

Brighton & Hove City Council

Council

Agenda Item 14

Subject: Diverse Councils Action Plan and Policy on Parental & Other Leave for Members

Date of meeting: 16 May 2024

Report of: Corporate Director – Corporate Services

Contact Officer: Name: Elizabeth Culbert
Email: elizabeth.culbert@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 A Declaration seeking to ensure that councillors reflect the diversity of their community was [agreed and signed at Full Council](#) on Thursday 20 July 2023. This report recommends the approval of a Diversity Action Plan to assist the Council in achieving the aims set out in the Declaration.
- 1.2 As part of this work, this Report also recommends that the Council approves an updated Parental, Carers and Special Leave Policy for Members as a key step in supporting the ambition that Brighton & Hove City Council's elected councillors reflect the diversity of the communities they represent.

2. Recommendations

That full Council:

- 2.1 Notes the Diverse Councils Declaration previously committed to by the Council and attached at **Appendix 1**;
- 2.2 Notes the list of actions attached as **Appendix 2**, to progress the ambitions of the Declaration referred to above;
- 2.3 Approves the updated Parental, Carers & Special Leave Policy attached as **Appendix 3** with immediate effect, giving the Monitoring Officer delegated authority to make the specific additional change detailed in paragraph 5.4 below (as well as any changes they deem necessary or incidental) provided that the Independent Remuneration Panel indicates that it has no objection to the proposal described in that paragraph.

3. Context and background information

- 3.1 The Diverse Councils Declaration ('the Declaration') was developed by Baroness Debbie Wilcox of Newport, working with the Co-operative Party and local authorities in England and is attached at Appendix 1. The Declaration was signed by Brighton & Hove City Council in July 2023.

- 3.2 Published data¹ indicates that nationally 96% of councillors describe themselves as white, 88% as heterosexual or straight, 16% have a disability or long-term condition, 36% have caring responsibilities and 36% are female.
- 3.3 One of the recommendations in the Declaration is to undertake equalities surveys of members locally. This was undertaken by the Council between September and October 2023. A total of 45 survey responses were received in from the Council's 54 elected councillors. This is the highest response rate ever achieved in the City Council and provides a good basis upon which the Council can assess its progress against the aims of the Declaration.
- 3.4 The survey data indicates that councillors elected to represent Brighton & Hove City Council reflect much more closely than the national picture the ethnic heritage and background, gender, sexual orientation, faith and disability, caring responsibilities and armed forces backgrounds when compared with the 2021 Census results for the City. However it remains vital that people with protected characteristics, such as age, disability, race, gender, religion, pregnancy and maternity, or sexual orientation have the opportunity to shape the decisions which affect them and the city they live in in future elections.

4. Actions toward becoming a Diverse Council

- 4.1 This Council's pledge to become a diverse council was made building upon the actions taken to become an anti-racist council, detailed in our first Anti-Racism Strategy. The Diverse Council commitment requires an intersectional approach, so as to tackle equality disparity across people from all the different protected characteristics.
- 4.2 The Diverse Councils Declaration was developed to improve representation: an ambition which challenges the Council and different political groups to set ambitious targets ensuring that candidates from underrepresented groups stand as candidates in local elections. The aim is that action is taken by all political parties to promote talent and diversity across the political spectrum, for instance through mentoring and shadowing initiatives.
- 4.3 Attached as **Appendix 2** is a list of actions detailing a range of initiatives, including taking into account the health and wellbeing needs of councillors by ensuring the Council's counselling service is available to elected members. The actions have been developed with the specific commitments of the Declaration in mind.

5. Parental, Carers & Special Leave Policy: a review

- 5.1 Flexibility, parental support and fair remuneration are at the forefront of the Declaration, given the key imperative of ensuring that the role of member is not limited to those who can afford it. This Council already has in place a Parental Carers and Special Leave Policy. The Independent Remuneration Panel has recently recommended that the Council consider extending the

¹ Data cited in [the Diverse Councils Declaration briefing](#), noting [a census carried out by the LGA](#).

Parental Leave Policy in line with [the LGA model](#) which has now been adopted across many local authorities.

5.2 In this context, Members are asked to note that this Council's current Policy is wider in its application than the LGA Policy. While the LGA Policy only covers parental leave following birth or adoption, BHCC's policy expressly covers all types of leave that a member may wish to take as a result of their family-related responsibilities. This explicitly includes any leave for someone acting as a main carer for a child under the age of 18 as well as when they are acting as carer for any adult. It also includes bereavement leave and special leave, both of which are framed in an inclusive way to encourage a generous interpretation.

5.3 It is proposed that the Council's existing policy is updated to incorporate the following key changes:

- To create an expectation that members seeking parental leave may take it for up to twelve months, provided that they observe the legal process for extending their leave and their application is granted.
- Specific reference will be made to infants requiring neonatal care as a named potential ground on which a member may seek leave, having taken into account a recent communication from [DLUHC](#).
- Explicit provision to be made in relation to the payment of Special Responsibility Allowances ('SRAs') received by any member. The aim of this is to provide that they shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.
- A member appointed to cover the period of absence created by a member taking leave who was in receipt of an SRA shall receive an equivalent SRA on a pro rata basis for the period of the temporary appointment.

5.4 It is proposed that the Independent Remuneration Panel further consider the updated Policy as part of their next review in order to assess whether a sum equivalent to the basic allowance can be paid to any member covering the role of another member who is in receipt of a basic allowance only.

5.5 At **Appendix 3** is a proposed revised version of the current BHCC policy incorporating tracked changes from the LGA Policy. Full Council are asked to approve the revised Policy, which will then be published on the Council's website.

6. Analysis and consideration of alternative options

6.1 No other options have been considered other than those outlined in this Report.

7. Community engagement and consultation

7.1 While all of the Council's political Groups have been consulted, no external consultation has taken place.

8. Conclusion

- 8.1 Council is recommended to approve the proposals outlined in this report with immediate effect.

9. Financial implications

- 9.1 The updated Parental, Carers & Special Leave Policy for members could have financial implications in any one year depending on individual circumstances. However, any additional cost is anticipated to be at a relatively low level and managed within the Member Allowances budget or the overall Democratic Services budget. Any additional costs will be reflected in the regular Targeted Budget Management (TBM) reports to Cabinet.

Name of finance officer consulted: James Hengeveld Date consulted :07/05/24

10. Legal implications

- 10.1 No legal issues arising from this report have been identified. A further review by the Independent Remuneration Panel is proposed which will review the Policy against current Regulations to determine whether there is any scope for a sum equivalent to the Basic Allowance (pro rata'd for the relevant period) to be paid to any member providing cover in respect of another member who is in receipt of a Basic Allowance only.

Name of lawyer consulted: Victoria Simpson Date consulted 07.05.24

11. Equalities implications

- 11.1 The Council has a public sector equality duty under s149 of the Equality Act 2010. In the exercise of its functions the Council must have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act and must advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those that do not.
- 11.2 This report and the actions proposed are compliant with the Council's legal responsibilities in this regard and generally.

12. Sustainability implications

- 12.1 There are no adverse sustainability implications arising from the proposals.

Appendices

Appendix 1 [Diverse Councils Declaration – Co-operative Party](#)

Appendix 2 Proposed list of actions – Diverse Councils Action Plan

Appendix 3 Parental, Carers & Special Leave Policy – tracked changes version showing proposed changes

