

Item

Leave Policy for Councillors



To:

Civic Affairs Committee 08/02/2023

Report by:

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Wards affected:

All

1. Introduction / Executive Summary

- 1.1 This report presents a new Leave Policy for Councillors following the passing of a Motion at Council on 21 October 2021 to support its introduction amongst other measures.

2. Recommendations

- 2.1 To approve the Leave Policy for Councillors (appended).
- 2.2 To agree that infant feeding by a Councillor be it breast-fed or bottle-fed is permitted at council meetings.

3. Background

- 3.1 Council unanimously approved on 21 October 2021 the following Motion:
“This council notes the following.

1. The community has a right to be represented by a diversity of councillors and residents should have a diversity of councillors for whom to vote.

2. Analysis, by the Fawcett Society, of the 2019 Local Election results found that only 35% of councillors in England are women, up 1% since 2018. Of the seats up for election in 2018, 38% went to women, up just 3 percentage points on 2014 when these seats were last contested.
3. Only 15% of councillors nationally are under 45 years of age.
4. As of October 2020, 27 councils have passed the LGA Labour Group's Parental Leave policy, and an additional 9 councils have their own parental leave policy.
5. Cambridge does not have a formal parental leave policy for councillors.
6. The role of a councillor should be open to all, regardless of background, and introducing a parental leave policy and other family friendly policies is a step towards encouraging a wider range of people to become councillors, and is also a step to encourage existing councillors who may wish to start a family to remain as councillors;
7. Parental leave must apply to parents regardless of their gender, and should cover adoption leave to support those parents who choose to adopt.
8. Parental leave is only part of the picture and other family friendly policies such as support for carers, remote/hybrid meetings, and becoming a breastfeeding-friendly council would further ensure a greater diversity of councillors. And also that family friendly policies are in themselves only a small part of the wider need for policies which encourage truly diverse representation.

This Council resolves the following.

1. To adapt to suit a Cambridge context the parental leave policy drafted by the LGA Labour Group's Women's Task Force and to bring the recommendations to Civic Affairs as part of the next round of discussions on councillor remuneration.
2. To ensure that councillors with children and other caring commitments are supported as appropriate.
3. To acknowledge this is only one part of the picture, and to commit to investigating other inclusive policies and bringing those recommendations forward in the future.

4. To write to the Secretary of State for Levelling Up, Housing and Communities to urge him to introduce legislation to allow councils to adopt remote and hybrid meetings where they deem it appropriate to do so.

5. Further to this council's resolution at Civic Affairs on 9th October 2019 (19/41/Civ), that this council shall continue to apply pressure via the Local Government Association and any other appropriate routes to allow for proxy voting for local government for those on parental leave, which is not currently permissible, despite already being available to MPs in parliament.

<https://local.gov.uk/parental-leave-policy-councils>

- 3.2 Leave Policies for councillors are not widely implemented, but the picture is changing with over 50 councils now with some form of policy in place.
- 3.3 The proposed policy is based upon the model Local Government Association Labour Group Women's Taskforce with reference to policies in place at Watford (Lib Dem), Staffordshire County Council (Conservative) and Brighton and Hove (Green) to illustrate such a policy is being supported regardless of ruling political group.
- 3.4 As well as agreeing a Leave Policy for Councillors, the council should approve the right of a councillor to feed an infant whilst participating in council meetings. This fits with no.2 of the approved Motion to Council copied above.
- 3.5 Both officers and councillors will continue to review how inclusive policies can be adopted in keeping with the spirit and purpose of the approved Council Motion.

4. Implications

(a) Financial Implications

(b) Staffing Implications

(c) Equality and Poverty Implications

Other than those already stated in the draft policy appended (1.4 refers).

(d) Net Zero Carbon, Climate Change and Environmental Implications

(e) Procurement Implications

(f) Community Safety Implications

None unless stated above.

5. Consultation and communication considerations

The Independent Remuneration Panel were consulted on the content of this report and support the proposals.

6. Background papers

Watford, Staffordshire and Brighton Councils Policies available on each Council's website.

Local Government Association Labour Group Parental Policy and associated material see: [Parental leave for Councillors – Frequently Asked Questions | Local Government Association](#)

7. Appendices

Draft policy attached.

Leave Policy for Councillors

Introduction

- 1.1 This Policy sets out councillor entitlement to permitted leave.
- 1.2 The objective of the policy is to give some key guiding principles which are given their widest possible application to ensure that councillors are able to take appropriate 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.
- 1.3 Permitted leave includes, but is not limited to, maternity, paternity, shared parental adoption, bereavement, carers, compassionate and long-term sick leave. For the purposes of the policy the term 'permitted leave' shall be used to cover all instances and describes a period of up to 6 months. The legislative framework in relation to councillor attendance at Council meetings is not affected by this policy and absence of 6 months or more remains as set out in section 85 of the Local Government Act 1972 (see 5.1 and 5.2 below).
- 1.4 Having a policy that entitles councillors to take permitted leave will contribute towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors and making public office more accessible to individuals who might otherwise feel excluded from it.
- 1.5 There is at present no legal right to permitted leave in this policy for people in elected public office. This applies to MPs as well as councillors and has been the subject of lengthy debate. This policy can therefore only currently be implemented on a voluntary basis. By adopting it, Cambridge City Councillors agree that it should be applied to support councillors equally regardless of being from one political party or none.

Permitted Leave Periods

- 2.1 A councillor due to give birth or adopting a child, may take up to 6 months leave following or starting around the time of birth/adoption/caring responsibilities. Any parent can take up to six months either concurrently or staggered, within one year of birth/adoption/caring. This provision also applies to any councillor

whose child is not carried to term or is stillborn. The same principles will apply to parents who suffer the bereavement of a child.

- 2.2 Other permitted leave may also be taken for a period of up to six months.

Notification of leave, and of return

- 3.1 The period of leave should be agreed between the councillor requesting leave and their group leader and Chief Executive (or Chief Executive if an Independent Councillor). The group leader or councillor should notify the Chief Executive of cover arrangements. The councillor should keep the group leader and Chief Executive informed of their intentions, giving normally at least one month's notice of their intended return date, including whether the period of absence should be extended to cover a longer period of time than first anticipated.
- 3.2 Permitted leave will be reflected in attendance records as 'absent with reason'.

Communication by councillor while on leave

- 4.1 It is for the individual councillor to decide whether/to what extent to continue to respond to correspondence or arrange for a councillor colleague to cover. While councillors would normally put an 'out of office' automated message on their council email, the main expectation is that they are clear how long they intend to be absent and the extent to which they will engage as well as who shall be contacted in their absence.

Leave of 6 months or more

- 5.1 Absence of six months or more fall outside this Policy. Section 85 of the Local Government Act 1972 provides that any councillor failing to attend any meetings of the authority for 6 consecutive months shall automatically cease to be a councillor unless their reason for not attending was due to a reason approved by the authority (at a Full Council meeting) before the expiry of that period.
- 5.2 Written application must be made to the Chief Executive for a leave period of six months or more. The application should be made taking into account the calendar of Full Council meetings at which the application must be considered.

Councillor Allowances

- 6.1 Taking permitted leave will not trigger any change to the councillor's basic or special responsibility allowances.
- 6.2 Where a replacement is appointed to cover the period of absence that councillor shall receive an SRA on a pro rata basis for the period of the temporary appointment.
- 6.3 Allowances cease on either resigning as a councillor or if not re-elected if the election is during the period of permitted leave.

February 2023