

## **Watford Borough Council – Guidance for Local Parties on supporting Councillor Absence**

### **Introduction**

This guidance is available to support political groups to implement the policy on managing absence for councillors. This is to ensure some consistency in approach to encourage fairness and transparency across the parties and to support councillors themselves to have clarity when they need to request absence.

The policy is clear that councillors are not employees and there is, at present, no legal right to leave of any kind for people in elected office. This applies to MPs as well as councillors. Therefore, councils may only adopt policies at a local level on a voluntary basis. The policy also applies primarily when there is set of circumstances which causes longer term leave such as pregnancy, maternity, paternity, adoption, bereavement, long term sickness or significant family issues<sup>1</sup>. Short term leave should be managed locally via cover arrangements and subbing for the odd meeting that cannot be attended.

This policy and guidance has a primary aim to ensure councillors feel supported during difficult times, yet there is minimal impact on the residents that they are elected to serve. It requires agreement from all parties to act in the interests of residents and support their fellow elected colleagues during circumstances which may be challenging.

While the policy endeavours to create understanding and appreciation of the fact that each individual's reasons for requiring leave can be unique, it cannot protect councillors who choose to take permitted leave from the scrutiny of residents, press or outside representatives. However, by agreeing to the policy, councillors will ensure they do their utmost to support and respect any other councillor who wishes to take leave of this kind.

### **Requesting leave**

When a councillor is aware that they will need to take a period of leave that the policy applies to they should contact their group leader without delay. The group leader should support the conversation and listen to the issues/ circumstances of the required leave and openly discuss the options and requirements available. It would be appropriate for the group leader to appoint someone from the group to act on their behalf as a point person for the councillor going on leave.

Ideally the agreement reached following this conversation should be confirmed in writing and both the councillor and the group leader should retain a copy for the period of permitted leave.

If the circumstances of the permitted leave allow, there should be an agreed return date confirmed at the outset. If this is not possible a regular review conversation should be timetabled and agreed both to ensure the councillor receives any support they need but also to ensure the group leader has an understanding of timescales to support appropriate cover.

Where possible, any evidence to support a councillor's claim for permitted leave, should be supplied to aid the reaching of an agreed position.

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<sup>1</sup> To be guided by Watford Borough Council's policies for employees.

## **Options available**

It is envisaged that any absence would require some form of cover. The policy sets out the position in regards to allowances, resignations and elections during the period of absence, it is also clear on how senior positions would be covered and the impact on these allowances. However, the policy does not provide clarity on cover for absence as each set of circumstances would be different.

To ensure consistency in approach and fairness in execution the following principles will apply when a councillor has an agreed period of permitted leave in regards to cover expectations. The following is not an exhaustive list and the councillor should agree appropriate protocols with their group leader dependent on their circumstances.

- The councillor should set up an out of office email response directing enquiries to an agreed email box for cover, ideally a ward colleague or group leader. This email box should be monitored frequently.
- The councillor should ensure they provide a method of contact for the group leader and to Democratic Services to communicate any reasonable requests for information if unable to use their Council email address.
- The councillor can attend any formal council meetings and or committees if they so wish and are able to do so during that time, being mindful of the 6 month rule on disqualification from office without a dispensation from full council.
- A rota of cover should be agreed with the group to support the business of Council and ensure representation, notification of substitutions for committees should be forwarded to Democratic Services as soon as possible.
- The group should support the councillor by agreeing to support any extra activity required such as delivery of leaflets, canvassing or communicating with residents in the ward during the period of absence.
- Casework in the ward should be signposted, through out of office email response outlined above, to be passed to ward colleagues regardless of the party association as it is agreed that councillors are elected to represent their residents and the service delivered should not diminish due to agreed absence.

Where possible, if a Portfolio Holder is requesting permitted leave, it is advised that all options are explored to cover the role in their absence in order to limit budgetary implications, including existing Portfolio Holders taking on additional responsibility. Any changes to roles or additions to the Portfolio Holder team should be notified to the Group Head of Democracy and Governance as soon as possible. In addition it should be remembered that the cabinet cannot contain more than 9 Portfolio Holders.

## **Return to activity**

When the councillor returns to activity following a period of permitted leave the group leader will arrange a return to activity meeting to give an overview of any significant changes or events that have taken place during the period of leave.

Ward teams would also be expected to provide a detailed overview of any recent issues, activity and changes within the ward regardless of party control to ensure fairness and clarity. If agreed, ward teams should try to keep the councillor on leave up to date during their period of absence.

If there remain circumstances where the councillor requires support to return to activity it would be the responsibility of the group leader to agree a set of reasonable adjustments to support return. These could include certain further support and substituting for meetings (being mindful of the 6 month rule), options for ward teams to support campaigning activity and a buddy system if required.