

BRIDGEND COUNTY BOROUGH COUNCIL
REPORT TO DEMOCRATIC SERVICES COMMITTEE

23 JANUARY 2014

REPORT OF THE ASSISTANT CHIEF EXECUTIVE LEGAL AND REGULATORY SERVICES

FAMILY ABSENCE – INDEPENDENT REMUNERATION PANEL (IRP) CONSULTATION

1. Purpose of Report.

- 1.1 The purpose of this report to provide the opportunity for the Democratic Services Committee to consider the proposals of the Independent Remuneration Panel (IRP) in respect of family absence and to make recommendations to Council prior to a response being made to these proposals.

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 The entitlement created by the Measure is subject to Members satisfying conditions prescribed by the Welsh Ministers in regulations.

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

- 3.4 The Independent Remuneration Panel (IRP) for Wales issued a draft supplementary report for consultation which provides initial determinations for the remuneration for elected members during periods of family absence.

4. Current situation / proposal.

- 4.1 Attached at Appendix 1 is the draft supplementary report from the IRP in respect of Family Absence. Responses to these draft proposals have been requested to be provided by all local authorities before 7 February 2014.
- 4.2 The IRP considered that an Elected Member taking Family Absence would be entitled to retain their basic salary for a period of 6 months in accordance with the current regulations. However, there could be instances where the member concerned has already accumulated absences prior to the commencement of an agreed family absence.
- 4.3 Potentially senior salary holders would be affected by absence taken under the regulations and proposals have been incorporated into the IRP determinations.
- 4.4 The following determinations have been proposed:
- A. A member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record prior to the commencement of the family absence.
 - B. when a senior salary holder is eligible for family absence, he/she will be able to continue to receive the senior salary for the duration of the absence if the authority so decides whether or not it makes a substitute appointment.
 - C. The member substituting for a senior salary holder taking family absence will be eligible for a senior salary.
 - D. If the paid substitution results in the authority exceeding the maximum number of senior salaries as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this cannot apply to the Isle of Anglesey and Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council's membership as specific Welsh ministerial approval would have to be obtained.
 - E. When an authority agrees a substitution for family absence, the Panel must be informed, within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.
 - F. The schedule of remuneration must be amended to reflect the implication of the family absence.
- 4.5 The implementation of these recommendations would include the following impacts:
- a. Proposal A, would not change the current remuneration of Elected Members. However, the 6 month rule would still apply and any Elected Member undertaking family absence would still have to comply with this rule. Council would have to approve an extension for a period of absence if it exceeded a period of 6 months.
 - b. Proposal B, has no impact on the remuneration of Elected Members

- c. Proposal C, would require additional funding to be made available for the substituting Senior Salary holder. It should be noted that the Council has budgeted for a total of 18 Senior Salaries although currently there are only 17 Senior Salary holders. If this capacity did not exist within the budget additional funding would be required to support a senior salary substitution. The use of substitutions for senior salary holders and their remuneration only applies to family absence and not for other reasons such as long term illness etc.
- d. Proposal D, is unlikely exceed the maximum number of senior salary holders (50% of Elected Members) that the Authority could have during a period of substitution. There are currently 17 Senior Salary Holders and this in theory be extended to 27 for substitutions.
- e. Proposals E & F would be undertaken by the Democratic Services Team and although these would increase the administrative burden on the team they should not have a significant impact.

4.6 The Democratic Services Committee is requested to consider these proposals and their impacts in order to make recommendations for consideration by Council on 5 February 2014.

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 As indicated in paragraph 4.5 d. should the proposals be introduced, the substitution of a Senior Salary Holder can be met within existing budgets. It is considered that it would be unlikely for more than one senior salary substitution to be made for family absence.

8. Recommendation.

8.1 The Democratic Services Committee is requested to consider these proposals and their impacts and determine whether it wishes to make any comments or recommendations for consideration by Council on 5 February 2014.

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ASSISTANT CHIEF EXECUTIVE – LEGAL & REGULATORY SERVICES
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