

## CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE

<b>Date of Meeting</b>	Wednesday, 24 <sup>th</sup> March 2021
<b>Report Subject</b>	Adoption Absence for Local Authority Members
<b>Report Author</b>	Head of Democratic Services

### EXECUTIVE SUMMARY

The Welsh Government have made the *Family Absence for Members of Local Authorities (Wales) (Amendment) Regulations 2021*. These regulations amend the *Family Absence for Members of Local Authorities (Wales) Regulations 2013*. This increases the adoption absence period for local authority members from 2 to 26 weeks.

The changes made by these Regulations will result in the same periods of maternity and adopter's absence being available to members of principal councils and provide for similar arrangements for adopter's absence as are already in place for maternity absence.

The Council was consulted on the changes a proposal last autumn. The Constitution & Democratic Services Committee, at its meeting on 25<sup>th</sup> November supported the proposed changes.

### RECOMMENDATIONS

1	That the committee notes that Welsh Government have made the <i>Family Absence for Members of Local Authorities (Wales) (Amendment) Regulations 2021</i>
2	That the Head of Democratic Services be tasked with adapting the Council's current employee policy so that it will also apply to Members.

### REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE 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 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.
1.02	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.
1.03	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.
1.04	The changes to the regulations: <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> </ul>
1.05	The Head of Democratic Services will liaise with colleagues in Human Resources to adapt the Council's current employee policy so that appropriate aspects of it will also apply to Members.

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

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	Not applicable: the committee was consulted previously on this issue.

<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	No technical terms have been used within this report.