



# 'Does Local Government Work for Women?'

## Overview and Scrutiny Report – March 2019

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## **Background to the Review**

The following notice of motion was submitted at the 26 October 2017 meeting of Full Council:

Following a year-long commission, jointly chaired by Labour's Dame Margaret Hodge MP, and Gillian Keegan, then Councillor and Director of Women2Win, and now Conservative MP, earlier this year the Fawcett Society and the Local Government Information Unit (LGiU) released a report 'Does Local Government Work for Women'?

The report highlights the ongoing under-representation and barriers to women's participation in local government. In particular it noted that progress in increasing the number of women councillors had stalled, increasing by only 5% over the last 20 years, whereas the number of women in Parliament has increased by 10% over that period.

Noting the important issues raised in the report, this council requests that the Internal Scrutiny Committee establishes a task and finish group to further explore the findings of the report and make recommendations as to good practices which could be adopted by this council.

## **Membership of the Task and Finish Group**

The following County Councillors were appointed to the task and finish group:

- Hasina Khan
- Erica Lewis (Chair)
- Cosima Towneley
- Anne Cheetham
- Joan Burrows
- David Foxcroft
- Gina Dowding

## **Scope of the Scrutiny Review**

The focus of the task and finish group was to:

- To review the report and the recommendations detailed within the report 'Does Local Government Work for Women'.
- To discuss and agree recommendations which could be further reviewed by the task group.
- To consider the scope of the work required by the task group (including key contacts, evidence requirements, schedule of meeting dates).
- To consider the format of evidence gathering (surveys, interviews, desktop exercises etc).
- From investigations conducted, a report produced with recommendations to relevant stakeholders and cabinet members.

## **Methodology**

The task group considered documentary evidence from a variety of sources both through internal services and external sources. A number of meetings were held with officers within the county council representing a range of services.

## **Officers**

The following officers attended meetings of the task and finish group:

Inspector Andrew Procter, Local Authority Liaison Officer, Lancashire Constabulary

Saeed Sidat, Policy Information and Commissioning Manager

Josh Mynott, Democratic and Member Services Manager

The following services provided information included in the report:

Equality and Cohesion

Human Resources

Democratic Services

## **Documents**

[Does Local Government Work for Women Final Report](#)

[Code of Conduct](#)

[County Councillor/Officer Relations](#)

[Language and Behaviour](#)

[Conduct Committee](#)

[LCC Equality and Cohesion](#)

[21st Century Councillor](#)

[Intimidation in public life-a review by the committee on standards in public life](#)

[Personal Safety for Elected Members](#)

## **Websites**

<https://www.londoncouncils.gov.uk/membersarea/supporting-disabled-councillors>

<https://beacouncillor.co.uk/resources/>

<https://local.gov.uk/topics/culture-tourism-leisure-and-sport/suffrage-citizenship>

<http://www.suffrage-pioneers.net/>

<https://www.womensvotecentenaryfund.co.uk/>

<https://www.bbc.co.uk/news/uk-england-lancashire-44003115>

<https://www.fawcettsociety.org.uk/news/womens-representation-in-local-government-stuck-in-the-past>

## Context

In July 2017, the Fawcett Society in partnership with the LGiU produced a report titled 'Does Local Government Work for Women?' following a year-long review combining survey data along with information provided by councillors, council leaders, officers and members of the public across England and Wales who took part in the review.

The Commission took into account all aspects and stages of the councillor role, from becoming a candidate to becoming a leader of a council. The report highlighted that whilst women make up 78% of the councils workforce, just one in three councillors in England are women, up by only five percentage points in two decades. In addition, all of the six elected metro mayors are men and just 12% of combined authority representatives are women.

The report went on to highlight the barriers women face in entering and progressing in local government. Along with the 32 recommendations, a number of statistics were included to further support the conclusion of the report that there is a need for government, political parties and local councils to reassess their current provision to ensure that it is robust enough to support opportunities for women to enter and progress in local government.

Part of the work undertaken by the task group was to review additional findings from a number of sources in relation to this subject area which included:

### **The Fawcett Society – 'Women's representation in local government stuck in the past'**

New Fawcett Society analysis of council elections in May 2018 revealed that "100 years after women first won the right to vote, 97% of councils are male dominated and there has been virtually no progress on women's representation in local government. The proportion of women elected to local government in England increased by less than 1 percentage point, bringing the total proportion of female councillors to just 34%".

## **The 21<sup>st</sup> Century Councillor**

In 2016, a research programme was undertaken focussing on the skills, roles and attributes of the '21<sup>st</sup> Century Councillor' by the University of Birmingham's INLOGOV and supported by the North West Employers (Employers' Organisation for the 41 local authorities in the North West of England). The report reflects on the variety of roles councillors play, what skills are required and how they can be supported in performing these roles. Part of the 'Councillor Profile' section of the report highlighted the limited diversity of councillors in relation to ethnicity, gender, disability and sexuality and presents a challenge 'How can local government create a culture/narrative which encourages people from a diverse range of backgrounds to consider standing for election'.

## **Intimidation in Public Life – A Review by the Committee on Standards in Public Life**

This review was published in December 2017. The terms of reference were to review the intimidation experienced by Parliamentary candidates and consider the broader implications for other candidates for public office and other public office holders. The report focused on the impact of social media, responsibilities of the political parties, laws currently in place and the wider impact of intimidation in public life.

## **LGA response to the Fawcett Society report**

On 10 September 2018, the LGA published the following response:

"The report identifies that progress must be made at a faster pace to ensure greater representation of women in our local authorities.

It is vital that local government better reflects the communities we represent and is inclusive in order to have the best skills and make the best possible decisions.

Local government must be at the forefront of driving change, but it will be important to get the balance right between changing culture and imposing structures. Change will also require all political parties and independents to fully engage and support a wide range of aspiring councillors".

## Lancashire County Council

Of the 84 councillors at Lancashire County Council, 25 (30%) are women. The following table shows the gender make-up of the main committees of the county council (highlighted in Table 1 below).

Table 1: Lancashire County Council – Committee Gender Make-up<sup>1</sup>

Committee	Total Members	Male	Female	% Female
Audit, Risk and Governance Committee	8	6	2	25%
Cabinet	8	7	1	12.5%
Cabinet Committee on Performance Improvement	5	4	1	20%
Children's Services Scrutiny Committee	12	6	6	50%
Corporate Complaints Committee	7	5	2	29%
Development Control Committee	12	11	1	8%
Education Scrutiny Committee	16	10	6	37.5%
Employment Committee	8	6	2	25%
External Scrutiny Committee	12	7	5	42%
Health Scrutiny Committee	12	6	6	50%
Internal Scrutiny Committee	12	10	2	17%
Lancashire Health and Wellbeing Board	4	3	1	25%
Pension Fund Committee	12	8	4	33%
Regulatory Committee	12	10	2	17%
Student Support Appeals Committee	4	3	1	25%
Urgency Committee of the Full Council	12	10	2	17%
Employment Appeals Committee	5	4	1	20%
Conduct Committee	5	5	0	0
Corporate Parenting Board	5	3	2	40%

<sup>1</sup> Information correct as at November 2018



## Executive Summary

The Fawcett Society/LGiU report 'Does Local Government Work for Women' identified that research from the private sector has demonstrated that more gender diverse teams perform more effectively as a result of the broader range of backgrounds and skills. This in turn presents a greater ability to connect with a wider audience and better understand their needs and experiences.

The report goes on to look at a number of areas to which the 32 recommendations are associated:

- Collecting the data
- Getting more women in
- Improving diversity
- Removing structural barriers to progress
- Challenging sexism and changing council culture
- Helping her – networks, mentoring, building confidence
- Leadership
- Devolution

The task group conducted a review of the 32 recommendations. This review focussed on the current provision of support for councillors at Lancashire County Council including elements of the constitution, building facilities and training. In addition, the group received information from the Police, Democratic Services and the Equality and Cohesion team. From this review, 21 recommendations have been determined for consideration (as detailed on Pages 9 - 11 of this report).

## **Recommendations**

This report reflects the views and recommendations of Overview and Scrutiny. It does not necessarily reflect the views of the county council. In many cases, suggestions are made for further consideration to be given to issues, and this would need to include a full assessment of the legal and financial risks and implications.

The task group recommends that further consideration could be given to the following:

### **Local authorities to work with police to tackle abuse of council candidates**

#### **That;**

1. Personal safety be included in the 'Be a Councillor' information.
2. The Electoral Commission be asked to include 'personal safety for candidates' in the guidance on candidate briefings.
3. Consideration be given to further work to develop personal safety guidance for councillors with the appropriate agencies.

### **Reasonable adjustment policies for disabled councillors**

#### **That;**

4. A review of Committee floor provision be undertaken to ensure ongoing suitability for councillors with disabilities.
5. Clear guidance on the use of microphones in meetings be provided to all councillors.
6. A statement on the support the council will provide for councillors with disabilities on county council premises be adopted (draft as at Appendix 'B').

### **Challenge racism and support BAME and Muslim women**

#### **That;**

7. An information and resource pack be developed for councillors to use with schools to further raise the profile of the role of councillors and with a view to encouraging future councillors from diverse backgrounds.

8. The use of short cross party video clips through a range of social media avenues particularly within 'hard to reach' communities be explored to raise the profile of the role of councillors.
9. A 'Be a Councillor' event be held in summer 2019 to promote the role of councillors, highlighting the importance of councillors from diverse backgrounds through circulation of invitations to Lancashire BME Networks.
10. Engagement with mosque groups and the Lancashire Council of Mosques be progressed to further support future women councillors.

### **Legalise remote attendance at council meetings and use technology to support inclusion**

#### **That;**

11. Where appropriate and the technology allows, remote attendance at informal meetings be considered to be utilised in situations to support inclusion, noting that individual preferences of participants in any meeting must be taken into account.

### **Childcare and caring costs must be covered**

#### **That;**

12. Consideration be given by council to the DBS checks requirement currently stipulated as part of the carers allowance payment, subject to the views of the Independent Remuneration Panel.
13. Consideration be given by Full Council for an increase in the current carers allowance hourly rate, subject to the views of the Independent Remuneration Panel.

### **Introduce maternity, paternity and parental leave entitlements for councillors**

#### **That;**

14. A statement be adopted by the council setting out support available to councillors during pregnancy and for parental leave (maternity, paternity or adoption) (draft as at Appendix 'A').

### **Standards committee to be established**

**That;**

15. Consideration be given by council on the outcome of the 'Standards in Local Government' review currently being undertaken and its potential implications.
16. A review of the terms of reference of the Conduct Committee be considered to ensure that the membership of the committee reflects the nature of the complaint where it relates to discrimination.

### **Code of conduct to address sexism and discrimination**

**That;**

17. Consideration be given by the council to adopt the proposed revised Protocol for Members and Co-opted Members on Language and Behaviour, Appendix 'M' of the Constitution (as at Appendix 'C').

### **Standards, training and transparency**

**That;**

18. Briefing sessions be offered to all councillors on the Equality Act 2010 and the protected characteristics to further support councillors understanding of contemporary issues.

### **Local authority gender equality networks to include women officers**

**That;**

19. Consideration be given for the development of a gender equality network to support women officers in challenging sexism experienced.

### **General recommendations**

**That;**

20. Links be established into the Fawcett Society regional networks to further support the work from this task group report through the sharing of best practice and ideas.
21. The gender balance on the committees of the county council be kept under review by political groups.

In addition to the work undertaken by the group on the Fawcett Society recommendations highlighted, the following recommendations from the report were discussed and supported by the group:

- Collect and report diversity monitoring data
- Access to elected office fund to be reopened
- Change childcare expenses reporting so that councillors can claim in aggregate form
- Establish a role with authority to oversee member conduct
- Provide active sponsorship for new councillors
- Establish regional gender equality networks
- Adopt a requirement for gender balanced leadership
- Create new leadership roles and support women in leadership positions
- Proactively seek out and target women councillors for leadership programmes

The following recommendations were noted as being specific to the political parties:

- Political parties to set targets, make progress or legislate to increase women's representation
- Political parties to issue guidance on sex discrimination
- Political parties to review how councillor performance is assessed
- Standards committees to suspend then deselect councillors who sexually harass council colleagues, staff or the public

The following recommendations were noted as specific to the Secretary of State for Communities and Local Government and the Welsh Government:

- Term limits for councillors
- Extend leave provision in Wales to 12 months

The following recommendations were noted and agreed that these should be considered during the development of a Combined Authority for Lancashire.

- Equal representation across combined authorities
- Permit all-women shortlists for metro mayor elections
- Women and equalities committees in combined authorities
- Equality impact assessments used to inform decision-making

## Key Findings

### ❖ **Local authorities to work with police to tackle abuse of council candidates**

*The Fawcett Society report recommends that:*

*"Local authorities should work with local police forces to ensure that women council candidates understand the legal protection available against online and offline abuse and harassment, and that they can quickly report it in the knowledge that they will be taken seriously."*

As part of the review of this recommendation, the group were presented with information from a representative of the Police. The findings indicated that there was scope to further explore the following:

- Online briefing for candidates (for elections) could be made available.
- The harassment of women councillors or women standing for election in some ethnic communities and how this could be addressed through relationships with those communities.
- Personal safety information provided to MPs and the inclusion of the relevant aspects of this information for candidates standing in local elections.

A report published on 'Intimidation in Public Life – A Review by the Committee on Standards in Public Life' highlighted:

*"33% of candidates surveyed had experienced 'inappropriate' behaviour during the election campaign."*

*"56% of candidates surveyed are concerned about abuse and intimidation, and 31% say they are fearful."*

*"No female MP who was active on Twitter has been free from online intimidation."*

*"More than half of candidates surveyed are moderately or very concerned about inappropriate behaviour (56%) and almost a third (31%) say they are fearful."*

The task group also discussed concerns regarding the publication of councillors' home addresses for the purposes of including this on the ballot papers at elections.

Further information from Democratic Services confirmed that in relation to the Register of Interests, if a councillor is a home owner, this must be declared.

However, it was accepted that as it currently stands, there is sensitive interest category which could be utilised for those councillors where the disclosure could lead to them being subject to possible violence or intimidation.

The group also acknowledged that in the report 'Intimidation in Public Life – A Review by the Committee on Standards in Public Life' it was highlighted that:

*"The Government should bring forward legislation to remove the requirement for candidates standing as local councillors to have their home addresses published on the ballot paper. Returning Officers should not disclose the home addresses of those attending an election count."*

The Government response to this report in March 2018 stated:

*"The Government agrees with this recommendation and will look to bring forward secondary legislation at a suitable opportunity to remove the requirement for candidates standing as local councillors to have their home addresses published on the ballot paper. We do not want to see capable individuals deterred from standing for office because they believe the process risks their safety, or makes them vulnerable to abusive activity."*

*"This requirement will be replaced with an option to include a statement of residence based on an electoral area the candidate lives in rather than having to include a specific address. The Government aims to do this in time for the 2019 local authority elections."*

In December 2018, The Local Elections (Principal Areas) (England and Wales) (Amendment) (England) Rules 2018 was laid before Parliament which sought an amendment to remove the requirement for candidate's home address to be published during the election process and to be included on the ballot paper. The amendment also sought to remove the requirement for each candidate's qualifying address to be published during that process. This amendment came into force on 31 December 2018.

❖ **Reasonable adjustment policies for councillors with disabilities**

The Fawcett Society report recommends that:

*"All local authorities should introduce reasonable adjustments policies for disabled councillors so that access to legal entitlements is not subject to discretion."*

The task group undertook a review of the county council's arrangements currently in place for councillors with disabilities to support them in their role of a councillor. The review included establishing the accessibility of information on reasonable adjustments in relation to facilities and equipment, specialist ICT equipment and communication tools.

It was established that the induction guide provided to all new councillors includes a request for information on any disability and reasonable adjustments requirements which then triggers a meeting with the relevant services (such as Facilities Management, Health and Safety, BTLS ICT) to consider the support that can be provided. The meeting would also consider any appropriate risk assessments or Personal Emergency Evacuation Procedures which would need to be put into place.

The group felt that although there is significant support available to councillors with disabilities in place through the county council, the review highlighted that there was a need for a more comprehensive assessment of the provision of support available to councillors with disabilities in relation to the council buildings facilities, focussing on the committee meeting rooms and also specialist equipment dependant on need.

In addition it was felt that clarification was required in the form of a statement of support (drafted by the group) to give councillors a greater understanding of the provision of support available from the county council particularly to assist those who may have concerns around disclosing their disability.

❖ **LGA 'Be a councillor' to focus on women's representation in suffrage centenary year 2018**

The Fawcett Society report recommends that:

*"The Local Government Association (LGA) should focus 'Be a Councillor' activity in the 2018 centenary year of women's votes on women's representation. The LGA should put significant additional resources into a proactive campaign to*



*deliver cross-party, local events to encourage more women to consider political engagement and standing to be a councillor."*

The task group considered information supplied by the LGA in relation to the 'Be a Councillor' activity and the focus on women's representation in suffrage centenary year 2018.

The task group noted that a Chairman's celebration event would take place in 2019 with a date to be confirmed. The group discussed and agreed the following suggestions for the event:

- Linking in with other events such as the Library service event.
- Highlighting women councillors across parties sharing their story.
- Linking in with Amnesty International – Suffragette Spirit Map.

❖ **Challenging racism and support BAME and Muslim women**

The Fawcett Society report recommends that:

*"Political parties need to take positive action measures to enable and encourage more BAME women councillors to be selected, and local government leaders need to support Muslim women who experience pressure from within their communities not to participate in political life."*

The task group was provided with a presentation from the Equality and Cohesion Team which highlighted key areas for consideration including:

- A need to raise the profile of the role of county councillors at a local level utilising key partners such as mosque groups.
- Local political parties support in the selection of candidates and the support available.
- Mentoring opportunities for women at party level.

The task group recognised that there were recent examples of generational changes already occurring as shown in Blackburn recently. In May 2018, Blackburn voters elected the town's first Asian women councillors. Information quoted in local news emphasised that:

*"At the 2011 census, nearly a third of its 147,500 residents were recorded as Asian, of which half were women. Yet the demographics were not reflected by the area's previous political make-up, where 19 Asian men were councillors but there were no women".*

In light of these recent local examples, the group felt there was a need to consider further links within communities to continue to build on this achievement.

Additional information provided from Democratic Services highlighted that there continues to be an open invitation for school visits to the county council for pupils to gain a greater understanding of the role of the council and councillors.

It was discussed and agreed that further consideration could be given for support to councillors to visit schools to talk about the role of a councillor and to engage colleges/universities. It was identified that there is also potential scope to further enhance the offer for school visits to the county council.

The task group undertook a review of the information provided on the 'Be a Councillor' webpage for Lancashire County Council which included 'A day in the life of' videos featuring a number of councillors. It felt that although these were useful in providing key information on the role of the councillor, in order to engage a wider, more diverse audience, short, sharp cross party video clips could be produced and placed on a variety of social media platforms.

Intimidation in Public Life – A Review by the Committee on Standards in Public Life emphasised:

*"Political parties must take steps to provide support for all candidates, including through networks, training, support and resources. In particular, the parties should develop these support mechanisms for female, BAME, and LGBT candidates who are more likely to be targeted as subjects of intimidation."*

The Government response highlighted that:

*"The Government does believe that, as a matter of self-regulation, each registered political party should draw up and publish a clear statement of the standards expected of its members, affiliated groups and activists, and how the party would uphold such standards in this code."*

The 21<sup>st</sup> Century Councillor further highlights the limited diversity of councillors through a series of quotes from councillors, in relation to gender, ethnicity, disability and sexuality:

*"I think we struggle a little bit... around female representation but I think that's true of the council just in general and we do struggle with some of our sort of BME type diversity as well".*

*"Typically elected members are white, and I think most areas are struggling to engage with some of those new communities and actually, help them to understand what it is to be a councillor or why you would want to spend time to do it. The question is do you feel able to represent those communities in your role".*

The group discussed the potential scope to hold a 'Be a Councillor' event in summer 2019 to raise the profile of councillors including the importance of councillors from a diverse background, and ensure invitations circulated to Lancashire BME networks to this event.

**❖ Consult on meeting times to better meet the needs of those with caring responsibilities or disabled people**

The Fawcett Society report recommends that:

*"Council members' services teams should regularly survey councillors to identify the most mutually convenient meeting times for all members involved in meetings, and when setting meeting times should make sure councillors with caring responsibilities and disabled councillors are not excluded."*

Information received from the Member Development team has concluded that although there has been no recent review undertaken of Lancashire County Council's meeting times, a section was included in a recent member development review to gauge feedback from members on this subject. The responses received were inconclusive at that time.

From a brief desktop exercise undertaken looking at a number of county councils across the country, including Cumbria, Kent, Essex and Durham, all meetings seem to take place during the day. Borough councils such as Rossendale and South

Ribble favour evening meetings and city councils such as Preston and Lancaster have a mix of day and evening meetings.

From this exercise, it identified a mixed picture across a variety of councils and it was felt that the current processes which enable Committee Chairs the flexibility to change meeting times according to the needs of members and the committee type was appropriate at this time.

❖ **Legalise remote attendance at council meetings and use technology to support inclusion**

The Fawcett Society report recommends that:

*"The Secretary of State for Communities and Local Government should change the law so that remote attendance at meetings, including voting rights, is possible through Skype or other technological solutions. Councils should be required to proactively offer this to their councillors."*

Information received from the Democratic Services team confirmed that remote attendance is already available as required for informal meetings within the council.

The group felt that as all councillors have access to the relevant technology (therefore no additional cost would likely to be incurred), this option could be further explored to promote and support inclusion for councillors at meetings.

❖ **Childcare and caring costs must be covered**

The Fawcett Society report recommends that:

*"The Secretary of State for Communities and Local Government should issue guidance to the existing local independent remuneration panels to promote our model for a comprehensive dependent carers' allowance scheme so that all childcare and adult dependent care costs are covered."*

In looking at this particular recommendation, members of the task group undertook a review of Appendix 'I' Members' Allowance Scheme within the council's Constitution which includes comprehensive information on the 'Dependants' Carers' Allowance' scheme currently in place. This information includes details the requirements under which this allowance can be claimed.

Members noted the section which states 'payment of Dependants' Carers' Allowance shall not be payable unless the carer has been cleared by the Disclosure and Barring Service (formerly CRB)'. The task group discussed whether this could be a potential barrier to accessing the allowance and it was agreed that further consideration could be given by the Independent Review Panel (IRP) and Full Council.

A further desktop exercise was conducted to review comparator authorities in relation to the allowances provided.

Table 2: Dependants' Carers' Allowance Terms and Rates<sup>2</sup>

<b>Council</b>	<b>Terms of Allowance</b>	<b>Allowance Rate</b>
<b>Lancashire County Council</b>	Dependants' Carers' Allowance may be claimed in respect of named children aged 16 or under or in respect of other named dependants where there is medical or social evidence that care is required. It will not be payable unless the carer has been cleared by the Disclosure and Barring Service.	£7.19 per hour up to max £1505 in any one year
<b>Kent County Council</b>	Members who incur expenses themselves in respect of care responsibilities for dependent children under 16 or dependent adults certified by a doctor or social worker as needing attendance will be reimbursed, on production of valid receipts, for actual payments to a carer while the Member is on Council duties. The childcare provider must be OFSTED registered.	Up to £11.50 per hour for each child or adult
<b>Essex County Council</b>	Members with care responsibilities in respect of dependent children under 16 or dependent adults certified by a doctor or social worker as needing attendance will be reimbursed, on production of valid receipts, for actual payments to a carer while the Member is on Approved Duties.	Child £6 per hour Older People £13.06 per hour Physical or Sensory Impairment £12.97 per hour Learning Disability £13.55 per hour
<b>Nottinghamshire County Council</b>	Councillors may claim expenses for the care of their children or other dependants when attending meetings of the Council, its subordinate bodies or other approved duty. Payments, which will not be payable to a member of the claimant's own household	£7.50 per hour per child and up to £15.49 per hour per dependant
<b>Cumbria County Council</b>	A member shall be entitled to claim an allowance ("dependants' carers' allowance") in	£6.25 per hour up to limit of £1250 per

	respect of such expenses of arranging for the care of their children or dependents as are necessarily incurred in the performance of any of the approved duties set out in. A carer may be any responsible adult who does not normally live with the member as part of that member's family.	annum
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<sup>2</sup> Information taken from council websites correct as at August 2018

The information identified from this exercise further supported the consideration to the DBS checks requirement currently stipulated as part of the carers allowance payment, subject to the views of the IRP (although this was not supported by some of the task group as it was felt that this was important given the council's responsibilities around safeguarding) and highlighted the need for a potential review of the current allowance rate.

#### ❖ **Maternity, paternity and parental leave entitlements for councillors**

The Fawcett Society 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. This should be in line with leave available to employees, and ensure that cabinet members continue to receive their allowances."*

The group were provided with information on a maternity/paternity Labour party group working with the LGA reviewing information from councils who already have policies in place. The task group confirmed that there was an opportunity to consider this work being undertaken by the LGA to identify a potential policy for use by the political groups.

Further to this and from an assessment of information available on the support provided, the group acknowledged that there was significant provision available to councillors in relation to maternity, paternity and adoption support. However there was an identified need for a statement to be provided by the county council in relation to the provision of support available to meet the needs of an expectant mother or new parent. A draft statement was produced by the task group (attached at Appendix 'A') for consideration.

### ❖ **Standards Committee to be established**

The Fawcett Society report recommends that:

*"Local authorities should be required to establish a formal standards committee, elected by full council on an annual basis, representative of party political make-up, and with a clear process for individuals to make complaints. The Secretary of State should change the law so that these committees have the power to suspend councillors as an ultimate sanction. The Secretary of State should open discussions with the LGA on establishing a higher arbiter of appeals against local standards committee decisions."*

It was reported that the county council have a Conduct Committee and the terms of reference was circulated to members. It was noted that the purpose of the Conduct Committee is to:

*"Determine whether a councillor or co-opted member has failed to comply with the Council's Code of Conduct and if so, to determine what action, if any, to take. The Committee also considers the granting of a dispensation to a member or co-opted member allowing him/her to participate in any discussion at a meeting or vote in relation to any matter in which they have a disclosable pecuniary interest."*

It was felt that a review of the terms of reference for the Conduct Committee was required to ensure that if a complaint is received which relates to discrimination of any kind, that the membership of the committee reflects the nature of the complaint.

It was also highlighted that the Nolan Committee was currently undertaking a review of Standards in Local Government which may further support the need for a more robust terms of reference for the committee.

### ❖ **Code of Conduct to address sexism and discrimination**

The Fawcett Society report recommends that:

*"Local authorities should make clear in their codes of conduct that councillor behaviour is governed by the prohibition on sex discrimination in the Equality Act 2010. Codes of conduct must be changed to include a requirement for councillors to promote equality in their actions and behaviour."*

The task group undertook a review of the current Members' and Co-opted Members' Code of Conduct from the Constitution. This document primarily focuses on the principles as a Member or Co-opted Member of Lancashire County Council such as selflessness, integrity, objectivity, accountability, openness, honesty and leadership. In addition, the Code of Conduct also focuses on registering and declaring disclosable interests (including sensitive interests) and gifts and hospitality.

However, Appendix 'M' of the Constitution concentrates on the 'Protocol for Members and Co-opted Members on Language and Behaviour' which covers:

- Harassment or offensive behaviour
- Sexual harassment
- Racial harassment

From a review of Appendix 'M' undertaken by the group in line with information provided under the Equality Act 2010, it was felt that further work could be undertaken to include more detailed information linking to the Equality Act 2010 and the protected characteristics. From further discussions, a suggested version of Appendix 'M' was drafted by the group and can be found at Appendix 'C' of this report.

#### ❖ **Standards, training and transparency**

The Fawcett Society report recommends that:

*"With clear standards in place, councils should provide councillors with appropriate training to tackle discrimination, and enable transparency through publishing audio recordings in order to monitor behaviour."*

The following information was provided to the group by the Equality and Cohesion Team in relation to training provided previously to councillors:

*"Training has previously been delivered via the then Equal Opportunities Section of the County Council in relation to the different equality strands and briefings on matters such as harassment specifically."*

*"As there is now the Equality Act 2010, there would be scope to deliver some short briefings which would cover the Act, discrimination and harassment (behaviour)."*



The group felt that consideration could be given to the provision of a rollout of training and briefing sessions to further support the role of councillors in this sensitive and potentially emotive subject area.

❖ **Open up all senior roles to flexible working or part-time by default**

The Fawcett Society report recommends that:

*"Local authorities should offer all roles, including senior roles, as flexible working and part-time by default, unless there is a clear business case otherwise. This must be backed up by a genuine organisational commitment to viewing flexible working on equal terms with traditional working patterns."*

The following information was provided by the Human Resources Team:

*"The Council's Flexible Working Policy is open to everyone covered by the scope, is not gender specific or restricted to certain grades of staff. Whilst the flexible working legislation requires that employees must have 26 weeks' service with their employer in order to submit a statutory request for flexible working, we will allow employees who do not meet this criteria to submit requests to work flexibly and managers can choose to consider these (taking account of the specific circumstances of the case) but are under no obligation to do so.*

*Also, information on the more popular types of flexible working options (e.g. annualised hours, compressed hours, job share, sabbatical, V time and voluntary term time working) can be accessed from the link to the flexible working policy but these are not restrictive in terms of the only options available to employees."*

Members of the task group felt that the information provided around the current arrangements for flexible working was robust and no further recommendations required.

❖ **Local authority gender equality networks to include women officers**

The Fawcett Society report recommends that:

*"Local authorities must support the development of gender equality networks so that councillor allies can support women local government officers in challenging sexism that they experience."*

The information below was supplied to the task group by the Equality and Cohesion Team:

*"There are a number of equality groups, as referenced and linked to on the Council's [Equality and Cohesion webpages](#).*

*Any complaints of sexual harassment received by an employee about another employee of the Council, or members of the public against an employee of the Council, are dealt with under the Council's Bullying and Harassment Policy and if there is evidence to support this has, or has likely to have happened on the balance on probabilities, disciplinary action will be taken. The Council's Code of Conduct for Employees states that as an employee of Lancashire County Council you must and are required to "show respect for all people that you come into contact with in the course of your duties (e.g. the public, fellow employees, employees from other agencies, etc.) and demonstrate continually whilst at work your commitment to ensuring equality and respect for all."*

Members of the task group noted the information provided from the Equality and Cohesion Team and felt that further consideration could be given to the development of a gender equality network to support women officers in challenging sexism experienced.

## **Conclusions**

The work of this task group has been a timely exploration of the barriers that women face in local government. The focus of such work is often at Parliament level, however local government is key in delivering vital services in our communities. The inclusion of women in decision making at a local government level is fundamental to ensuring that it is more reflective of the communities represented.

In addition, through the work undertaken by the task group, it is recognised that the barriers faced are not only in relation to gender but across a variety of backgrounds and circumstances. There is a need to acknowledge the progress required to remove these barriers to further engage and support a more diverse range of councillors.

Whilst we can progress a number of important recommendations concluded by the task group, it is acknowledged that a significant proportion of the recommendations from the Fawcett Society report require support from political parties and the Secretary of State for Communities and Local Government.

**Thanks are given to the Fawcett Society, the LGA and LCC officers who provided information and evidence to support its work.**

## Glossary of Terms and Abbreviations

BME	-	Black and Minority Ethnic
BAME	-	Black, Asian and Minority Ethnic
BTLS	-	BT Lancashire Services
CRB	-	Criminal Records Bureau
DBS	-	Disclosure and Barring Service
GDPR	-	General Data Protection Regulation
ICT	-	Information Communications Technology
INLOGOV	-	The Institute of Local Government Studies
IRP	-	Independent Remuneration Panel
LCC	-	Lancashire County Council
LGiU	-	Local Government Information Unit
LGA	-	Local Government Association
LGBT	-	Lesbian, Gay, Bisexual, Transgender
SRA	-	Special Responsibility Allowance

## Appendices

Appendix A: Draft Parental Leave Policy for County Councillors

Appendix B: Draft Disability Statement for County Councillors

Appendix C: Draft Protocol for Members and Co-opted Members on Language and Behaviour

## **Parental Leave Policy for County Councillors**

### **Introduction**

Lancashire County Council aims to ensure as far as possible that Councillors are supported should they wish to temporarily reduce or suspend their workload due to pregnancy or becoming a new parent.

Lancashire County Council recognises that supporting councillors at this time contributes towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

Lancashire County Council also recognises the importance of ensuring that mechanisms are in place to enable member of the public to be represented during periods when a councillor has taken a supported break from council duties.

Lancashire County Council encourages all groups represented on the council to provide appropriate support to their members who wish to take a supported break from council duties, including arranging for replacements at meetings and making arrangements to handle casework on behalf of a Councillor.

### **1. Pregnancy**

The Council will endeavour to make all reasonable adjustments to support a councillor to continue to perform their duties during pregnancy. This could include:

- Personal Emergency Evacuation Plan completed where required
- Appropriate facilities to support the councillor to attend meetings e.g. cushions and back supports for seats
- Change of seat position at council meetings to allow easy of mobility and easy access in and out of the meeting
- Access to a suitable breakout room for comfort breaks

Councillors are encouraged to discuss their requirements, on a confidential basis, with officers to enable appropriate support to be provided.

### **2. Supported Breaks**

2.1 The council supports all members wishing to take a supported parental break from council duties following the birth or adoption (through an approved adoption agency) of a child for a period of 12 months from the expected date of birth or adoption. This applies equally to both parents and to nominated carers of a child.

2.2 Any Councillor who takes a supported parental break retains their legal duty under the Local Government Act 1972 to attend a meeting of the council within a six month period. However, where the failure to attend a meeting or event throughout a

period of six months is due to a pregnancy related matter or whilst the Councillor is on a notified parental supported break, the six months' rule shall not apply and any allowance paid to the councillor shall be unaffected and continue. This decision shall apply to any Councillor.

### 2.3 Obligations of the Councillor

Councillors who wish to take advantage of the measures set out in this policy must inform Democratic Services as soon as possible, on a confidential basis as appropriate, of their pregnancy and/or intention to take a supported break. As soon as possible, Councillors should also inform Democratic Services of the date of birth or adoption.

The Councillor should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

The Councillor should also supply Democratic Services with contact details, if different from those already held, to ensure that the Councillor can be kept informed of important issues.

### 2.4 Support from the council

The council will provide appropriate support, including but not limited to:

- Access to a suitable breakout room for comfort breaks
- Availability of breastfeeding facilities
- Change of seat position at council meetings to allow easy of mobility and easy access in and out of the meeting
- Removal from distribution lists for meetings and committees during the supported break
- A single point of contact in the council to ensure contact is maintained.

### 2.4 Role of Groups

All groups are encouraged to provide appropriate support to expectant and new mothers, fathers and nominated carers, to ensure the full opportunity for the councillor in question to reduce or withdraw from duties. Groups should in particular make arrangements for support with casework and identifying replacements for meetings.

## 3. Basic Allowance

All Members shall continue to receive their Basic Allowance in full whilst on a supported break.

## 4. Special Responsibility Allowances

4.1 Members entitled to a Special Responsibility Allowance (SRA) shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.

4.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.

4.3 The payment of SRA, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall 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.

4.4 Should a Member appointed to replace the member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one SRA shall apply.

4.5 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the Party to which they belong loses control of the council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

## **5 Resigning from Office and Elections**

5.1 If a Member decides not to return at the end of their supported break they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

5.2 If an election is held during the Member's supported break and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the date when they would technically leave office.

## **Lancashire County Council**

### **Disability Statement for County Councillors**

Lancashire County Council acknowledges the duty imposed by the Equality Act 2010 and is committed to supporting disabled individuals who are elected to the council to assist with any special requirements necessary to support the work carried out by the Councillor whilst based at county council premises. Lancashire County Council will make any reasonable adjustments to accommodate the needs of disabled councillors to ensure that they are not placed at a disadvantage. This includes but is not exclusive to;

- Sign language interpreters
- Extra travel and accommodation costs
- Meeting rooms fitted with audio loop systems
- Specialist office and IT software
- Accessibility to group offices and meeting rooms in Lancashire County Council premises
- Personalised Emergency Evacuation Plan where required from Lancashire County Council buildings

Where appropriate, Democratic Services will arrange specialist equipment where this is deemed necessary and ICT training tailored to suit your needs will be provided.

Councillors with a disability are encouraged to contact Democratic Services following their election to discuss their personal requirements.



## **Protocol for Members and Co-opted Members on Language and Behaviour**

This protocol provides to Members and Co-opted Members of the county council guidance from the Equality Act 2010 to support the requirement to promote equality through actions, behaviour and conduct (including use of social media) and the types of discrimination which can occur. This document should be read in conjunction with the Code of Conduct and forms part of it.

**The following are definitions of the nine protected characteristics of the Equality Act 2010. These are deemed to be protected from unlawful behaviour such as harassment and offensive behaviour.**

**Age:** An individual of a certain age or in or not in a certain age group. Discrimination by perception (someone thinks you are (or are not) a specific age or age group) and discrimination by association (you are connected to someone of a specific age or age group) is also included as part of this protected characteristic.

**Disability:** An individual who has a mental, physical or progressive condition, which is substantially long-term and adversely affects their ability to carry out normally day-day activities. Discrimination by perception or by association is also included as part of this protected characteristic.

**Gender Reassignment:** An individual who is undergoing, has undergone or is planning to undergo a process (or part of a process) for the purpose of reassigning their sex by changing the physiological or other attributes of their birth sex to their preferred sex. Individuals do not need to have undergone any specific treatment or surgery to change from their birth sex to their preferred gender. It also covers individuals who dress in a particularly way to express their preferred sex, in order for them to show their preferred gender identity.

**Marriage and Civil Partnership:** An individual who is legally married or in a civil partnership. Marriage can either be between a man and a woman, or between partners of the same sex. Civil partnership is between partners of the same sex.

**Pregnancy and Maternity:** Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

**Race:** 'Race' includes; colour, nationality, citizenship, ethnic origins, or national origins. Race also covers ethnic and racial groups. This means a group of people who all share the same protected characteristic of ethnicity or race.

**Religion and Belief:** Religion or belief can mean any religion, for example an organised religion like Christianity, Judaism, Islam or Buddhism, or a smaller religion like Rastafarianism or Paganism, as long as it has a clear structure and belief system. This also covers non-belief or a lack of religion or belief. In addition, discrimination **by perception or association** is also included as part of this protected characteristic.

**Sex:** Applies to men and women of any ages and includes being treated differently because of their sex and discrimination by perception or association. This characteristic also provides protection against forms of unwanted behaviour such as unwanted sexual attention, advances and propositions, physical or verbal sexual approaches which are either deliberate, unreasonable, imposed or offensive to the recipient.

**Sexual Orientation:** Applies to any sexual orientation (or discrimination by perception or association) and includes how sexual orientation is expressed, such as through an individual's appearance or the places visited.

Discrimination can come in one of the following forms:

- Direct discrimination - treating someone with a protected characteristic less favourably than others.
- Indirect discrimination - putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage.
- Harassment - unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates an offensive environment for them.
- Victimisation - treating someone unfairly because they've complained about discrimination or harassment

In all of the above characteristics, the discrimination does not have to be re-occurring and can be a one off event. It can include verbal threats of abuse, display of offensive material, any form of speech or action (such as nicknames, teasing, name-calling, pulling faces, jokes, pranks and comments) which are considered offensive, are deliberate and unwelcome or which are likely to bring the Authority into disrepute. Even if this behaviour is not deliberately meant to hurt the individual, it may still count as discrimination if they find it upsetting.