

3. Yn Atodlen 1 (swyddogaethau nad ydynt i fod yn gyfrifoldeb i weithrediaeth awdurdod)—

(a) yn lle Rhan E rhodder—

(i) yng ngholofn 1—

“**E. Y pŵer i hyrwyddo neu i wrthwynebu Biliau preifat**”; a

(ii) yng ngholofn 2—

“Adrannau 52 a 53 o Ddeddf Llywodraeth Leol (Democratiaeth) (Cymru) 2013(1).”; a

(b) yn Rhan Ff (swyddogaethau amrywiol) ar ôl paragraff 17—

(i) yng ngholofn 1, mewnosoder—

“**18.** Swyddogaethau sy’n ymwneud ag absenoldeb teuluol aelodau awdurdod lleol”; a

(ii) yng ngholofn 2 mewnosoder—

“Rheoliadau Absenoldeb Teuluol ar gyfer Aelodau Awdurdodau Lleol (Cymru) 2013(2).”.

3. In Schedule 1 (functions not to be the responsibility of an authority’s executive)—

(a) for Part G substitute—

(i) in column 1—

“**G. Power to promote or oppose private Bills**”; and

(ii) in column 2—

“Sections 52 and 53 of the Local Government (Democracy) (Wales) Act 2013(1).”; and

(b) in Part I (miscellaneous functions) after paragraph 17—

(i) in column 1, insert—

“**18.** Functions relating to family absence of local authority members”; and

(ii) in column 2 insert—

“The Family Absence for Members of Local Authorities (Wales) Regulations 2013 (2).”.

Lesley Griffiths

Y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth, un o Weinidogion Cymru

13 Tachwedd 2013

©[©] Hawlfraint y Goron 2013

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

Minister for Local Government and Government Business, one of the Welsh Ministers

13 November 2013

© Crown copyright 2013

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s Stationery Office and Queen’s Printer of Acts of Parliament.

(1) 2013 decc 4.
(2) O.S. 2013/2901 (Cy.280).

(1) 2013 anaw 4.
(2) S.I. 2013/2901 (W.280).

OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2013 Rhif 2902 (Cy. 281)

2013 No. 2902 (W. 281)

**LLYWODRAETH LEOL,
CYMRU**

**LOCAL GOVERNMENT,
WALES**

Rheoliadau Awdurdodau Lleol
(Trefniadau Gweithrediaeth)
(Swyddogaethau a Chyfrifoldebau)
(Cymru) (Diwygio Rhif 2) 2013

The Local Authorities (Executive
Arrangements) (Functions and
Responsibilities) (Wales)
(Amendment No. 2) Regulations
2013

£4.00

W1779/11/13

ON

ISBN 978-0-348-10826-2



9 780348 108262



DRAFT SUPPLEMENTARY REPORT – FAMILY ABSENCE

To:

Leaders and Chief Executives of County and County Borough Councils

Heads of Democratic/Member Services of County and County Borough Councils

Chief Executive of the Welsh Local Government Association

Dear colleague

Supplementary Report relating to remuneration in respect of Family Absence

1. This constitutes a Supplementary Report of the Independent Remuneration Panel for Wales (the Panel) in accordance with Section 147 of the Local Government Measure (Wales) 2011 (the Measure). It relates to payments made to elected members of County and County Borough Councils who have been granted Family Absence by their respective local authority.

2. In November 2013 the National Assembly for Wales approved the regulations relating to Family Absence for elected members of principal authorities in Wales. The Panel has considered the implications of these regulations on the remuneration of such members who are taking absence from their role as a member under the terms contained therein and has concluded:

3. Generally, a decision taken by a local authority under these regulations which relates to a member who is a basic salary holder is not a matter for the Panel, as the Panel takes the view that the current statutory position relating to the absence of a member (the “six month rule”) coincides with the maximum period of absence set out in the regulations. Therefore a member taking Family Absence would be entitled to retain the basic salary. However, there could be instances where the member concerned has already accumulated absences prior to the commencement of an agreed family absence. The determinations set out below take account of such situations.

4. However, the Panel considers that senior salary holders potentially would be affected by absence taken under the regulations and proposes the following determinations.

Determinations

a) A member is entitled to retain a basic salary when taking family absence under the regulations irrespective of the attendance record prior to the commencement of the family absence.

b) when a senior salary holder is eligible for family absence, he/she will be able to continue to receive the senior salary for the duration of the absence if the authority so decides whether or not it makes a substitute appointment.

c) The member substituting for a senior salary holder taking family absence will be eligible for a senior salary.

d) If the paid substitution results in the authority exceeding the maximum number of senior salaries as set out in the Panel's Annual Report, an addition to the maximum will be allowed for the duration of the substitution. However, this cannot apply to the Isle of Anglesey and Merthyr Tydfil Councils if it would result in the number of senior salaries exceeding fifty percent of the Council's membership as specific Welsh ministerial approval would have to be obtained.

e) When an authority agrees a substitution for family absence, the Panel must be informed, within 14 days of the date of the decision, of the details including the particular post and the duration of the substitution.

f) The schedule of remuneration must be amended to reflect the implication of the family absence.

5. Responses to this draft Supplementary Report are required by Friday 7th February 2014.

Yours sincerely,



Richard Penn
Chair