



EQUALITY IMPACT ASSESSMENT (EIA)

Service/policy/strategy/practice/plan being assessed: Review of Members Allowances Recommendations

Business Unit/Service Area: Democratic Services

Is this a new or existing service/policy/strategy/practice/plan?

New policy – based on existing employee policy and allowances

EIA Review team – list of members:

Graham Leach (Democratic Services Manager) with support from Keira Rounsley (Warwickshire County Council Equality, Diversity, and Inclusion Practitioner)

Do any other Business Units/Service Areas need to be included?

People & Communications

Date of assessment: January 2022

Are any of the outcomes from this assessment likely to result in complaints from existing services users, members of the public and/or employees?

The Independent Review Panel for Members' Allowances (IRP) proposes the introduction of recognition for maternity/paternity and adoption leave for up to 12 months, subject to the legal attendance requirements under the Local Government Act 1972. This may be questioned as Councillors by law are not entitled to statutory maternity/paternity or adoption leave because Members are not legally classified as employees.

It should be noted that while this is proposed by the IRP the decision to implement, or not, remains with the Council but they must take into consideration the views of the IRP.

DETAILS OF SERVICE/POLICY/STRATEGY/PRACTICE/PLAN

Scoping and Defining

1. What are the aims, objectives and outcomes of the service/policy/practice/plan?

The aim is to recognise that as a Council, it is possible that Councillors may seek time away for maternity/paternity or adoption leave. The Council is committed to encouraging the best possible candidates to stand for election and support those who are elected. The provision within the scheme formally recognises the potential and how the Council could support Councillors at this time.

While legally Councillors are not entitled to this, there is nothing to stop a Council voluntarily agreeing to pay allowances for when a Member is required to take maternity leave. As long as a Member abides by the requirement of the six-month rule (which requires them to attend an approved duty at least once every six months unless given an exception by the Council) they can continue to be paid their Basic Allowance and if applicable their Special Responsibility Allowance (SRA). The IRP supports such a policy and it should also be extended to include not just maternity leave but also paternity and adoption leave.

1. Who are the customers?

Councillors

2. How has equality been considered in the development or review so far?

This specific programme of work is reviewing the allowances for Councillors and this is based on feedback from that review with Members and the wider public.

3. What is the reason for the change/development?

To provide support for Councillors who may be seeking time away for maternity/paternity or adoption leave as well as their families.

4. How does it fit with Warwick District Council's wider objectives?

This programme of work will reflect and supports our People Vision of "valuing our staff, empowering our staff, supporting our staff through change, ensuring our communication is clear". It also aligns with our equality objectives and our values, in particular fairness and equity.

5. Why might it be important to consider equality and the protected characteristics?

This programme of work is reviewing the allowances paid to Councillors and the new proposal impacts, with the intention of a positive impact on all protected characteristics.

Information Gathering

6. What sources of data have you used?

The proposal came through as part of the review of allowances where all Warwick District Councillors are surveyed. Since the election in May 2019 the Council has seen four cases where this opportunity could have been applied. There has also been similar consideration for Members of Parliament as well.

7. What does the data you have tell you about your customers and about protected equality groups?

There is minimal impact of the proposal and provides clarification and support for Councillors in balancing home and public life.

8. What do you need to know more about?

- National approaches by other Councils
- Wider concerns nationally and locally by Councillors on this

9. How could you find this out and who could help you?

- National census of Councillors – due to be released late spring 2022

Engagement and Consultation

10. Who have you consulted with from protected equality groups?

All Councillors were asked to provide feedback on the review of the scheme as well as selected officers.

11. Who else could you consult with?

Potentially the wider community or other local council's for their views, however this is probably disproportionate to the scale of the proposal.

12. Who can help you to do this?

Other Local Authorities including Stratford District Council, Warwickshire County Council etc.

Monitor and Evaluate

Analysis of impact and potential actions:

| Protected characteristics from the Equality Act 2010 | What do you know? Summary of data about/feedback from your service-users and/or staff | What does this mean? | | What can you do? All potential actions to: <ul style="list-style-type: none"> • Eliminate discrimination/mitigate negative impact • Advance equality of opportunity • Foster good relations |
|--|--|---|---|--|
| | | Positive impacts identified (<i>actual and potential</i>) | Negative impacts identified (<i>actual and potential</i>) | |
| Age | | | | This programme of work will apply to all current and new Councillors regardless of their age |
| Disability | | | | This programme of work will apply to all current and new Councillors regardless of whether they have a disability or not |
| Sex | | | | This will apply to all Councillors in line with current legislation for shared parental or adoption leave. The specifics will be discussed with the individual for each specific circumstance. |
| Race | | | | This programme of work will apply to all current and new Councillors regardless of their race |
| Religion or belief | | | | This programme of work will apply to all current and new Councillors regardless of their age |
| Gender Re-assignment | The person giving birth to the baby is entitled to maternity leave and pay – this will be reflected for Councillors. | | | Ensure the language used within the policy is gender-neutral |

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|--|--|---|---|---|
| | | Positive impacts identified (<i>actual and potential</i>) | Negative impacts identified (<i>actual and potential</i>) | |
| | Those entitled to paternity leave include the spouse, civil partner or partner of the person giving birth or primary adopter, who will share responsibility for the child's upbringing – this will be reflected for Councillors. | | | |
| Pregnancy and Maternity | | | | The aim of the policy is to provide a positive impact by providing support for Councillors and will reflect the legislation in place for new and expectant mothers. |
| Sexual orientation | The person giving birth to the baby is entitled to maternity leave and pay – this will be reflected for Councillors. | | | Ensure the language used within the policy is gender-neutral |

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| Marriage and Civil Partnership <i>(Note: only in relation to due regard to eliminating unlawful discrimination)</i> | | | | This programme of work will apply to all current and new Councillors regardless of their marriage or civil partnership status |

13. Outcomes of Equality Impact Assessment

The timescale and responsibility will be allocated once the recommendations have been approved.

| Action | Timescale | Responsibility |
|--|------------------|-----------------------|
| Approach Stratford-on-Avon District Council to look to include these proposals as part of their next review of allowances and any future shared scheme | TBC | TBC |
| Take proposals to Cabinet & Council at Warwick for Approval in February 2022 | TBC | TBC |

Date of next review: Once the recommendations have been approved.

If approved, monitor feedback on the recommendations and bring forward as part of next review of allowances.

Name and signature of Officers completing the EIA:

Graham Leach

Democratic Services Manager & Deputy Monitoring Officer.