



<b>Report to:</b>	Council	23/03/2022
<b>Lead Cabinet Member:</b>	John Williams	
<b>Lead Officer:</b>	Jeff Membery	

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## Member Parental Leave Policy

### Executive Summary

1. A new Member Parental Leave policy has been created granting all councillors the right to take extended leave for reasons of maternity, paternity, adoption, or shared parental leave whilst continuing to receive their allowances. The policy supports the Council's Equality Scheme and aims to encourage people from a wider variety of backgrounds to stand for election. The policy is attached at Appendix A.

### Key Decision

2. No

### Recommendation

3. Subject to Cabinet approval and any updates provided by Cabinet, Council is recommended to adopt this policy.

### Reasons for Recommendations

4. The policy will have an overall positive impact by delivering parental leave entitlement for Members in a clear and transparent way, guaranteeing they retain their elected office and continue to receive their allowances. Further, this eliminates any risk of direct discrimination arising from being a new parent.

Even though there is no legal requirement to implement this policy, there are significant benefits as it supports the Council's Equality Scheme objectives and may contribute to improving the diversity of election candidates and long-term retention of Members.

## Details

5. This policy has been created by referring to the Local Government Association (LGA) guidance on Member parental leave. In 2019, the LGA co-produced the 21st Century Councils Equalities Toolkit with the Ministry of Housing, Communities and Local Government. The toolkit recommended that councils adopt a Member parental leave policy. However, as of February 2022, only 40 councils have implemented a version of this policy. In all other local authorities, the arrangements for leave after the birth of a child is discretionary.

The policies of North Hertfordshire District Council, Durham County Council and West Berkshire District Council have been reviewed to assess how the model template provided by the LGA has been implemented at different local authorities. This has been used to ensure the South Cambridgeshire District Council version includes all appropriate content.

The South Cambridgeshire District Council Member Parental Leave policy gives all councillors the right to take extended leave from their normal duties for the reasons of maternity, paternity, adoption, or shared parental leave. This policy makes parental leave an approved reason in relation to Section 85 of the Local Government Act, 1972 without the need for further approval of the Council. This is a significant change as failure to attend a qualifying Council meeting means a Member automatically vacates their elected office after 6 months have elapsed.

The other key provisions of the policy are that Members will continue to receive their allowances, they are responsible for identifying an appropriate Member to cover their work and that they must keep the residents of their ward and external partner organisations informed about the duration of their leave.

This policy supports the Council's Equality Scheme as we are an employer that values difference and recognises the strength that a diverse workforce brings. This will have a significant impact as it advances equality of opportunity and demonstrates commitment to the public sector equality duty to create positive impacts for protected groups.

This could also encourage people from a wider variety of backgrounds to become Members by removing a potential barrier to standing for election.

## Options

1. The first option would be to implement the policy.
2. The second option would be to decline to implement the policy

## **Implications**

6. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

### **Financial**

7. The policy provides for a Member to receive their allowances during their parental leave. This may incur an additional cost to the Council if another Member is eligible to receive additional allowances whilst covering their work.

### **Equality and Diversity**

8. An Equality Impact Assessment has been completed. This is likely to have a medium positive impact on improving the diversity of gender, experience, age, and background of Members at South Cambridgeshire District Council. Although the number of people impacted will be small, it will ensure that the provisions for taking parental leave are clear and transparent for all internal and external stakeholders and removes a potential barrier to standing for election.

### **Consultation responses**

9. Feedback was sought from Democratic Services, Legal Services and a number of Members who have had children after being elected. Democratic Services and Legal Services suggested minor changes so the policy reflects current working practices and the Council's Constitution. The Members had three requests for policy content. First, the individual taking parental leave should be responsible for notifying residents and partner organisations in addition to the Council. Second, the individual taking parental leave should be responsible for identifying an appropriate Member to cover their work, in conjunction with their Group Leader if applicable. Finally, the policy includes a section on neo-natal leave, replicating the content of the Premature Birth and Neo-Natal policy that applies to Officers. All these requests have been incorporated into the final version of the policy.

## **Background Papers**

This policy has been produced from the Local Government Association guidance on Parental Leave for Members as well as documents created by other local authorities. These include North Hertfordshire District Council, Durham County Council and West Berkshire District Council. The current South Cambridgeshire District Council's Premature and Neo-Natal policy was also used for the corresponding section of this policy.

## **Appendices**

Appendix A: Member Parental Leave Policy

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