

BRIDGEND COUNTY BOROUGH COUNCIL
REPORT TO DEMOCRATIC SERVICES COMMITTEE

23 JANUARY 2014

REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES

FAMILY ABSENCE – DEMOCRATIC SERVICES SUB-COMMITTEE

1. Purpose of Report.

- 1.1 The purpose of this report to establish a Panel to be a sub-committee of the Democratic Services Committee to consider issues relating to The Family Absence for Members of Local Authorities (Wales) Regulations 2013.

2. Connection to Corporate Improvement Objectives/Other Corporate Priorities

- 2.1 There are no direct links to the Corporate Improvement Plan and Corporate Priorities.

3. Background.

- 3.1 The Local Government (Wales) Measure 2011 makes available to Members of local authorities entitlement to a period of family absence, during which a Member is entitled to be absent from Authority meetings. The Measure creates an entitlement to five types of family absence:

- Maternity absence – for the mother of a child, granted up to a maximum of twenty-six weeks
- Newborn absence – for the parent of a child other than the mother, for a period of up to two weeks
- Adopter's absence – for the adopter of a child, for a period of up to two weeks
- New adoption Absence – for the partner of an adopter, for a period of up to two weeks
- Parental Absence – for a Member who becomes responsible for a child (and does not meet the conditions for newborn absence, adopter's absence or new adoption absence), for a period of up to three months.

- 3.2 On 11 December 2013, Council approved changes to the Constitution and the establishment of a sub-committee of the Democratic Services Committee to undertake appeals in respect of family absence.

4. Current situation / proposal.

- 4.1 Council approved amendments to the Constitution which agreed the establishment of a sub-committee of 3 Elected Members from the Democratic Services Committee to:

- (a) Determine a complaint made by a Member regarding cancellation of family absence by the Authority;

- (b) The Sub-Committee may confirm a decision made or substitute its own decision as to the Member's entitlement to a period of family absence in accordance with the 2013 Regulations;
- (c) Determine a complaint made by a Member on maternity absence or parental absence regarding a decision made by the Chair of the Authority as to the Member attending any meeting or performing any duty;
- (d) The Sub-Committee may confirm the decision of the Chair of the Authority or substitute its own decision as to the Member attending any meeting or performing any duty.

4.2 It is anticipated that there is unlikely to be a significant workload for this sub-committee. However, there is a likelihood that any sub-committee established from dedicated members may be adversely impacted by declarations of interest as it will deal with sensitive issues relating to their Elected Member peers.

4.3 To ensure that any family absence issues arising for consideration by the sub-committee be dealt with in an effective and timely manner it is proposed that an ad-hoc sub-committee be formed as necessary by the Chairperson of the Democratic Services Committee and 2 other members of the Democratic Services Committee.

4.4 Should the Chairperson of the Democratic Services Committee be unable to participate in any sub-committee meeting, the sub-committee should be as politically balanced as possible and will elect a chairperson in accordance with existing procedures.

5. Effect upon Policy Framework & Procedure Rules.

5.1 There is no change the Policy Framework and procedure rules.

6. Equality Impact Assessment

6.1 There are no equalities impact linked to this report.

7. Financial Implications.

7.1 There are no financial implications in respect of this report

8. Recommendation.

8.1 The Democratic Services Committee is requested to approve the proposals set out in paragraphs 4.3 and 4.4 of the report.

P A Jolley
ASSISTANT CHIEF EXECUTIVE – LEGAL & REGULATORY SERVICES
14 January 2014

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Background documents: None