

Item 10.2

Notices of Motion

Parental Leave for Councillors

By Councillor Scully

It is resolved that

(A) Council note:

- (i) in 2017, the Office of Local Government reported that while 50.7 per cent of the NSW population identifies as female, only 31.2 per cent of councillors elected were female and that 91 per cent of councils have less than 50 per cent female councillors;
- (ii) according to preliminary data from the Office of Local Government, the percentage of female candidates has grown from 37.5 per cent in 2016/17 to 42 per cent in 2021, an increase of 4.2 per cent;
- (iii) preliminary data also indicates that 39 per cent of all councillors in NSW identify as female, an increase from 31 per cent at the 2016/17 elections, 28 per cent in 2012 and 27 per cent in 2008;
- (iv) currently, 69 of 124 councils that held elections in 2021 have recorded more women on council than in previous terms;
- (v) based on available data from the Office of Local Government's Candidate and Councillor Diversity Report 2017, both candidates and councillors who are Aboriginal or Torres Strait Islander, disabled, female, between the ages of 18 to 29 or are linguistically diverse are not represented proportionately to the NSW population on councils;
- (vi) similarly in 2017, only 44 of the 127 councils reported on had councillors under the age of 30, with councillors aged 60+ making up 40.6 per cent of councillor positions, despite being 21.9 per cent of the NSW population;
- (vii) as of 2021, Local Government NSW (LGNSW) found that the latest profile of councillors in NSW were largely retired, semi-retired or independently wealthy and recommended that greater benefits for councillors would attract a more diverse range of candidates, broaden the skill pool of potential future councillors, and lead to better community representation;
- (viii) as of March 2023, the Office of Local Government has not published any updated data on candidate and councillor diversity since the 2021 election, and there is no data on candidates or councillors who are parents, guardians or carers;
- (ix) councillors are not considered employees of their council and are therefore not eligible for parental leave, sick leave or personal carer's leave;

- (x) while it is widely accepted that the role of councillor is part-time, and should be supplemented with another job if necessary, councillors spend an average of 45.6 hours per week fulfilling their local government duties;
 - (xi) the Office of Local Government notes that major obstacles to more women standing as candidates for council include insufficient time to meet council, family and employment obligations as well as a lack of compensation for childcare and carer commitments;
 - (xii) Local Government NSW (LGNSW) has reported that the increase in female councillors can be seen as a result of introducing superannuation for mayors and councillors in 2022;
 - (xiii) in NSW, the remuneration received by mayors and councillors is independently set by an expert tribunal, the Local Government Remuneration Tribunal; and
 - (xiv) the Minister for Local Government has the capacity to refer an issue to be decided by a special determination by the Local Government Remuneration Tribunal, outside of the annual determinations for councils;
- (B) the Lord Mayor be requested to:
- (i) write to the NSW Minister for Local Government requesting:
 - (a) the release of the Candidate and Councillor Diversity Report for the 2021 NSW Local Government election, with the inclusion of statistics for candidates and councillors who are parents, guardians and/or carers;
 - (b) the development of a discussion paper to seek views of councils and their local communities on whether councillors should receive paid parental leave, similar to the Councillor Superannuation - Discussion Paper published in 2020;
 - (c) the implementation of 18 weeks of paid parental leave, inclusive of adoption and long-term fostering leave by special determination of the Local Government Remuneration Tribunal;
 - (d) the implementation of four weeks of paid partner leave by special determination of the Local Government Remuneration Tribunal; and
 - (e) consideration of how council representation might be maintained to represent election outcomes, such as through mechanisms including proxies or pairing, to accommodate the needs of councillors to meet caring responsibilities; and
 - (ii) write to the President of the Australian Local Government Association and President of Local Government NSW requesting the adoption of a policy position in favour of paid parental leave for councillors; and
- (C) the Chief Executive Officer be requested to write to the Director of the Local Government Remuneration Tribunal requesting the investigation of the financial implications of paid parental leave for councillors.