

<b>COUNCIL</b>	<b>DATE</b> 15 December 2021	<b>ITEM NO</b> 14
<b>TITLE</b> Royal Borough of Greenwich Parental Leave Policy for Members	<b>WARD (S)</b> All	
<b>CHIEF OFFICER</b> Director of Communities, Environment and Central	<b>CABINET MEMBER</b> Leader of the Council	
<b>DECISION CLASSIFICATION</b> <i>Non Exempt report</i> <i>Non Exempt appendix</i>	<b>IS THE FINAL DECISION ON THE RECOMMENDATIONS IN THIS REPORT TO BE MADE AT THIS MEETING?</b> Yes	

1. **Decision required**

This report makes the following recommendations to the decision-maker:

- 1.1 To agree that Royal Borough of Greenwich adopts the Parental Leave Policy for Members as attached at Appendix A.
- 1.2 To authorise the Director of Legal & HR to make any consequential changes to the Members' Allowances Scheme in Part 6 of the Constitution.

2. **Links to the Royal Greenwich high level objectives**

- 2.1 This report relates to the Council's agreed high level objectives as follows:
  - A Strong Vibrant and Well-run Borough

3. **Purpose of Report and Executive Summary**

- 3.1 This policy aims to standardise Members' entitlement to maternity, paternity, shared parental and adoption leave.

4. **Introduction and Background**

- 4.1 There is at present no legal right to parental leave of any kind for people in elected public office; this applies to MPs as well as Councillors. This policy can therefore, only currently be implemented on a voluntary basis.

- 4.2 Currently parental leave is agreed by the Whips on an ad hoc basis with no guidance or policy on which to base this.
- 4.3 The terms of parental leave are based on the policy for officers and the policy officially adopted by the Local Government Association (LGA). The policy attached as Appendix A has been circulated to both political groups and no amendments have been suggested.
- 4.4 Before the Council makes changes to its Members' Allowances Scheme, it must have regard to the recommendations of an independent remuneration panel, which in this case is the panel established by London Councils.
- 4.5 Given that the Policy provides for the payment of Members' allowances during periods of maternity, paternity, shared parental or adoption leave, it is appropriate for the Council before making its decision to have regard to the relevant recommendations of the London Councils Independent Remuneration Panel.
- 4.6 The 2018 report of the London Councils Independent Remuneration Panel repeats the Panel's belief that members' allowances schemes should allow the continuance of Special Responsibility Allowances in the case of maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies).
- 4.7 The leave provisions as set out within the Parental Leave policy for Members, broadly align with the entitlements enjoyed by employees of the Royal Borough in line with the maternity / adoption leave policy, by providing the option to extend leave by agreement, up to the maximum of 52 weeks. Leave provision governing paternity / shared parental leave is the same or broadly similar, but not more favourable.

## 5. **Available Options**

- 5.1 Option 1 – to agree the Policy as attached at Appendix A  
Option 2 – to not agree the Policy and carry on with no formal policy in place.  
Option 3 – to amend the Policy attached at Appendix A.

## 6. **Preferred Option**

- 6.1 Option 1 is the preferred option.

7. **Reasons for Recommendations**

7.1 It is thought to be best practice to have a written Policy for parental leave. This policy has been circulated informally to all Members and no further amendments have been received.

8. **Cross-Cutting Issues and Implications**

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Legal</b> including Human Rights Act	<p>There is no statutory requirement to implement a Parental Leave Policy. However, the introduction of such a policy will help the Council advance equality of opportunity and helps to discharge our public sector equality duty in creating positive impacts for protected groups.</p> <p>There is at present no legal right to parental leave of any kind for local authority councillors. This policy can therefore, only currently be implemented by the Council on a voluntary basis.</p> <p>Section 18 Local Government and Housing Act 1989 and the Local Authorities (Members' Allowances) (England) Regulations 2003 govern the making of allowances for Members. The Council must make a Members' Allowance scheme before 1 April each year.</p> <p>Before the Council makes changes to its scheme, it must have regard to the recommendations of an independent remuneration panel, which in this case is the panel established by London Councils.</p>	John Scarborough Director of Legal & HR, 7 December 2021

	<p>Given that the Policy provides for the payment of Members' allowances during periods of maternity, paternity, shared parental or adoption leave, it is appropriate for the Council before making its decision to have regard to the relevant recommendations of the 2018 report of the London Councils Independent Remuneration Panel. These are set out in paragraph 4.6 of the report.</p> <p>The policy makes clear that any Member who takes maternity, shared parental or adoption leave retains their legal duty under section 85 Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council agrees to an extended leave of absence prior to the expiration of that six month period.</p> <p>Under the Council's Constitution, Full Council is authorised to make the decision requested in paragraph 1 of the report.</p>	
<p><b>Finance</b> and other resources</p>	<p>This report requests the agreement for a Parental Leave Policy for Members.</p> <p>Where the relevant Member is in receipt of their Basic Allowance only, there will be no financial impact from the implementation of this policy. Where the relevant Member is in receipt of a Special Responsibility Allowance (SRA) and it is agreed that another Member should assume</p>	<p>Damon Cook, Director of Finance, 7 December 2021</p>

	<p>those responsibilities on a temporary basis, with a pro rata SRA, then any financial pressure arising (which would be relatively limited in size) from such decision could be met from the allowance which the council makes each year to fund increases in pay generally.</p>	
<b>Equalities</b>	<p>Decision-makers are reminded of the requirement under the Public Sector Equality Duty (s149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper could directly impact on end users.</p> <p>Having a formal Policy for parental leave for Members of the Council would ensure that they are given the same rights to leave as employees of the Council. Continued payment of basic allowance or in some cases a Special Responsibility Allowance (SRA) would also be formalised.</p>	<p>Veronica Johnson, Head of Corporate Governance &amp; Democratic Services 25.11.21</p>
<b>Climate change</b>	<p>This report has no impact on the Greenwich Carbon Neutral Plan agreed by Cabinet on 18 November 2020.</p>	<p>Veronica Johnson, Head of Corporate Governance &amp; Democratic Services 25.11.21</p>

## 9. **Report Appendices**

9.1 The following documents are to be published with and form part of the report:

- *Appendix A: Royal Borough of Greenwich Parental Leave Policy for Members*

## 10. **Background Papers**

*None.*

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