ***4 Future savings/efficiencies***

Costs of additional allowances payable from these proposals will need to be managed against existing budgets for Members' Allowances.

(Approved by: Ian Geary, Head of Finance, Resources and Accountancy, on behalf of the Director of Finance, Investment and Risk)

## **6. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER**

6.1 There are no additional legal implications arising from the report not already set out in the body of the report.

(Approved by Sandra Herbert Head of Litigation and Corporate Law for and on behalf of Jacqueline Harris-Baker the Director of Law and Governance and Monitoring Officer)

## **7. HUMAN RESOURCES IMPACT**

7.1 There are no HR implications arising from the report for Croydon Council Employees or staff.

7.2 The Council's HR policies on maternity leave, paternity leave, parental leave, adoption leave, shared parental leave and sick leave apply to all employees, except where identified within the policy, such as those employed by schools who have their own policy and workers who are not employed by the Council (agency workers and contractors). It should be noted that these policies do not apply to Councillors as elected members.

(Approved by: Gillian Bevan, Head of HR Resources on behalf of the Director of Human Resources)

## **8. EQUALITIES IMPACT**

8.1 Whilst it is noted that there is no statutory entitlement to such provision for Members (or indeed for MP's) , it is hoped that improved provision for new parents will contribute towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

## **9. ENVIRONMENTAL IMPACT**

9.1 There are no anticipated environmental impacts.

## **10. CRIME AND DISORDER REDUCTION IMPACT**

10.1 There are no anticipated crime and disorder reduction impacts

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**CONTACT OFFICER:** Jacqueline Harris-Baker, Director of Law and Governance, Council Solicitor and Monitoring Officer. (ext. 62328)

**BACKGROUND DOCUMENTS:** This report is not dependent upon any previously unpublished documents.