

## FLINTSHIRE COUNTY COUNCIL

<b>Date of Meeting</b>	Thursday, 1 April 2021
<b>Report Subject</b>	Family Absence for Members of Local Authorities (Wales) (Amendment) Regulations 2021.
<b>Report Author</b>	Chief Officer (Governance)

### EXECUTIVE SUMMARY

The Welsh Government have made the *Family Absence for Members of Local Authorities (Wales) (Amendment) Regulations 2021*. These regulations increase the adoption absence period for local authority members from 2 to 26 weeks.

The changes made by these Regulations will give members of principal Councils who adopter the same entitlement to absence as those giving birth. They also provide similar arrangements for adopter's absence as are already in place for maternity absence.

The Council was consulted on this issue last autumn. The Constitution & Democratic Services Committee, at its meeting on 25<sup>th</sup> November 2020 supported those proposed changes.

### RECOMMENDATIONS

1	That Council notes that Welsh Government have made the Family Absence for Members of Local Authorities (Wales) (Amendment) Regulations 2021, and incorporates the changes into the standing orders on family absence within the Constitution.
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## **REPORT DETAILS**

<b>1.00</b>	<b>EXPLAINING WHY THE CHANGES HAVE BEEN MADE</b>
1.01	<p>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 has amended 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.</p>
1.02	<p>The Welsh Government has made 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>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 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>
1.04	<p>The changes to the regulations:</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></ul> <p>Create a procedure for a member to bring their adopter's absence to an end.</p>

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	<p>None directly from this information report</p>

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	<p>Not applicable: the Constitution &amp; Democratic Services Committee was consulted previously on this issue and supported the proposals.</p>

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

<b>5.00</b>	<b>APPENDICES</b>
5.01	None

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<p>Report of the Head of Democratic Services to the Constitution &amp; Democratic Services Committee, 25<sup>th</sup> November 2020, <i>Adoption Absence for Local Authority Members</i>.</p> <p>The Family Absence for Members of Local Authorities (Wales) (Amendment) Regulations 2021</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	None