

Requisitioned Items

Cabinet Member: All

Division and Local Member: All

Lead Officer: Scott Wooldridge – Monitoring Officer

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1. Parental Leave for County Councillors

- 1.1** The following requisitioned item will be proposed by Cllr David Fothergill and seconded by Cllr Leigh Redman:

Parental Leave Policy for Elected Members of Somerset County

Council Motion:

That the County Council notes that it does not currently have a formalised policy relating to Parental Leave for elected Members. At present there is no legal right to Parental Leave for those elected to public office.

It is proposed that this Council should agree in principle to adopt a Parental Leave Policy for elected Members and request that the Constitution & Standards Committee consider the attached draft policy proposals on Parental Leave.

It is further proposed that the Council authorises the Monitoring Officer to consult with the Joint Independent Remuneration Panel on the draft policy and for that Panel to identify any potential implications and recommendations for the Council to consider in relation to Member allowances.

Notes:

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. Therefore councils may only take action on a voluntary basis.

According to an analysis by the Fawcett Society:

- Just 4% of local councils in England currently have a formal Parental Leave policy in place for elected representatives.
- It identified that one third of female councillors of child-bearing age found a

lack of maternity leave to be a barrier to fulfilling their role.

- Fewer than 1 in 5 council leaders are women.
- From 1997 to 2017 female councillor representation only rose by from 27 per cent to 32 per cent whilst the female proportion of the House of Commons rose 14 percentage points to 32 per cent.

Draft Parental Leave Policy for elected members

i) Within this policy, Parental Leave refers to the period of absence taken by an elected Member following the birth or adoption of a child. (Individual political groups would be encouraged to formulate their own policy for a member of that Group to cover the Member's roles/work.)

ii) Under Section 85 of the Local Government Act 1972 Members are required to attend at least one meeting of the authority in any six-month period. This requirement still applies to Members on Parental Leave.

The Council will ensure that Members on leave are aware of this requirement and are provided with information on qualifying meetings and the process by which they may apply for dispensation.

The Council may exercise its right to waive the expulsion if non-presence relates to Parental Leave, constituting 'some reason approved by the authority before the expiry of that period' with prior agreement between the Councillor and the Council.

iii) Absences from Council meetings during any period of Parental Leave will be noted as such, rather than being attributed to general absence.

iv) Members are entitled to up to 52 weeks Maternity/Adoption leave. The requirements for notification of the intention to take leave and the date on which the leave will commence will reflect the Council's policy for paid employees.

v) Members shall be entitled to take 2 weeks Paternity Leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren). During this period Members will continue to receive their basic allowance and any special responsibility allowances without deduction.

vi) Where councillors have made Shared Parental Leave arrangements, the Council will make every effort to replicate such arrangements in terms of leave from Council.

vii) Members on Parental Leave will continue to receive their basic allowance without deduction for a period of between 39 and 52 weeks dependent on the recommendation of an Independent Remuneration Panel.

viii) The Council will determine a policy relating to any Special Responsibility

Allowances. (We suggest that the Conservative Group formulate a proposal on the payment of Special Responsibility Allowances and arrangements for covering a Member's absence from their role during a period of leave.)

ix) The Council will facilitate any arrangements made by relevant Members which allow for the case work of a Member on Parental Leave to be completed by a Ward/Division colleague or another Member of the relevant Council Group. (We suggest that the Conservative Group discuss the format of these arrangements and recommend a structure as part of their proposed policy.)

x) The Council will periodically review its Member Allowance Scheme to ensure adequate provisions relating to Parental Leave, including any Dependents' Carers' Allowance available during the period of leave and upon returning to their role. Members will be provided with information on the allowance available and how they may make a claim.

xi) The Council will ensure that Members have access to adequate IT provision to allow them to work from home while on Parental Leave and upon returning to their role.

xii) With the introduction of these policies, all Councillors to be formally provided with details of pastoral care, illness or bereavement leave entitlements and other associated resources available to all members.