

Committee Name and Date of Committee Meeting

Cabinet – 16 September 2019

Report Title

Recommended Adoption of Policies – Support for Elected Members

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

In May 2018, the Council resolved to establish a working group of Members to review carers, maternity and paternity arrangements for councillors, with the aim encouraging the next generation of women to play their part in politics in Rotherham. This report presents the recommendations of the working group, specifically in the form of a policy document, and seeks a recommendation to the Council to amend the Members' Allowances Scheme to take account of the adoption of the policy.

Recommendations

1. That the Council be recommended to amend the Members' Allowances Scheme (Appendix 8 of the Constitution), subject to the receipt of the recommendations from the Independent Remuneration Panel
2. That the policies to support Elected Members in respect of parental leave, disabilities, arrangements for carers and dignity in dying be approved and be adopted, subject to the Council determining to amend the Members' Allowances Scheme.

List of Appendices Included

Appendix 1 Proposed Policies and Policy Statements

Background Papers

Minute 198 'Motion – Gender Equality' – Council Meeting – 23 May 2018

Consideration by any other Council Committee, Scrutiny or Advisory Panel
Council – 30 October 2019

Council Approval Required
Yes

Exempt from the Press and Public
No

Recommended Adoption of Policies – Support for Elected Members

1. Background

- 1.1 At the Council meeting held on 23 May 2018, consideration was given to a motion marking the centenary of the Representation of the People Act 1918, which had extended the right to vote to women. In marking this anniversary, the Council resolved:-
- To erect a plaque to Councillor Mary MacLagen, the first woman Councillor in Rotherham and suffragette, in a prominent position in Rotherham Town Hall, to be paid for by public subscription.
 - To seek a blue plaque for Councillor Mary MacLagen's home on Broom Lane, Rotherham.
 - To encourage the next generation of women to play their part in politics in Rotherham, by reviewing carers, maternity and paternity arrangements for Councillors through a member's working group.
 - To provide a political voice for women in Rotherham by ensuring that issues that matter to them such as equal pay, bullying and harassment, sexual violence, and domestic abuse are heard within the Council.
- 1.2 A working group was established with representation from the two political groups of the Council. Councillor Hoddinott chaired the group and Councillors Pitchley and Short were also members. Councillors Carter and Jepson were invited to join the working group to ensure that non-aligned Members were able to contribute to the discussion.
- 1.3 The group met in November 2018 to review the existing provisions of the Member Allowances Scheme, practices and provisions at other local authorities and recommended approaches from policy organisations, such as the Local Government Association and the Fawcett Society.

2. Key Issues

- 2.1 The mandate from the resolution of the Council in May 2018 was clear that Members wanted to establish a clear policy to support councillors in respect of parental leave arrangements. Analysis of policies adopted by other authorities and the model policy published by the Local Government Association's Labour Group indicated that there were broader considerations beyond parental leave in encouraging women to play their part in political and civic life in Rotherham. The working group considered that there was merit in establishing principles of support for disabled councillors and expanding the meaning of parental leave beyond that originally envisaged in the motion to Council in May 2018.
- 2.2 There is currently no legal right to parental leave of any kind for people in elected public office and Rotherham MBC does not have a policy to support parental leave for councillors. The Members' Allowances Scheme does not currently allow for any parental leave provision. A parental leave policy will make it easier for prospective parents and Rotherham MBC alike to plan for when councillors take parental leave.

3. Options considered and recommended proposal

- 3.1 The Working Group reviewed examples of parental leave policies from Camden LBC and Stockport MBC, which had led the way in the adoption of provisions for parental leave. The policy from Stockport MBC went further in clarifying the support the authority provides for disabled councillors. Members of the Working Group also reviewed a model parental leave policy, which had been developed by the Local Government Association's (LGA) Labour Group, which set out Members' entitlement to maternity, paternity, shared parental and adoption leave and relevant leave. The logic underpinning the policy was that improved provision for new parents would contribute towards increasing the diversity of experience, age and background of local authority councillors. It was also written with a view to retaining experienced councillors, especially women, and making public office more accessible to individuals who might otherwise feel excluded from it. The model policy, along with the provisions from Stockport MBC, has provided the basis for the Working Group's recommendations.
- 3.2 The Working Group considered that the model policy from the LGA Labour Group provided a sufficient outline of the provisions that Rotherham MBC should adopt in respect of parental leave. A policy would improve provision for new parents and would assist in broadening the appeal of elected office to those who may have been put off by the absence of clear support for parents. Furthermore, the Working Group recommended that the Independent Remuneration Panel be asked to consider:-
- Separating the allowance paid for adult care and child care, given the relative high cost of child care in creches and nurseries
 - Setting these allowances at an appropriate rate paid to providers to reflect the cost of provision
- 3.3 Members felt that the provisions for supporting disabled councillors should be clarified from a policy perspective, so as to move away from the case by case approach adopted presently. It was considered that a clear statement of support would encourage more disabled candidates to stand for election.
- 3.4 The Working Group recommended that the authority adopt the provisions of the TUC 'Dying to Work' Charter for Members, which had previously been adopted for employees of the Council. The policy statement in respect of this provision would ensure that terminally ill Members with up to one year to live would be supported by the Council following their diagnosis to undertake duties in a way that enables them to maintain dignity, provides a valuable distraction and can be therapeutic in itself.

4. Consultation on proposal

- 4.1 The Independent Remuneration Panel is required to be consulted upon any proposed changes to the Members Allowances Scheme. Following the approval of the proposals in this report, the recommendations of the Independent Remuneration Panel will be submitted for consideration as part of a separate report to the Council meeting on 30 October 2019.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The adoption of policy is an executive function and, in the case of the proposals details within this report, a matter for the Cabinet to determine. The adoption of changes to the Members' Allowances Scheme is a matter for the Council to determine, having regard to the recommendation of the Independent Remuneration Panel.
- 5.2 Whilst the Cabinet may adopt the policy, provisions which relate to allowances or expenses for councillors may not take effect until the Council has determined any amendment to the Members' Allowances Scheme. To this end, the provisions in the proposed policy concerning parental leave may not take effect until after the Council meeting on 30 October 2019.
- 5.3 The Head of Democratic Services will be accountable for the implementation of the policy provisions, and subsequent amendment to the Members' Allowances Scheme.

6. Financial and Procurement Advice and Implications

- 6.1 There are financial implications relating to the adoption of this policy. The policy entitles members taking parental leave to receive both their basic allowance and any Special Responsibility Allowance (SRA) in full whilst on their period of leave. It makes provision that should a replacement Member be appointed to cover a period of leave that the replacement Member be entitled to receive an SRA on a pro-rata basis for the period of the temporary appointment. It is not considered that the cost implications of introducing the Policy would be significant and can be contained within existing resources. This would need to be reviewed once the Policy was operating and take up gauged.
- 6.2 There are no procurement implications associated with this report.

7. Legal Advice and Implications

- 7.1 There is currently no legal right to parental leave of any kind for people in elected public office. Elected Members taking maternity, shared parental or adoption leave retain their legal duty under Section 85 of the Local Government Act 1972 to attend a meeting of Full Council within a consecutive six month period unless the reason for the failure to attend is due to some reason approved by Full Council before the expiration of that six month period.

8. Human Resources Advice and Implications

- 8.1 There will be some additional implications in administering the Members' Allowances Scheme and assisting with the administration of casework on behalf of Members who have taken parental leave. This additional work will be administered by existing resources within Democratic Services.

9. Implications for Children and Young People and Vulnerable Adults

9.1 The recommendations of this report and the proposed policy have been developed to provide support for councillors who are parents or who are carers for vulnerable adults. It is expected that the adoption of the proposed policy provisions will be have a positive impact for these groups.

10. Equalities and Human Rights Advice and Implications

10.1 The proposals arising from the Working Group are positive in addressing issues which have been identified as barriers to prevent people from standing for elected office with the authority or have been cited as reasons for leaving elected office.

10.2 There are no human rights implications arising from this report.

11. Implications for Partners

11.1 There are no implications for partners arising from the proposals in this report.

12. Risks and Mitigation

12.1. There are no risks arising from the proposals in this report.

13. Accountable Officers

James McLaughlin, Head of Democratic Services

Approvals obtained on behalf of Statutory Officers:-

	Named Officer	Date
Chief Executive	Sharon Kemp	02/09/19

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