

Introduction

1. Estimates have put the current number of citizens involved in formal governance roles at more than 450,000 people. This represents approximately 1 per cent of the population although 9 per cent of the population have taken part in some civic activism role in the past 12 months – including sitting on some decision making group.
2. Participation in civic roles allows people to get involved in direct decision-making in their communities. This involvement can bring a range of benefits to those individuals taking part and to their wider community.
3. But there is significant evidence that those people undertaking these roles are not drawn from a representative spectrum of the population and that individuals taking part often have multiple roles. We want the pool of people serving their communities in this way to be deepened.
4. More and different people need to be encouraged into governance roles. Younger people particularly are perceived to be difficult to target. As with volunteering more generally, a lack of time is frequently mentioned as a key barrier to involvement in governance positions. People have limited time to get involved, and there is a perception that any kind of involvement in the community is time consuming and requires a large commitment.
5. There were a number of proposals cited in the White Paper “Communities in Control: Real People, Real Power” which will contribute to encouraging more and different people to take up civic roles including:
 - Making it easier for people to find information on the range of ways they could be active in civic roles in their communities
 - Introduction of a new duty on local authorities to promote democracy which will involve councils explaining to local communities how to be a councillor or take up other civic roles
 - Support for a Take Part local pathfinder programme offering information and training on how to be an active citizen. This will build on the existing Take Part network and specifically target underrepresented groups.
 - A review of relevant qualifications and modules so that the contribution citizens make and the skills they develop can be recognised through accreditation
 - Providing better information for employers outlining the commitments but also the benefits and working with Business in the Community incentivising businesses to support their employees participating through the “Community Mark.”

This consultation is specifically focusing on our commitment to consult on extending time off entitlements to specific civic roles, modernising the list to reflect changes to the nature and types of civic roles available and also to consider other ways to encourage participation in governance roles in third sector organisations.

Current Legislation

The current legislation under Section 50 of the Employment Rights Act 1996 states that if you carry out one of the roles listed you are entitled to time off work to carry out your role. This includes:

- Justice of the peace (magistrate);
- Member of a local authority;
- Member of a police authority;
- Member of any statutory tribunal;
- Member of a relevant health body;
- Member of the managing or governing body of an educational establishment;
- Member of the governing body of a further or higher education corporation;
- Member of a school council or board in Scotland;
- Member of the General teaching Councils for England and Wales;
- Member of the Environment Agency or the Scottish Environment Protection Agency;
- In England and Wales, prison independent monitoring boards; and in Scotland, prison visiting committees; and
- Member of Scottish Water or a Water Customer Consultation panel.

The legislation operates flexibly in that individuals are allowed reasonable time off to go to meetings or to carry out duties. The time must be agreed with employers beforehand and a specific amount of time off is not laid down in law. Employers do not have to pay individuals whilst they take time off, although many do.

The law on time off for public duties was reviewed in 2006/07 under BERR's Simplification Plans and was found to be working well. Stakeholders felt that revised guidance would be more effective than changing the terms of the legislation. BERR published this guidance in spring 2007 and it can be found at: <http://www.direct.gov.uk/en/Employment/Employees/WorkingHoursAndTimeOff/DG10028529>

We are therefore not proposing to make any changes to the terms of the entitlement. Instead we are focusing on what other roles should be added to the existing legislation to bring some consistency and equality across a number of civic roles. We have focused on roles which are in some way related to governance of organisations which impact their local community rather than the governance of national bodies.

Employment rights are a reserved matter and this consultation therefore seeks the views from stakeholders across England and Wales. We will work constructively with the devolved administrations in relation to their devolved responsibilities in this area,

including working with the Scottish Ministers when consultation is published later this year in relation to Scottish bodies.

There are a number of potential benefits which can be realised by employers as a result of their staff taking part in civic roles:

- Employees can build competencies and develop skills which can be used in their jobs and could in some cases be part of ongoing personal development and training;
- Support from employers can be categorised as contribution to Corporate Social Responsibilities which can in turn make a company more attractive to customers or clients as well as an appealing place to work for current or future employees; and
- There is some evidence that flexible working practices have improved the productivity of their businesses.