

CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Council

Date of meeting: 23 January 2025

Title: To consider a formal substitute appointment to cover a family absence period of a senior salary holder.

Purpose of the report: For Council to consider appointing a formal substitute to cover a family absence; and subsequent payment of a senior salary for the substitute for the period.

For: Decision

Cabinet Portfolio and Cabinet Member:

Councillor Bryan Davies, Leader of the Council and Cabinet Member for Democratic Services, Policy, Performance and People and Organisation

Introduction

Councillor Ceris Jones is currently on a period of family absence due to maternity leave. Councillor Ceris Jones is a senior salary holder, as Chair of the Healthier Communities Overview and Scrutiny Committee.

During this period, Councillor Amanda Edwards, as Vice Chair of the Healthier Communities Overview and Scrutiny Committee, has undertaken the role of Chair and has chaired several meetings to date.

The Family Absence for Members of Local Authorities (Wales) Regulations 2013 and the determinations of the Independent Remuneration for Wales' (IRPW) allows Councils to determine whether it is necessary to make a substitute appointment to cover the family absence of a senior salary holder and if so, the Member substituting will be eligible if the authority so decides to be paid a senior salary.

It is important to note that the senior salary holder i.e. Councillor Ceris Jones will continue to receive their senior salary for the duration of the absence as per the Regulations.

Family absence provisions for elected members of Principal Councils

The Members' Schedule of Remuneration 2024-25, in line with the IRPW determinations states the following:

- 8.1 Members are entitled under the provisions of the Family Absence for Members of Local Authorities (Wales) Regulations 2013 to a period of family absence, during which if they satisfy the prescribed conditions they are entitled to be absent from authority meetings.
- 8.2 Family Absence covers maternity, newborn, adoption and parental absences from official business.

- 8.3 When taking family absence Members are entitled to retain a basic salary irrespective of their attendance record immediately preceding the commencement of the family absence.
- 8.4 Should a senior salary holder be eligible for family absence they will be able to continue to receive their senior salary for the duration of the absence.
- 8.5 If the authority agrees that it is necessary to make a substitute appointment to cover the family absence of a senior salary holder the Member substituting will be eligible if the authority so decides to be paid a senior salary.
- 8.6 If the paid substitution results in the authority exceeding its maximum number of senior salaries, an addition to the maximum will be allowed for the duration of the substitution.
- 8.7 If the Council agrees a paid substitution for family absence, the Panel must be informed, within 14 days of the decision of the details including the particular post and duration of the substitution. The Schedule of Member Remuneration must also be amended to reflect the implications of the family absence.

Clarification regarding the family absence provision received from the IRPW

Clarification has been sought from the IRPW regarding family absence provisions for elected members and their advice, dated 7 January 2025 was as follows:

“In this section, “family absence” refers to maternity, newborn, adoption and parental absences from official business.

An elected member is entitled to retain a basic salary when taking family absence under the original regulations or any amendment to the regulations irrespective of the attendance record immediately preceding the commencement of the family absence. (Determination 17 of 2022).

When a senior salary holder is eligible for family absence, they will continue to receive the salary for the duration of the absence. (Determination 18 of 2022).

It is a matter for the authority to decide whether to make a substitute appointment. The elected member substituting for a senior salary holder taking family absence will be eligible to be paid a senior salary if the authority so decides. (Determination 19 of 2022).

If the paid substitution results in the authority exceeding the maximum number of senior salaries which relates to it, as set out in the Panel’s Annual Report, an addition to the maximum will be allowed for the duration of the substitution.

When a Council agrees a paid 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. (Determination 21 of 2022)

The Council's schedule of remuneration must be amended to reflect the implication of the family absence. (Determination 22 of 2022)".

Conclusion

It is therefore recommended that Councillor Amanda Edwards be appointed as a substitute for Councillor Ceris Jones and that a senior salary is paid for the full duration of the family absence i.e. back-dated to 20th September 2024 and to be paid until such time as Councillor Ceris Jones returns after maternity leave.

If the Council approves the recommendations, the Members' Schedule of Remuneration will be amended to reflect this and the IRPW will be notified accordingly.

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed? If not, please state why.

Not required – not a service or policy change.

Summary of Integrated Impact Assessment:

Long term: Not applicable
Collaboration: Not applicable
Involvement: Not applicable
Prevention: Not applicable
Integration: Not applicable

Recommendation(s):

The Council is recommended to approve the following:

- a) Councillor Amanda Edwards be appointed as a substitute for Councillor Ceris Jones;
- b) If a) is approved, that Councillor Amanda Edwards is paid for the full duration of the family absence i.e. back-dated to 20th September 2024 and to be paid until such time as Councillor Ceris Jones returns after maternity leave.

Reasons for decision:

To comply with the Family Absence for Members of Local Authorities (Wales) Regulations 2013 and the Independent Remuneration for Wales' determinations.

Overview and Scrutiny:

Not applicable

Policy Framework:

- Independent Remuneration Panel for Wales Determinations;
- Council's Constitution.

Corporate Well-being Objectives:

Not applicable

Finance and Procurement implications:

Additional budget implications for the duration of the family absence, but within budget.

Legal Implications:

None

Staffing implications:

None

Property / asset implications:

None

Risk(s):

None

Statutory Powers:

- Family Absence for Members of Local Authorities (Wales) Regulations 2013;
- Local Government Wales Measure 2011 and as amended by Sections 62 to 67 of the Local Government (Democracy) (Wales) Act 2013;
- The Independent Remuneration Panel for Wales Regulations;
- The Independent Remuneration Panel for Wales Annual Report dated February 2023;
- Local Government and Elections Act 2021.

Background Papers:

[Members' Schedule of Remuneration 2024-25](#);

The Independent Remuneration Panel for Wales Annual Report 2024;

The Independent Remuneration Panel for Wales Annual Report 2022.

Appendices:

None.

Corporate Lead Officer:

Lowri Edwards, Corporate Lead Officer: Democratic Services (Head of Democratic Services).

Reporting Officer:

Lowri Edwards, Corporate Lead Officer: Democratic Services (Head of Democratic Services).

Date:

9 January 2025.