

Parental Leave Policy for Members

Introduction

The objective of this policy is to ensure that, insofar as possible, Members are able to take appropriate leave at the time of birth or adoption of a child/children, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

Improved provision for new parents will contribute 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.

Legal advice has been taken on these policies, and they conform with current requirements.

1. Leave Periods

- 1.1** Members giving birth are entitled to up to 26 weeks' parental leave from the due date, with the option to extend up to 52 weeks by agreement if required. Parental leave may start on any day of the week, at the Member's request.
- 1.2** In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 26-week period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 26 weeks.
- 1.3** In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52-week entitlement.
- 1.4** Members shall be entitled to take a minimum of two weeks paternity leave if they are the parent or nominated carer of their partner/spouse following the birth of their child(ren).
- 1.5** A Member who has made Shared Parental Leave arrangements through their external employment is requested to advise the Council of these arrangements at the earliest possible opportunity.

Every effort will be made to replicate such arrangements in terms of leave from Council.

- 1.6 Where both parents are Members, leave may be shared up to a maximum of 24 weeks for the first 26-week period, and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.
- 1.7 A Member who adopts a child or children through an approved adoption agency shall be entitled to take up to 26 weeks' adoption leave from the date of placement of the child or children, with the option to extend up to 52 weeks by agreement if required.
- 1.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under Section 85(1) of the Local Government Act 1972 to attend a meeting of the Council within a six-month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six-month period. In order to ensure equitable application of this policy, a dispensation from this requirement, for the duration of any parental leave taken, will automatically be granted by Council, and will be confirmed in writing by the Monitoring Officer.
- 1.9 Any Member intending to take maternity, paternity, shared parental, or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.
- 1.10 Any member taking leave 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.

2. Basic Allowance

- 2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity, or adoption leave.

3. Special Responsibility Allowances

- 3.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental, or adoption leave.
- 3.2 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.
- 3.3 The payment of Special Responsibility Allowances, 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.
- 3.4 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 Special Responsibility Allowances shall apply.
- 3.5 Unless the Member taking leave is removed from their post at an Annual 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.

4. Resigning from Office and Elections

- 4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental, or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.
- 4.2 If an election is held during the Member's maternity, paternity, shared parental, or adoption leave 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 Monday after the election date when they would technically leave office.