

COUNCIL:

30 SEPTEMBER 2021

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

SUBSTITUTION TO COVER FAMILY ABSENCE

Reason for this Report

1. To agree a substitution for a senior salary holder to cover the family absence of an Elected Member.

Background

2. Under Part 2 of the Local Government (Wales) Measure 2011 and Regulations made thereunder (The Family Absence for Members of Local Authorities (Wales) Regulations 2013, 'the Family Absence Regulations'), elected Members are entitled to a period of family absence. As required under Regulation 37 of the Family Absence Regulations, the Council has adopted Family Absence Procedure Rules, set out within Part 4 of the Constitution, reflecting the legislative requirements.

3. The Family Absence Procedure Rules, Rule 11, provides that:

'In accordance with the determinations of the Independent Remuneration Panel for Wales, a Member on family absence is entitled, for the duration of the absence, to retain a basic salary and any senior salary for which the Member is eligible.'

4. Council, at its Annual meeting on 27 May 2021, approved the Members' Schedule of Remuneration 2021-22, reflecting the determinations of the Independent Remuneration Panel for Wales ('the IRPW'), which has statutory power to recommend the levels of salaries, allowances and expenses payable to Councillors and Co-opted Members.

Issues

5. In accordance with the provisions of the Family Absence Procedure Rules, Councillor Rhys Taylor, Leader of the Liberal Democrat Group, has notified his intention to take family absence for a 3 month period commencing on 11 October 2021.
6. Under the Members' Schedule of Remuneration, the Leader of the Liberal Democrat Group is a senior salary holder. Paragraph 8 of the Members' Schedule of Remuneration deals with 'Family Absence' and confirms that a Member taking family

absence is entitled to retain their basic salary and any senior salary for which they are eligible for the duration of the absence (paragraphs 8.2 and 8.3).

7. The Members' Schedule of Remuneration also makes the following provision in respect of substitution for a Member on family absence:

8.4 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.

8.5 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. Councillor Taylor has requested that Councillor Emma Sandrey, Deputy Group Leader of the Liberal Democrat Group substitute as Group Leader for his 3 month period of family absence and be paid the associated senior salary, pro rata, for this period.
9. In considering this matter, Council will be mindful of the important role of Group Leaders in facilitating internal governance, ethical standards and relationships.
10. If the Council approves a paid substitution for family absence, the IRPW must be informed within 14 days of the date of the decision, of the details including the post and duration of the substitution; and the Council's schedule of remuneration must be amended to reflect the implication of the family absence (IRPW determinations 19 and 20, IRPW Annual Report 2021)

Legal Implications

11. Relevant legal provisions are set out in the body of the report.

Financial Implications

12. If a paid substitution is approved for this 3 month period, the Members Services budget will need to absorb an additional cost of £935. This assumes the promotion of a member on a basic salary, £14,368 to the Band 5 salary, £18,108, as per the Members' Schedule of Remuneration. Due to in-year efficiencies and other changes within the area, this additional cost can be absorbed by the existing budget.

RECOMMENDATIONS

The Council is recommended to approve the substitution of Councillor Emma Sandrey to cover the family absence of Councillor Rhys Taylor, as Leader of the Liberal Democrat Group and senior salary holder, for a period of 3 months commencing 11 October 2021.

Gary Jones
HEAD OF DEMOCRATIC SERVICES
22 September 2021

Background Papers:

Independent Remuneration Panel for Wales Annual Report (February 2021)

English:

[WG42164 Independent Remuneration Panel for Wales Annual Report \(gov.wales\)](#)

Cymraeg:

[WG42164 Panel Annibynnol Cymru ar Gydabyddiaeth Ariannol Adroddiad Blynnyddol \(llyw.cymru\)](#)

Independent Remuneration Panel for Wales Supplementary Report 2020

English:

[Independent Remuneration Panel for Wales: supplementary report May 2020 | GOV.WALES](#)

Cymraeg:

[Panel Annibynnol Cymru ar gydnabyddiaeth ariannol: adroddiad atodol Mai 2020 | LLYW.CYMRU](#)

[Family Absence Procedure Rules](#), Cardiff Council Constitution