

Appendix 1

OUTSTANDING FROM THE WOMEN IN LOCAL GOVERNMENT REPORT.

1. Introduction

In December 2018, the Policy, Resources and Growth Committee received a report on implementation of the proposals in the “Women in Local Government” report commissioned by the Fawcett Society and the LGIU. Some of the recommendations had been actioned and the Committee asked for the outstanding matters to be considered by Group Whips with recommendations going back to committee. This note lists the outstanding matters with recommendations.

2. Introducing a reasonable adjustment policy for disabled councillors.

Under the Equality Act 2010, Councils have a duty to make reasonable adjustments in relation to Members. There is also the duty to pay due regard to advancing equality and this includes encouraging disabled people to participate in public life.

The Council currently does not have a specific policy for Councillors. However, the same policies that apply to staff could be applied to Members with suitable adjustment.

Recommendations

- That members be encouraged to complete a form about any disability and any additional or special needs they may have;
- Ensure Members have access to the Council's occupational health facility to the extent that their condition affects their role as Councillors;
- Raise awareness of disability among members and officers;
- Make sure all reasonable adjustments are made
- Develop a policy that mirrors the one that applies to officers with necessary modification

2 Local government leaders to support BAME and Muslim women who experience pressure from within their communities not to participate in political life.

The Fawcett report focused on the barriers that BAME and Muslim women may face when standing as a candidate. The report urged senior party figures within local government to not be bystanders if they see BAME women, in particular Muslim women, being discouraged from standing or facing obstacles.

The report recommended that local government leaders recognise and talk about the problem, actively work with BAME and Muslim women to encourage women in their communities to stand, and to offer support to them if they do.

Recommendations

- Ensure awareness raising sessions for potential candidates are held in time before parties pick up candidates
- Consider inviting high profile BME Members from other authorities to share their experience

- Recommend political parties to encourage women from BME backgrounds to come forward as candidates
- Ensure that the Council's ways of working, publicity and engagement does not alienate women from BME backgrounds

3 Establishing a formal role to oversee Member conduct

This Fawcett recommendation is that the Council considers appointing a senior Councillor whose role it is to promote culture change and promote equality. This role would be separate from the standards complaints procedure.

Recommendation

That the Lead Member for Equalities takes the role of leading on equalities as it affects Councillors. Ensure there is Mentoring and other support to develop the role.

4 Active sponsorship of new Councillors

The Fawcett recommendation for Councils to introduce sponsorship schemes for all new Councillors and for women Councillors to be encouraged to take part in the scheme. The scheme could be akin to a mentoring scheme.

The Council already offers a senior officer "buddy" for new Councillors. Political groups may also choose to buddy new members with more experienced members.

Recommendation

Identify opportunities through the Member Development Working Group and the LGA and encourage all Groups to introduce/continue schemes for supporting new Councillors.

5 Adopting a requirement in the Constitution for at least 50 percent of Chairs of Committees to be women

Currently, out of the ten Council Committees, six Chairs of Committees are women. This is 60% and therefore currently exceeds the recommendation. Whilst this is the current arrangement, the Fawcett recommendation seeks to *impose* a requirement for at least 50% of Chairs to be women, if this is possible. It is suggested in the Fawcett report that this requirement could also extend to Deputy Chairs. Currently, of the seven committees that appoint Deputies, five are women, equating to 71%.

Recommendation

To include a reference in the constitution to an aspirational to secure that 50% of chairs and Lead Member roles are held by women. This would not be legally binding but would give a clear indication of the Council's intent and desire.

6 Supporting gender equality networks between Councillors and local government officers

The Fawcett Society recommends that the above could be delivered through regional networks which the Fawcett Society and LGiU intend to lead on establishing.

Recommendation

Identify appropriate networks through the LGA, LGIU and Fawcett Society and ensure r have access to such networks.

7 Working with the police

The Fawcett report recommends that local authorities should work with the local police force to ensure that women council candidates understand the legal protection available against online and offline abuse and harassment of Council candidates. The suggestion for consideration is for Councils to work alongside local police forces to set up information sessions for women candidates prior to election periods, so that they can be made aware of their legal rights to protection and to ensure that both they and the police are clear when interactions on social media cross the line into illegal abuse and harassment.

Recommendation

- Members note the work done on Member safety as part of the Member Induction Programme;
- Ensure that this is repeated at appropriate intervals with updates and that the police are invited to participate in sessions on Member safety.

8 Maternity, paternity, adoption and parental leave policy for Councillors

The Fawcett report recommends that the Secretary of State for Communities and Local Government should introduce a statutory England-wide, comprehensive maternity, paternity, adoption and parental leave policy for councillors.

Regardless of whether a statutory policy is introduced, the Council has the ability to choose to adopt a policy for Councillors if it considers it desirable.

Recommendation

- Note that, under current arrangements, Members in Brighton & Hove do not lose allowances for absence and there is no need to seek “leave.” The Independent Remuneration Panel review the issue of review Members’ allowances on an ongoing basis, including carers’ allowances. We will keep the position under review but the Constitutional Working Group did not feel it was necessary to introduce a policy for leave given there are no restrictions under the current system.
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9 Meeting times

The Fawcett report recommends that Councils should regularly survey Councillors to identify the most mutually convenient meeting times for all Members involved in the meetings and when setting meetings, should ensure Councillors with caring responsibilities and disabled councillors are not excluded. Attempts to secure agreement to any changes have not been successful in the past.

Recommendation

- Undertake a survey of Members and bring the findings to the Whips meeting. If there is consensus, then submit proposals to P&R and the Chief Executive for approval.

10 Training to tackle discrimination –

The Fawcett report recommends that training be offered to Councillors on equalities/tackling discrimination.

Training is already provided as part of the Councillor induction scheme. This consists of both equalities training for new Councillors and training offered for all Councillors. One example of the latter was the recent training offered on unconscious bias.

Recommendation

- Ensure, through the Member Development Working Group, that the Member development programme includes a session on equalities.

11 Audio recordings of Council meetings to enable transparency –

The Fawcett report recommends that Council meetings should be recorded to ensure transparency.

Full Council meetings are already recorded via webcam. Most Committee meetings are also recorded. Only three Committees are currently not recorded (Licensing, Audit & Standards and Health Overview & Scrutiny Committees).

Recommendation

- That Officers consider extending webcasting to the three Committees mentioned above, but not Licensing Panels or Personnel Appeals Panel.

12 Members Allowance Scheme

The Fawcett report recommended that Councils review their members Allowance Schemes in respect of child and dependent care payments.

The Independent Remuneration Panel has met to consider amending the Members Allowance Scheme in respect of child and dependent care allowance. The full report was submitted to Full Council in December 2018.

Recommendation

Ensure that the IRP reviews this at appropriate intervals to ensure it remains effective and up-to-date.

13 Flexible working and part-time working –

Whilst the majority of the Fawcett recommendations focus on Members, one part of the report focused on the relative lack of women in senior roles, compared with the high number of women being employed by local authorities. One barrier to progression to senior roles is the lack of flexible or part-time working for senior roles.

Councils are recommended to offer all roles, including senior roles, as flexible working and part-time by default unless there is a clear business case otherwise. The business case is recommended to be backed up by a genuine organisational commitment to viewing flexible working on equal terms with traditional working patterns.

The Council already has a policy in place whereby all roles are open to being worked on a flexible working basis unless there is a clear business case whereby this would not be possible. Any Council officer can also apply for the role to be a job share, whereby part of the assessment is whether the job can be made part time. When a post becomes vacant, consideration is also given to whether the post can be a job share.

Recommendation

- To note the Council's current policy as it applies to Officers
- That the Council agrees that Member positions of special responsibility (such as Chair, Deputy Chair or Lead Member) are open to job share.

14. Use of Non-disclosure Clauses in Settlement

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This recommendations comes not from the Fawcett Society, but from the Parliamentary Select Committee on Women and Equalities. It proposes restricting the use of non-disclosure agreements (NDAs) in settlement agreements. It is expected that this will be reflected in legislation to be introduced by the government, but it is not clear when that will happen. The Council's current practice is to include confidentiality or non-disclosure clauses in all settlement agreements.

Recommendation

- That the Council supports the principle of restricting the use of non-disclosure agreements to what is necessary and proportionate. This could include limiting NDAs to cases (a) where the employee requests it, and (b) where the use is approved by the Compensation Panel (the Panel that approves severance settlements) or a senior officer (could be Chief Executive, Monitoring Officer or Executive Director for Finance & Resources) as being necessary and proportionate. It should not apply in cases covered by the Public Interest Disclosure Act.
- That the Head of HR&OD and the Executive Lead Officer for Strategy, Governance & Law be authorised to implement the proposal subject to the outcome of consultation with the unions.

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