



CHESTERFIELD
BOROUGH COUNCIL

Member development, support and parental leave policy

Owner: Democratic and Elections

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Contents

Section	Contents	Page
1.0	Introduction and scope	3
2.0	Member Development	3
3.0	Member Support	6
4.0	Member access to the employee assistance programme	12
5.0	Parental leave	13
6.0	Key contacts	16
Appendix 1	Member development Group Terms of Reference	17
Appendix 2	Member development applications form	19

SECTION 1: Introduction and scope

1.1 Introduction

It is vital that as an elected member, you are supported to fulfil your roles on the Council and within the community. This policy sets out Chesterfield Borough Council's commitment to providing support and development for elected members. Improved support and development contribute towards increasing the diversity of experience, age and background of local authority members. It will also assist with retaining experienced members and making public office more accessible to individuals who might otherwise feel excluded from it.

1.3 **Policy scope**

Within scope:

- Member development
- Member support including reasonable adjustments, access to work funding, ill health provisions and dependant carer allowances
- Member access to the employee assistance scheme
- Parental leave

Out of scope:

- Members allowance scheme

SECTION 2: Member development

2.1 **Member development policy introduction**

2.1.1 The expectations elected members are higher than they have ever been. Our communities want their authority to deliver high quality services, to be run and managed well and respond quickly and meaningfully to changing demands. To be effective in your role you will need knowledge about governance, local representation, relevant laws and policy and have a broad understanding of the services we provide.

2.1.2 To ensure that elected members are successful in their roles, training and development cannot be side-lined or treated as an optional activity. You

have a responsibility to ensure your skills are regularly updated and the Council needs to effectively support you to achieve this.

2.2 **Key principles of member development:**

- That a culture of learning is encouraged, that regards continuous member development as vital to the Council's success
- There will be a range of learning and development opportunities available to all members irrespective of their political group or independent status

- That member development supports and enhances the Council's vision, the Council Plan, and underpin our values
- That there is a consistency of approach to member development
- Members have ownership of the development programme via the member development group

2.3 **Identification of member development needs**

2.3.1 There are a number of ways in which member development needs can be identified including:

- Member induction programme – this is a comprehensive programme delivered for all new elected members and those returning to office following Borough Council elections and individually after by-elections
- Committee membership – certain committees, particularly regulatory committees, have additional mandatory development requirements identified to enable members to engage fully and ensure the quality of decision-making is maintained
- Other new mandatory or refresher training – in addition to mandatory training for committees there may also be other mandatory training requirements identified e.g. data protection, ethical standards, social media and safeguarding etc. that enable members to effectively carry out their roles and duties
- Overview and Scrutiny – the work of Scrutiny Select Committees often highlights the need for further learning and development, including briefings on specific topics. Where possible, learning and development opportunities will be made available to all elected members.
- Emerging issues identified by either the political or officer leadership – these may lead to mandatory or optional e-learning and/or briefings
- Via the political group structures – fed in via their representatives on the member development group

- By individual members accessing the Council's e-learning platform (aspire learning) and identifying core skills courses for completion
- By individual members making an application to be considered by their group leader, Democratic and Elections Manager and the learning and development team (Human Resources)

2.3.2 This information will help to build up the rolling member development programme overseen by the member development group. The member development group terms of reference are attached at Appendix 1.

2.4 **Learning and development activity**

2.4.1 Learning and development can be accessed in a variety of ways including:

- Member e-bulletins highlighting member resources available via the Council Local Government Association, East Midlands Councils, Centre for Public Scrutiny and other key organisations supporting the sector
- E-learning via aspire learning
- Member briefings
- Development briefings and training courses run in partnership with other authorities and/or partner organisations
- External courses and events promoted by organisations supporting the sector e.g. Local Government Association
- Members may also access support and development via their political groups

2.5 **Application for funding from the member development budget and/or a members expenses contribution**

2.5.1 We are able to source the majority of member development opportunities at no or very low cost, but we do have a small annual budget available for specialist training opportunities to respond to specific needs, e.g. media training for cabinet members. The majority of funding from this budget is pre-allocated for the annual member development plan but we retain some flexibility to respond to requests from individual members to respond to specific needs. We also need to carefully consider requests for training where members wish to claim expenses, for example for a hotel stay or train tickets even if the training itself is free.

2.5.2 There is a short application form to help us consider individual requests. The form is attached at Appendix 2. All requests are to be emailed to the Member and Civic Support Officer. Applications will be considered by the relevant group lead, Democratic and Elections Manager and the learning and development team (Human resources). Please allow at least five working days for consideration.

2.6 **Communications**

2.6.1 Successful communication is an important part of member development. We develop regular e-bulletins for members which highlight resources available to members and forthcoming learning and development opportunities. The e-bulletins may also be used to share learning from members attending external courses or events.

2.6.2 You will also receive calendar appointments and reminders about future events and activities. Group leaders and representatives of the member development group are

also asked to encourage members to access opportunities and identify further needs.

2.7 Non-compliance with mandatory training

- 2.7.1 Where training requirements have been identified as 'mandatory for particular committees', failure to comply with training requirements over a reasonable time period will result in the temporary suspension from the particular committee duties, until the relevant training is completed. This decision will be taken by the Service Director Corporate in consultation with the Monitoring Officer and relevant group lead.

SECTION 3: Member support

3.1 Member support policy introduction

- 3.1.1 This policy sets out the support available for members with a disability or during periods of ill-health, and the roles and responsibilities of members and

officers. It also confirms arrangements for accessing dependant carer's allowance.

3.2 Council's role

- 3.2.1 Chesterfield Borough Council is part of the Disability Confident scheme and continuously looks for new techniques and best practice that can help us in making the most of the talents that disabled people can bring to the organisation. The Equality Act 2010 places a legal requirement on the council to consider and implement reasonable adjustments for elected members with disabilities where it is reasonable to do so. To fail to make reasonable adjustments amounts to discrimination on the grounds of disability. To enable the council to put in place reasonable adjustments, an elected member must make the council aware of their disability.
- 3.2.2 The Equality Act defines a disability as a physical or a mental condition which has a substantial and long-term impact on a person's ability to do normal day to day activities.
- 3.2.3 The council's policy and partnerships team provide advice on the application of the Equality Act 2010 definition of disability, on reasonable adjustments and on involving the Access to Work unit. Any information disclosed to an officer under this policy will be kept confidential and not disclosed to a third party without written consent of the elected member.



3.3 **Reasonable adjustments**

3.3.1 Councils are required by the Equality Act 2010 to make “reasonable adjustments” to accommodate the needs of elected members who have a disability who would otherwise be placed at a disadvantage compared to a non-disabled elected members. It is an “anticipatory duty”, meaning that councils must think in advance about the needs of disabled people and make reasonable adjustments.

3.3.2 A reasonable adjustment is a practical step to remove or reduce a disadvantage – it may be a change to a working arrangement, a working practice or the provision of an aid to help give the same opportunities to a person with a disability as to a person without a disability. Many factors will be involved in deciding what adjustments to make, and they will depend on individual circumstances. Different people will need different changes, even if they appear to have similar impairments.

3.3.3 By law, the Council must consider making reasonable adjustments when:

- We know or could be expected to know that an elected member has a disability
- An elected member with a disability asks for adjustments
- An elected member with a disability is having difficulty with any part of their role
- An elected member requires sickness absence due to a disability

3.4 **Process for requesting a reasonable adjustment**

3.4.1 As soon as you are elected, you will be asked if you have a disability and/or long-term health condition for which you may need reasonable adjustments to support you in your role as an elected member. We can only make reasonable adjustments if we are aware that you have a disability, so we encourage disabled members to have a confidential discussion with their group leader (if they have one), and Member and Civic Support at your earliest opportunity, to discuss any potential reasonable adjustments which could assist you in your role.

3.4.2 Initially, you should have a discussion with the Member and Civic Support Officer as soon as possible after your election or, if during the term, as soon as you feel you need additional support. This initial discussion can either be over the phone, via Teams or in person. As part of the discussion, you can share relevant information about your disability and what support options could enable you to fulfil your role and minimise any impact of the role on your health.

3.4.3 It may be necessary to engage with the policy and partnerships team to seek advice on reasonable adjustments to ensure they meet your needs and are appropriate. In some cases, additional advice may be required from occupational health specialists in order to ensure that the reasonable adjustments put in place are appropriate for your needs. You may also be advised to contact the Access to Work scheme who can arrange a full assessment and notify the council of the things that could help.

- 3.4.4 The duty to make reasonable adjustments applies not solely when the elected member has formally reported a disability and has requested reasonable adjustments but also if the Council could be reasonably expected to know that an elected member has a disability and may need assistance with any part of their role.
- 3.4.5 There may be occasions when other members or officers become aware that a member may benefit from a support conversation to assist them with their duties. This may be due to an existing or new disability of which the Council has not been officially informed but it would be reasonable to believe the elected member may require assistance due to disability. In these circumstances the first step would be for officers to organise an informal conversation with the elected member to enquire if there are any areas which they feel further support may be required.
- 3.4.6 If, as an elected member, you are concerned about a fellow elected member and you believe they may require support, please raise this initially with your group leader (if you have one). If appropriate, the group leader may request a support conversation via Member and Civic Support.
- 3.4.7 Any conversations regarding concerns that a member may be in need of support will be handled sensitively and confidentially, with the goal of putting in place reasonable adjustments to remove any barriers the member may be facing due to their disability.
- 3.5 **Access to work scheme**
- 3.5.1 Elected members are eligible for support from Access to Work. Access to Work is a service that is provided by the Department of Work and Pensions. It provides advice and practical support to disabled people, people with a disability or health condition and their employers.
- 3.5.2 Access to Work provides an independent assessment to consider the individual, their health condition / disability and the role they undertake. It identifies aspects of the role or working arrangements that may be more difficult for the individual (they call these barriers) and what can be done to minimise these. After the assessment, Access to Work provides a list of recommendations that can help to reduce the barriers and make it easier for the individual to fulfil their role and / or with less impact on the individual's wellbeing.
- 3.5.3 If you have been advised to contact Access to Work, you will need to do this yourself. It is not something that the Council can do on behalf of an elected member. More information and the application form is available on the Access to Work website: <https://www.gov.uk/access-to-work>. To request support from Access to Work, visit the website above and select "Apply for an Access to Work grant" followed by "Apply online".

- 3.5.4 The form will ask you for a manager's name and contact details, please enter:
Donna Reddish – Service Director Corporate, donna.reddish@chesterfield.gov.uk
01246 345307
- 3.5.5 Once the form has been submitted, an Access to Work Advisor will contact you to discuss the application and put you in touch with an assessment organisation who will arrange a time for the assessment. The assessment is likely to be by telephone or video call. We advise that this takes place in a private place because it will involve a discussion about the health condition and the impact this has on you as an individual and your role as an elected member.
- 3.5.6 After the assessment, Access to Work will write to you and to the council contact to provide a list of recommended items. This could be equipment, software, training, coaching etc. On receipt of the letter, the Member and Civic Support Officer will arrange a meeting with you to discuss the recommendations. We will then work with the Council's procurement, policy and partnerships team and ICT services to source the recommended items as quickly as possible for you. The process can take some weeks to implement. Member and Civic Support will discuss any interim support with you that would be helpful.
- 3.5.7 Member and Civic Support will maintain an inventory of the reasonable adjustments and equipment provided to members which will be reviewed on a yearly basis. The Officers will also record where support and adjustments have been offered but the member has not engaged or taken up the support. The information will be kept confidential and not disclosed to a third party without written consent of the member.
- 3.6 Periods of absence due to ill-health**
- 3.6.1 There may be instances when, due to illness, you need to take a period of absence from your duties as an elected member. If the period of absence is expected to be over six months, you can apply to the Council for an exemption for triggering a by-election due to non-attendance. This policy does not cover absence for other reasons such as holidays.
- 3.6.2 During this period of long-term absence, you will continue to receive the Basic Allowance in full. If you are in receipt of a special responsibility allowance, the above exemption can be used to trigger cover arrangements for the area of special responsibility by another elected member. During this period you will

still receive the special responsibility allowance alongside the member undertaking cover. The following conditions would however apply:

- It is only applicable when the illness exemption has been applied following decision by Cabinet
- It is limited to the duration of the illness or the period of cover, whichever is shortest
- The one special responsibility allowance only rule will apply

3.6.3 If you need to take a period of absence you should contact the Monitoring Officer and Group Leader (where applicable) in writing for assessment as to the appropriate course of action. If the need to take a period of absence is sudden and/or you are unable to make contact yourself, the Group Leader or confirmed nominee can make the notification on your behalf. The confirmed nominee could be either another elected member who has given prior consent to act as nominee which has been communicated Member and Civic Support in advance, or the member's emergency contact.

3.7 **Support available during periods of ill health**

3.7.1 There is an expectation that if an exemption is approved, you will engage with any support that is offered and keep in regular contact with Member and Civic Support.

3.7.2 Member and Civic Support can provide the following support during a period of absence:

- Put an out of office on your email account – written confirmation is required from you (or group leader/confirmed nominee if you are unable to provide confirmation due to illness) requesting the out of office and stating which member or members should be named as the contact.
- Forward casework received by Member and Civic support to nominated members – written confirmation is required from you (or group leader/confirmed nominee if you are unable to provide confirmation due to illness) requesting that casework be forwarded to other members and providing details of who those members covering the casework are. In some circumstances, for data protection reasons, the constituent may need to be contacted by Member and Civic Support to obtain authority to forward the matter to the nominated member.
- It is prudent for all members to consider in advance who would cover their duties should they need to take a period of absence. This should be notified in writing to Member and Civic Support confirming that the named member

has authority to act on their behalf with regard to putting support arrangements in place during periods of absence due to illness.

3.8 **Resigning from Office and Elections**

3.8.1 If you decide not to return at the end of your period of absence, you must notify the Council at the earliest possible opportunity. If you are a member of a political group, you are also advised to speak to your group leader before giving notice of

your resignation. All allowances will cease from the effective resignation date. If an election is held during your period of absence and you are not re-elected, or decide not to stand for re-election, your basic allowance and special responsibility allowance (if applicable) will cease from the Monday after the election date when you would technically leave office.

3.9 **Dependant carers allowance**

3.9.1 The members allowance scheme enables an hourly rate allowance to be paid to any elected member who have dependant caring responsibilities. If you require childcare or home care assistance to enable you to take part in essential Council business such as attending committees and training, you can access this allowance. Please contact Member and Civic Support for further information.

SECTION 4: Members access to the employee assistance programme

4.1 **Employee assistance programme**

4.1.1 Chesterfield Borough Council has a comprehensive and confidential employee assistance programme which can also be accessed for free by elected members. Whether you're facing problems at work or at home, you can access impartial, confidential advice from qualified counsellors for a range of different issues including:

- Anxiety
- Bereavement
- Stress
- Depression
- Workplace Issues
- Trauma

- Relationships
- Finances
- Family Difficulties

4.1.2 The telephone helpline is available 24/7, 365 days a year and is completely confidential and free to anyone needing mental health support. To access the service, simply call 03303 800658 (calls charged at local rates) or 0800 023 9324 free from any standard UK landline or mobile phone.

4.2 **Registering for the employee assistance programme**

4.2.1 You can register at Vivup, the Council's employee assistance programme provider, via their website: https://vivup.co.uk/users/sign_in click on the register now button under the Not registered? section. Please select Chesterfield Borough Council as your organisation.

4.2.2 If you have any problems registering you can contact the Vivup Customer Services team for support:



Phone: 01252 784540

Email: customersupport@vivup.co.uk

Opening times:

Mon-Fri, 8am-6pm for phone and email and Sat-Sun, 10am-2pm for email only

SECTION 5: Parental leave

5.1 Parental leave policy introduction

5.1.1 This Policy sets out members' entitlement to maternity, paternity, shared parental and adoption leave and relevant allowances. The objective of the policy is to ensure that insofar as possible members are able to take appropriate leave at the time of birth or adoption, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

5.2 Leave period

5.2.1 As an elected member and have given birth, you are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement. In addition, where the birth is premature, you are entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.

5.2.2 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.

5.2.3 Members can also access two weeks paternity leave if they are the biological father or nominated carer following the birth of a child.

5.2.4 If you have made shared parental leave arrangements through your employer (not CBC), you are requested to advise the Council of the arrangement at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council. Where both parents are Members, leave may be shared up to a maximum of 24 weeks for the first six months and 26

weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of premature birth.

- 5.2.5 If you adopt a child through an approved adoption agency, you will also be entitled to take up to six months' adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.
- 5.2.6 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.
- 5.2.7 If you take maternity, paternity, shared parental or adoption leave you will be responsible for ensuring you comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which you return.

5.3 **Basic allowance**

- 5.3.1 You will continue to receive your Basic Allowance in full whilst on maternity, paternity or adoption leave.

5.4 **Special responsibility allowance**

- 5.4.1 If you are entitled to a Special Responsibility Allowance, you will continue to receive your allowance in full in the case of maternity, paternity, shared parental or adoption leave.
- 5.4.2 Where a replacement is appointed to cover the period of absence that person shall receive the Special Responsibility Allowance on a pro rata basis for the period of the temporary appointment.
- 5.4.3 The payment of Special Responsibility Allowances, whether to the primary holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave will continue for a period of six months, or until the date of the next Annual Meeting of the Council, or until the date when the member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six month period.
- 5.4.4 If you are appointed to replace the member on maternity, paternity, shared parental or adoption leave and you already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances will apply.
- 5.4.5 If you are taking maternity, paternity, shared parental or adoption leave, you will return to the same special responsibility role or an alternative role of an equivalent

status as you held before the leave began. The exceptions to this are that you are removed from this role at an Annual Business Meeting of the Council or the group to which you belong loses control during your leave period.

5.5 Resigning from Office and Elections

5.5.1 If you decides not to return at the end of your maternity, paternity, shared parental or adoption leave you must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

5.5.2 If an election is held during your maternity, paternity, shared parental or adoption leave and you are not re-elected, or decide not to stand for re-election, any allowances will cease from the Monday after the election date when you would technically leave office.

SECTION 6: Key contacts

Member and Civic Support:

Lauren Fretwell, Member and Civic Support Officer
E-mail: lauren.fretwell@chesterfield.gov.uk
Telephone: 01246 345239

Carly Church, Democratic and Elections Assistant
E-mail: carly.church@chesterfield.gov.uk
Telephone: 01246 936292

Service manager:

Bethany Fletcher, Democratic and Elections Manager
E-mail: bethany.fletcher@chesterfield.gov.uk
Telephone: 012469 36860

Monitoring Officer:

Gerard Rogers, Head of Regulatory Law and Monitoring Officer
E-mail: Gerard.rogers@chesterfield.gov.uk
Telephone: 01246 936471

Service Director:

Donna Reddish, Service Director Corporate
E-mail: donna.reddish@chesterfield.gov.uk
Telephone: 01246 345307

Appendix 1

Member development working group

Terms of Reference

Purpose

To provide strategic oversight of the council's member development arrangements and maintain progress on the member development improvement plan to ensure learning and development is effective in building elected member capacity.

Objectives

- 1) To provide oversight and challenge to the development and delivery of the member development strategy and rolling member development plan.
- 2) To support and influence the development of member induction/refresher programmes.
- 3) To monitor the member development budget and consider applications for spend.
- 4) To support group leaders in identifying member learning and development needs and promoting uptake of learning and development opportunities.
- 5) To identify and consider best practice, information and development opportunities to be considered to support future member development activity.
- 6) To consider evaluation and feedback from member development activity and develop improvement suggestions to further enhance member development activity.
- 7) To consider and offer insight into member development related issues emerging from corporate activity for example investors in people, employee surveys, customer satisfaction surveys and peer challenge.

Meeting arrangements

Meetings will take place every two months. There may be the need for e-mail discussions in between meetings for more urgent items such as member development training approval. The Member and Civic Support Officer will co-ordinate the meetings. The agenda and papers will be distributed one week before the meeting.



Membership

- Cabinet member for Governance (Chair)
- Four members
- Democratic and Elections Manager
- Member and Civic Support Officer
- Representative from Human Resources

In addition, the group may co-opt additional elected members, officers and partner agencies where appropriate to particular project work or emerging issues.

We are able to source the majority of member development opportunities at a low cost but we do have a small annual budget available for specialist training opportunities to respond to specific needs e.g. media training for cabinet members. The majority of funding from this budget is pre-allocated for the annual member development plan but we retain some flexibility to respond to requests from individual members to respond to specific needs. We also need to carefully consider requests for training where you wish to claim members expenses for example for a hotel stay or train tickets even if the training itself is free. It is also important to remember that even if a course is free there may be a charge for non-attendance (typically £50 - £100).

Please answer the questions below and e-mail your request to Member and Civic Support. Applications will be considered by the relevant group lead, Democratic and Elections Manager and learning and development.

Q1 Your name:

Q2 Name of the course/activity:

Q3 Name of the training provider:

Q4 The date and location of the course/activity:

Q5 Overview of the training activity including aims and objectives:

Q6 How will you benefit from the training?

Q7 What will the wider benefit to the Council be and how will you share the learning with other elected members e.g. article for the member

Q8 Funding

Amount of funding requested from the member development budget

Funding secured from another source - Amount

Funder:

Q9 Estimate on additional costs e.g. hotel, travel expenses etc. to be claimed via member expenses:

Post application notes:

Summary of comments received:

Application approved

Reason:

Application refused