



# Doncaster Council

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**Date: 20<sup>th</sup> January  
2022**

**To the Chair and Members of the  
Council**

**Support For Elected Members - Parental Leave Policy and Index Linking of  
Allowances**

## **EXECUTIVE SUMMARY**

1. Council is asked to adopt a Parental Leave Policy for elected Members. This would formalise leave and support arrangements and provide clarity regarding the payment of allowances. The policy will remove barriers for current and prospective Councillors and support Members who wish to continue to undertake their role during this important period of their lives.
2. The report also asks Council to confirm the continuation of current arrangements for adjusting Members Allowances by reference to an annual index.

## **EXEMPT REPORT**

3. This report is not exempt

## **RECOMMENDATIONS**

4. That Council
  - i. Approve the Parental Leave Policy attached at Appendix A.
  - ii. Approve the continuation of an annual increase on Members' allowances index linked to the NJC pay award for local government employees for the period 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2026.

## **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

5. Approval of a parental leave policy for Councillors will help remove barriers for current and prospective Councillors. This will ensure the citizens of Doncaster can be effectively represented by a wider range of individuals who are able to balance parenthood with civic duties.

Applying an annual adjustment to Members allowances in line with the NJC pay award for local government employees ensures remuneration remains relevant and takes account of rising living costs. This will provide financial certainty for current Councillors and those wishing to stand as elected Members in the future.

## **BACKGROUND**

### **Parental Leave Policy**

6. Research by the Fawcett Society in 2017 showed that only 12% of Councils had some form of parental leave policy for its Councillors. Since that time a number of Councils have adopted policies that have been promoted by the Local Government Association (LGA); including Camden, Peterborough, Newcastle City, Gloucester County Council and Rotherham. The draft policy attached at Appendix A is based upon the LGA model.
7. Formally setting out arrangements for Councillors wishing to take maternity, paternity, shared parental, adoption and fostering leave will help the Council better reflect the people it represents, contributing towards increasing the diversity of experience, age and background of local authority Councillors. It will also assist with retaining experienced Councillors, particularly women, by making public office more accessible to individuals who might otherwise feel excluded or unable to balance their civic role with parental responsibilities.
8. There is no legal right to parental leave for Councillors. As elected Members are not employees, workforce policies and employee legislation are not always relevant or applicable. The payment of allowances to Councillors during any period of maternity is a matter for each Council and must be consistent with the Local Authorities (Members' Allowances) (England) Regulations 2003 which these proposals are. Detailed below are some of the key elements of the proposed policy.

### **Basic Allowance and Attendance**

9. One of the key principles of the Member Allowance Scheme, is that all Councillors must receive the same basic allowance (currently £13,216) and there is no discretion to alter this amount even during periods of absence (including parental leave).
10. To receive the basic allowance, it is a legal requirement for a Councillor to attend a formal meeting of Council (or its committees) within a 6 month period. Failure to do this could lead to disqualification. Full Council delegated authority to the Monitoring Officer to approve absences beyond this time for justified reasons, such as long term illness with a requirement to formally report these to Council afterwards for information. If agreed this policy would provide pre-approval for up to 6 months absence with a possible 6 months extension up to a maximum 52 weeks.

## **Payment of Special Responsibility Allowances (SRAs)**

11. SRAs are paid in accordance with the remuneration scheme agreed by Council. Appointment to positions attracting SRAs are made by the Elected Mayor who appoints Cabinet (up to 9 Members including a deputy) or Full Council for the Chairs or Vice Chairs of Committees. Allowances may also be paid to Group Leaders depending upon the size of the Group (minimum £1,231 for Groups with 5 to 14 Members).
12. To ensure Councillors are no worse off whilst on parental leave, the policy commits to the continued payment of an SRA during any absence. This is reviewed after a period of 6 months or at Council AGM, whichever is the earlier. It also provides, for a new Member taking on additional responsibilities in the absence of the Member on leave to also receive the relevant SRA, if appropriate. This would require formal approval by Council for appointments relating to Chairs, Vice Chairs of Council Committees or the Mayor for Cabinet Members and changes to portfolio arrangements and would be considered at the time on an individual basis.
13. The rules that prevent a Member from receiving more than one SRA would still apply and for the avoidance of doubt, no allowance shall be payable to a Member who chairs a meeting outside the scope of the parental leave policy i.e. the ordinary deputising for the chair by reason of ordinary absence.

## **Notice Requirements**

14. The policy puts an onus on the Councillor to inform the Monitoring Officer and where appropriate their Group, in advance of any proposed parental leave. This will ensure there is an opportunity to put any necessary arrangements in place e.g. consideration of approval of additional SRA's, substitute arrangements on committees or outside bodies (where applicable) and arrangements to cover any ward duties.
15. Furthermore, it will provide an opportunity to discuss any additional support they may require with the Governance and Member Services Manager. This could include arrangements for keeping in touch, being updated on relevant issues, such as briefings and training or Committee work. Members will also have the opportunity to discuss arrangements for returning to their duties beyond the period of their parental leave. This will ensure Members maintain a point of contact with a designated officer during their period of leave.

## **Index Linking Members Allowances**

16. The Members allowance Scheme provides for Members' allowances to be adjusted annually in line with the National Joint Council (NJC) pay award for officers. The Council has had this arrangement in place for a number of years and it is a common feature of Member Allowance Schemes throughout the country. This ensures that once allowances have been agreed they can be adjusted annually to reflect cost of living rises without having to be reviewed and reassessed annually.

17. The Regulations allow for this indexing for a 4 year period, after which it must be reviewed. This index linking was last reviewed for the period 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2022. Council is asked to continue with this index linking for the period 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2026.
18. Once agreed this annual increase is automatically applied to Members allowances. As with any element of the Members Allowance Scheme, Members are able to choose to forego this or any of their allowance by individually notifying the Director of Corporate Resources in writing.

### **OPTIONS CONSIDERED**

19. The objective of the Parental leave policy is to ensure, insofar as possible, that Councillors can take appropriate leave at the time of birth or adoption and that reasonable and adequate arrangements are in place to provide cover for the roles that receive an SRA, during any period of leave.
20. Maintaining an annual index linked allowance scheme ensures that Members allowances can be adjusted to take account of cost of living rises.

### **REASONS FOR RECOMMENDED OPTION**

21. Agreeing a Parental leave policy will help remove barriers for current and prospective Councillors by providing certainty and financial security during periods of parental leave. By removing these barriers there is a greater likelihood that citizens of Doncaster can be effectively represented by a wide range of individuals who are able to balance new parenthood with civic duties.
22. Applying an annual index to Members allowances helps to ensure allowances remain reflective of duties and responsibilities as annual prices increase.

### **IMPACT ON THE COUNCIL'S KEY OUTCOMES**

23.

	<b>Outcomes</b>	<b>Implications</b>
	<p><b>Doncaster Working:</b> Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> <li>• Better access to good fulfilling work</li> <li>• Doncaster businesses are supported to flourish</li> <li>• Inward Investment</li> </ul>	
	<p><b>Doncaster Living:</b> Our vision is for Doncaster's people to live in a</p>	

	<p>borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> <li>• The town centres are the beating heart of Doncaster</li> <li>• More people can live in a good quality, affordable home</li> <li>• Healthy and Vibrant Communities through Physical Activity and Sport</li> <li>• Everyone takes responsibility for keeping Doncaster Clean</li> <li>• Building on our cultural, artistic and sporting heritage</li> </ul>	
	<p><b>Doncaster Learning:</b> Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> <li>• Every child has life-changing learning experiences within and beyond school</li> <li>• Many more great teachers work in Doncaster Schools that are good or better</li> <li>• Learning in Doncaster prepares young people for the world of work</li> </ul>	
	<p><b>Doncaster Caring:</b> Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> <li>• Children have the best start in life</li> <li>• Vulnerable families and individuals have support from someone they trust</li> <li>• Older people can live well and independently in their own homes</li> </ul>	
	<p><b>Connected Council:</b></p> <ul style="list-style-type: none"> <li>• A modern, efficient and flexible workforce</li> <li>• Modern, accessible customer interactions</li> <li>• Operating within our resources and delivering value for money</li> <li>• A co-ordinated, whole person, whole life focus on the needs and aspirations of residents</li> <li>• Building community resilience and self-reliance by connecting community assets and strengths</li> <li>• Working with our partners and</li> </ul>	<p>Adopting the parental leave policy and reaffirming the annual indexing of Members allowances will support Members in undertaking their role by providing consistency and removing barriers for those wishing to balance parenthood with civic responsibilities. This will support effective leadership and governance and demonstrate the Council's position as a modern organisation in touch with and representative of its communities.</p>

	residents to provide effective leadership and governance	
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## **RISKS AND ASSUMPTIONS**

24. There are no specific risks associated with this report. The adoption of the Parental leave policy will go some way to removing barriers for people wishing to stand as Councillors and represent their communities.

## **LEGAL IMPLICATIONS [Officer Initials NC Date 6/1/22.]**

25. Section 85 Local Government Act 1972 provides that a Councillor will cease to be a member of the authority if they fail to attend any meetings of the authority for a consecutive period of 6 months. This is unless the reason for the non-attendance has been pre-approved by Full Council or by the Monitoring Officer, via delegated authority. In approving this Policy, Full Council would be providing pre-approval for a possible extension up to a maximum 52 weeks leave, without the need to seek Full Council approval in individual cases. Instances of parental leave approved by the Monitoring Officer beyond 6 months will be reported back to Council for information.
26. In respect of payments of allowances, the Local Authorities (Members' Allowances) (England) Regulations 2003/1021 sets out categories of allowances that can be paid and the circumstances under which they would cease. In approving this Policy, the Council acknowledges and confirms that during periods of Parental Leave, no Basic or Special Responsibility Allowance (SRA) would end, as the Councillor is not deemed for this purpose to have officially vacated their role, unless or until they are removed, are not reappointed, resign, retire at the end of the election term, or are not re-elected. In accordance with the scheme requirements, the views of the Independent Remuneration Panel have been sought and they are supportive of the proposals and arrangements for the payment of SRAs under this policy.
27. The 2003 Regulations (Regulations 10 (4) and (5)) also provide that the Council may make provision for an annual adjustment of allowances by reference to such index as may be specified by the authority. Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the Independent Remuneration Panel. The Independent Remuneration Panel has confirmed they support the ongoing application of the current index.

## **FINANCIAL IMPLICATIONS [Officer Initials PH Date 06.01.22..]**

28. It is anticipated that the costs associated with the implementation of the parental leave policy should it be adopted would be low. Additional costs would be incurred if an additional SRA was paid to a Councillor to cover during the parental leave of a post holder. Any additional costs would be met from the Members Allowance budget and would be taken into account at the time a decision was made.

## **HUMAN RESOURCES IMPLICATIONS [RH Date 11.01.22.]**

29. The introduction of this policy is considered to be best practice and it demonstrates that the Council recognises that the demographic of Councillors has changed over the years, and there is a need to openly provide support to allow Councillors that become parents to take the required time off. Although there is no legal right to have a parental leave policy as there are HR policies for staff covering maternity, paternity, adoption leave and sick pay it would seem fair to have this replicated for members and ensure it is applied in a consistent and fair way. There is a review period for the Special Responsibility Allowance which will determine if the payment is to be extended or ceases.

## **TECHNOLOGY IMPLICATIONS [ PW Date 06.01.22.]**

30. There are no specific technology implications associated with this report.

## **HEALTH IMPLICATIONS [Officer Initials CW..Date 07.01.22]**

31. Transition to Parenthood and the first 1001 days from Conception of a child to age 2 is widely recognised as a crucial period that will have an impact and influence on the rest of the life course. There is a significant body of evidence that demonstrates the importance of sensitive attuned parenting on the development of the baby's brain and in promoting secure attachment and bonding. A robust parental leave policy gives prospective parents piece of mind they will be able to balance their role as a parent and councillor, ensuring they will be able to devote time to parenthood during this critical time in the parent-child relationship without financial stressors.

## **EQUALITY IMPLICATIONS [AS Date 04.01.22..]**

32. Whilst there is no legal right to parental leave for Councillors, the Council is subject to the public equality duty. Two of the protected characteristics defined by the Equality Act 2010 where it is illegal to discriminate against someone are "sex" and "maternity or pregnancy" this policy will help promote these two characteristics. The adoption of a Parental leave policy can generally help promote equality and remove barriers for those wishing to become Councillors.

## **CONSULTATION**

33. The views of the Independent Remuneration Panel (IRP) have been sought and they were fully supportive of the draft policy (attached at Appendix 1) and the arrangements for allowances to continue to be linked to the NJC pay award for officers.

## **BACKGROUND PAPERS**

LGA Parental Leave Policy for Councillors  
<https://local.gov.uk/parental-leave-policy-councils>

## **GLOSSARY OF ACRONYMS AND ABBREVIATIONS**

IRP - Independent Remuneration Panel  
LGA – Local government Association  
NJC - National Joint Council  
SRA - Special Responsibility allowance

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