

**MONMOUTHSHIRE COUNTY COUNCIL  
REPORT**

<p><b>SUBJECT: Consultation – Changes to Adoption Absence for Members</b> <b>MEETING: Democratic Services Committee</b> <b>DATE: 30<sup>th</sup> November 2020</b> <b>DIVISION/WARDS AFFECTED: N/A</b></p>
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**1. PURPOSE:**

To consider submitting a response to Welsh Government on the changes to adoption absence for local authority members.

**2. KEY ISSUES:**

Part 2 of the Local Government (Wales) Measure 2011 (“the Measure”) introduced entitlements to periods of family absence for members of county and county borough councils, during which a member is entitled to be absent from authority meetings.

The periods of absence introduced were as follows:

- Maternity absence 26 weeks
- Newborn absence 2 weeks
- Adopters absence 2 weeks
- New adoption absence 2 weeks
- Parental absence 3 months

The Family Absence for Members of Local Authorities (Wales) Regulations 2013 (“the Regulations”) made under Part 2 of the Measure prescribe the conditions to be satisfied for a member to be entitled to a period of family absence and made procedural arrangements in respect of each type of absence.

The periods of absence set out above were broadly modelled on the absence provisions for officers within county and county borough councils. The intention behind this approach was to ensure members and officers had, as far as possible, the same basic absence arrangements.

With the exception of the maximum period for adopter’s absence the regulations remain in step with the arrangements for Officers. However, the basic period of adopter’s absence available to Officers is now 26 weeks and therefore the current 2 weeks adopter’s absence available to members needs to be changed to 26 weeks to align with the broader Welsh Government policy.

For this reason Welsh Ministers intend to amend the 2013 regulations to increase the adopter’s absence entitlement from 2 weeks to 26 weeks. This will result in the same levels of maternity and adopter’s absence being available under the 2013 regulations.

In addition, associated changes to the regulations will:

- Create procedures for allowing a member of a local authority to vary the start date and duration of a period of adopter's absence
- Provide that a period of adopter's absence may start on the day the child is placed with the member of a local authority for adoption or up to 14 days beforehand. A member of a local authority may choose on which of these days their adopter's absence will start.
- Create a procedure for a member of a local authority to bring their adopter's absence to an end
- Prevent multiple periods of adopter's absence being taken in respect of children adopted under the same arrangement.
- Allow individuals taking adopter's leave to continue some duties with the consent of the chair or presiding member of the local authority.

Welsh Government are undertaking a consultation that closes on the 29<sup>th</sup> December 2020 with a view to gathering responses to the below questions:

1. Do you agree with the proposed increase in the length of adopter's absence for councillors from 2 to 26 weeks to align with similar arrangements for maternity absence.
2. Do you agree with the changes set out in the bullet points above?
3. Do you agree the revised statutory guidance within the annex of the consultation document reflects the proposed changes in paragraphs in the bullet points above?

**3. RESOURCE IMPLICATIONS:**

None. There are no changes to the remuneration of the local authority members specific to this initiative and members would be entitled to continue receiving remuneration in line with the policies set by the Independent Remuneration Panel for Wales.

**4. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

The proposed changes in this consultation document will ensure that individuals who need to use this policy will have access to the relevant support mechanisms to continue to carry out all their responsibilities in a fair manner.

**5. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS:**

None

**6. BACKGROUND PAPERS**

[Consultation Document - Changes to adoption absence for local authority members](#)

**6. AUTHOR:**

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