

Director of Governance and Monitoring Officer  
(Portfolio of the Executive Leader)

## **Parental Leave Policy for Elected Members**

### **Summary**

1. To agree the adoption of the proposed Parental Leave Policy for Elected Members, attached at Annex A, together with agreeing dispensations for any Members taking Parental Leave in accordance with the Policy, and delegating authority to the Monitoring Officer to confirm such dispensations outside of Council.

### **Background**

2. Members will be aware that employees of the Council are entitled to take parental leave, in accordance with legislative requirements and Council policy. Members will equally be aware, however, that the statutory entitlement to parental leave does not extend to elected Members.
3. In order to remedy this imbalance, numerous Councils have adopted a Parental Leave Policy for Members, broadly mirroring the statutory entitlement, but with necessary modifications to reflect the particular circumstances of both the Council and elected Members. Those Parental Leave Policies, like this one, are drawn from, and fully reflective of, the LGA model policy for Parental Leave for Members.
4. The policy also addresses the issue of the need for Members to attend at least one meeting every six months, as set out in [Section 85\(1\)](#) of the Local Government Act 1972. In particular, the policy, if adopted, will ensure that a dispensation is granted, as a matter of course, for the duration of any parental leave taken.
5. To that end, in addition to the adoption of the policy, this report seeks a decision from Council to approve a dispensation for any

Member taking parental leave, and to include a specific delegation to the Monitoring Officer to confirm that dispensation in writing to the relevant Member.

## 6. Implications

**Financial** – There may be a small financial implication in the event that the recipient of a Special Responsibility Allowance takes parental leave, and cover is required. It is expected that this will be met within existing budgets.

**Human Resources (HR)** – None directly arising from this report.

**Equalities** – One of the Council's four key commitments is Equalities and Human Rights. To deliver this commitment, and to make the city fairer for everyone living, working, or studying here it is important the Council has the broadest and most diverse range of Councillors, from all backgrounds and all walks of life, standing up for their local area and making a difference to people's lives.

That will be made harder if people are worried about how their choice to have children may impact on their ability to serve as a Councillor. Without the same level of support in place that is afforded to staff, we risk losing some of our best and most experienced Councillors when they start a family, and missing out on many more who are put off applying in the first place.

The IERUK 'Anti Racism and Inclusion Strategy' (<https://www.ieruk.org.uk/s/30423-IERUK-Anti-Racism-Strategy-Document-WEB.pdf>) highlights the lack of racial diversity of City of York's Councillors. Removing barriers such as this one will work towards improving overall diversity.

**Legal** – None directly arising from this report.

**Crime and Disorder, Information Technology and Property** – None directly arising from this report.

## Options

7. Members may choose to:
  - a) approve the proposed Policy, dispensations, and amendment to the Constitution; or
  - b) not approve the Policy, dispensations, and amendment to the Constitution.

8. Option a) is the recommended option.

## Recommendations

9. Council is recommended to:
- a) Agree to the implementation of the Parental Leave Policy for Members, attached at Annex A;
  - b) Agree that a Member taking Parental Leave pursuant to the Policy is a suitable reason for Council to grant a dispensation from the provisions of Section 85(1) of the Local Government Act 1972, and that such a dispensation is therefore granted for any Member taking Parental Leave pursuant to the Policy; and
  - c) Amend the Council's Scheme of Delegation to introduce a delegation to the Monitoring Officer to confirm in writing a dispensation under b) above for any Member taking Parental Leave pursuant to the Policy.

## Reasons for the Recommendations

10. The reasons for the recommendations are:
- a) To ensure that Members requiring Parental Leave are able to take such leave as they may require, ensuring equity of treatment with Officers, and contributing towards improving Member retention and diversity;
  - b) To ensure that Members taking Parental Leave do not inadvertently vacate their offices by virtue of Section 85(1) of the Local Government Act 1972, by granting a dispensation in advance for any Member taking Parental Leave under the Policy, rather than requiring individual dispensation reports to be presented to Council meetings; and
  - c) To ensure that such dispensation can be confirmed at an early stage, and that individual Members are not required to disclose personal information unnecessarily.

**Author and Chief Officer responsible for the report:** Bryn Roberts, Director of Governance and Monitoring Officer

**Report  
Approved**



**Date** 7 May 2024

**Specialist Implications Officer(s):** None

**Wards Affected:** List wards or tick box to indicate all

**All**

**For further information please contact the author of the report**

**Background Papers:** None

**Annexes:**

Annex A - Parental Leave Policy for Members