

## CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE

<b>Date of Meeting</b>	Wednesday, 25 <sup>th</sup> November 2020
<b>Report Subject</b>	Adoption Absence for Local Authority Members
<b>Report Author</b>	Head of Democratic Services

### EXECUTIVE SUMMARY

The Welsh Government published a consultation document on 3<sup>rd</sup> November, on proposed changes to adoption absence for local authority members from 2 to 26 weeks. The consultation period runs until 29<sup>th</sup> December.

Local authorities are being asked three questions on the proposals, which are shown within the report. These seek to gauge the reasonableness of the proposals.

Authority is sought for the Head of Democratic Services to respond to the consultation on behalf of the authority.

### RECOMMENDATIONS

1	That the committee considers the proposals and the three questions – along with the suggested response
2	That the Head of Democratic Services be authorised to respond to the consultation on behalf of the authority.

### REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE PROPOSED CHANGES</b>
1.01	The Family Absence for Members of Local Authorities (Wales) Regulations 2013 (the regulations) govern an adopter's absence (the form of leave taken by an individual adopting a child). The Welsh Government proposes amending the 2013 Regulations so as to extend the period of adopter's absence for elected members of councils from 2 weeks to 26 weeks and, as far as practicable, to align procedures relating to adopter's absence with those which currently govern maternity absence.

1.02	<p>The Welsh Government have proposed the changes as part of its commitment to increasing diversity across all aspects of public life. By increasing the current adoption absence allowance from 2 weeks to 26 weeks, they are seeking to reduce an obstacle which might otherwise deter an individual from seeking elected office.</p>
1.03	<p>In the consultation document, it states:</p> <p><i>The Welsh Ministers recognise the difficulties in balancing the demanding role of being a councillor with the personal responsibilities of caring for loved ones. The challenges of the role, the sensitivities of many of the activities undertaken and the increasing expectation of the public that councillors are ‘on duty’ 24 hours a day, seven days a week can prevent individuals from giving serious consideration to becoming a councillor.</i></p> <p>The above provides context for the proposed changes.</p>
1.04	<p>Wales was the first country in the UK to legislate for the introduction of family absence arrangements for councillors. This was in Part 2 of the Local Government (Wales) Measure 2011, which provided an entitlement for members of principal councils to be absent from authority meetings for family absences. The increase from 2 weeks, in the Measure, to the proposed 26 weeks will bring councillor’s adoption leave into line with councillor’s maternity leave. The Welsh Government have commented that the basic period of adoption absence for officers is now 26 weeks, so again this would achieve parity.</p>
1.05	<p>In addition, associated changes to the regulations will</p> <ul style="list-style-type: none"> <li>• Create procedures for allowing a member of a local authority to vary the start date and duration of a period of adopters absence;</li> <li>• Provide that a period of adopter’s absence may start on the day the child is placed with the member for adoption, or up to 14 days beforehand. A member of an authority will be able to choose on which of these days their adopter’s absence will start;</li> <li>• Create a procedure for a member to bring their adopter’s absence to an end;</li> <li>• Prevent multiple periods of adopter’s absence being taken in respect of children adopted under the same arrangement;</li> <li>• Allow individuals taking adopter’s leave to continue some duties with the consent of the chair or the presiding member of the authority.</li> </ul>
1.06	<p>In responding to the consultation, we are being asked three questions;</p> <ol style="list-style-type: none"> <li>1. Do we agree with proposed increase in the length of adopter’s absence for councillors from 2 to 26 weeks to align with similar arrangements for maternity absence?</li> </ol> <p>Suggested response: The proposal would address the potential inconsistency and therefore should be supported.</p>

	<p>2. Do we agree with the changes identified in paragraph 1.05, above?</p> <p>Suggested response: these are reasonable changes.</p> <p>3. Do we agree that the revised statutory guidance within the annex of the consultation document (which is attached as appendix 1 to this report) reflects the details in paragraphs 1.04 and 1.05, above?</p> <p>Suggested response: we are satisfied that they do reflect them.</p>
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<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	None directly from this consultation report.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	This report has been drafted in response to Welsh Government consultation.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	Not applicable

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1 – Consultation Document

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>None.</p> <p><b>Contact Officer:</b> Robert Robins, Head of Democratic Services  <b>Telephone:</b> 01352 702320  <b>Email:</b> robert.robins@flintshire.gov.uk</p>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	No technical terms have been used within this report.