

CONSTITUTIONAL REVIEW WORKING PARTY

Minutes of the meeting held on 15 June 2021 at 5.30 pm in the Council Chamber, Cecil Street, Margate, Kent.

Present: Mr Peter Tucker (Chair); Mr Lee Wellbrook, Councillors Ashbee, Hopkinson, Rusiecki and Hart.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF PREVIOUS MEETING

Mr Tucker proposed, Cllr Hart seconded and the minutes of the meeting held on 23 February 2021 were approved and signed as a correct record.

4. DRAFT MEMBER PARENTAL LEAVE POLICY

Nick Hughes presented the report, explaining that:

- There was no legal requirement to adopt a parental leave policy, however, it would be progressive to do so and would remove barriers for individuals thinking of becoming councillors.
- A correction was made to the report clarifying that changes would only relate to Special Responsibility Allowances - Basic Allowances would not be affected by parental leave.
- The report allowed for a blanket acceptance that parental leave would be a valid reason not to attend a meeting for a period of more than 6 months, as required under the Local Government Act 1972 (as amended). This would remove the need for a vote requesting an exemption, every time an individual wished to take parental leave.
- In summary, option 1 was similar to provisions in place for officers, option 2 was in line with provisions for MPs and option 3 was based on the model policy for local government councillors, provided on the LGA website.

During discussion the following points were raised:

- Not many councils had adopted a parental leave policy and in doing so TDC would be amongst the first.
- When taking parental leave, the person would remain a councillor but would not be actively undertaking the role for which they received their Special Responsibility Allowance. TDC could appoint another person to take on that role with the same allowance for the period of absence. There was enough flexibility in the budget to withstand the additional expenditure.
- The proposal was commended, commenting that there was a problem nationally with attracting and retaining young people to be councillors in local government.
- Mimicking the employee arrangements was deemed an appropriate option with the intention of encouraging equality between members and employees. However, a few points were raised in relation to the differences between staff and member roles. It was commented that the committee ought to consider the merit

to members of each proposal alone, rather than accepting an option solely based on existing provision for PAYE employees.

- A question was raised with regard to mitigating against councillors taking on additional responsibility and then immediately requiring parental leave. This was considered unreasonable and not practicable.
- The Council was requested not to use the word 'earnings' in the report when referring to members' allowances as councillors are not on PAYE contracts.
- The option in line with staff provision, which included reducing payment to 50% after 10 weeks, was felt may cause the financial issues that TDC intended to avoid.

Cllr Rusiecki proposed and Cllr Ashbee seconded that Option 1 be put forward as a recommendation to the Standards Committee, namely:

"Members are entitled on a sliding scale to:

10 weeks at 90% of Special Responsibility Allowances, followed by:

16 weeks at 50% of Special Responsibility Allowances followed by unpaid leave for any additional leave agreed up to 52 weeks."

After further discussions Cllr Ashbee proposed and Cllr Hopkinson seconded that members would recommend the draft parental leave policy to the Standards Committee including the pay rates as shown at Option 2, namely:

"Option 2

6 months full pay of Special Responsibility Allowance with any remaining leave being unpaid."

Following discussion, options 1 and 2 were put to a vote and Option 2 was agreed to be recommended to the Standards Committee.

Meeting concluded : 6.00 pm