

## **Parental Leave Policy for Councillors**

### **1. Introduction**

- 1.1 This Policy sets out Member's entitlement to maternity, paternity, shared parental and adoption leave and relevant allowances.
- 1.2 The objective of the policy is to ensure that insofar as possible Elected Members are able to take appropriate leave at the time of birth or adoption, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio holder and others in receipt of Special Responsibility Allowance (SRA) during a period of leave taken.
- 1.3 Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of it's elected members alongside retaining experienced – and particularly female – councillors, alongside making public office more accessible to individuals who might otherwise feel excluded from it.
- 1.4 There is currently no legal right to parental leave of any kind for people in elected public office.

### **2. Leave periods**

- 2.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.
- 2.2 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 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.
- 2.3 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.
- 2.4 Members shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).
- 2.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every reasonable effort will be made to replicate such arrangements in terms of leave from Council.
- 2.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first 6 months 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.

- 2.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.
- 2.8 Any Member who takes maternity, shared parental, or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council with a 6 month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.
- 2.9 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.
- 2.10 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

### **3. Basic Allowance**

- 3.1 All members shall continue to receive their Basic Allowance in full whilst on maternity, paternity, shared parental or adoption leave.

### **4. Special Responsibility Allowance (SRA)**

- 4.1 Members entitled to a 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 the SRA, whether to the primary SRA holder or the replacement, during a period of maternity, paternity 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 point, the position will be reviewed, and will be subject to a possible extension for another period of up to six months.
- 4.4 Should a member appointed to replace the member on maternity, paternity 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 Meeting of the Council whilst on leave, or unless the Group 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 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.
- 5.2 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 on the fourth day after the day of election.

## **6. Arrangements for effective representation of constituents**

Members exercising rights granted under this policy shall use all reasonable endeavours to ensure that arrangements made through their party groups or with other Members are in place for constituents' interests to be effectively represented during their period of absence.

## **7. Special circumstances relating to perinatal bereavement**

7.1 in the tragic circumstances that a Member gives birth to a still born baby or the baby dies at, or shortly after birth after 24 weeks of pregnancy, their entitlement to rights under this policy shall be unaffected. In the event that a Member has had a still birth or whose baby has died indicates a desire to return to their duties early and then changes her mind, or resumes her duties but is absent again should be shown patience and understanding and offered all possible support. Any Member whose partner has had a stillbirth after 24 weeks of pregnancy, or whose child has died after birth, shall be entitled to leave from their duties and to receive allowances under this policy in the same manner as they would have in other circumstances.

7.2 Members returning to duties after such sad events should be shown special sensitivity. Any member with concerns about the grieving process impacting on the performance of their duties should discuss this in confidence with their Group Leaders or the Chief Executive to ensure that any reasonable arrangements that may be necessary are discussed and put into place and that the Member is supported in the full range of their duties prior to the bereavement or their duties are adjusted as necessary. The member may want to return to duties on a phased return basis. All requests must be carefully considered. Members may also access support from Child Bereavement UK at [www.childbereavementuk.org](http://www.childbereavementuk.org)