

# Parental Leave Policy



This policy outlines the support available to Councillors to fulfil their duties regardless of caring responsibilities. It includes provisions for maternity, paternity, shared parental, adoption, and fostering leave, as well as relevant allowances. The aim of the policy is to increase the diversity of experience, age, and background among local authority councillors and make public office more accessible. The policy ensures that Members can take appropriate leave and that arrangements are in place to provide cover during their absence.

## **POLICY**

### **1. Leave Periods**

- 1.1** The policy outlines specific leave entitlements for different life events, such as childbirth, adoption, and fostering.
- 1.2** Members who have been in office for 26 weeks continuously and are giving birth, are entitled to up to 12 months of maternity leave from the due date or date of birth if earlier.
- 1.3** Members who are the child's biological father or nominated carer can take up to 2 weeks of paid paternity leave until 52 weeks after the birth.
- 1.4** When both parents are Members, leave can be shared up to a maximum of 50 weeks, with a maximum of 24 weeks in the first six months and 26 weeks thereafter.
- 1.5** Members who have made shared parental leave arrangements through their employment should inform the Council at the earliest opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.
- 1.6** Members who have been in office for 26 weeks continuously and who adopt a

child through an approved agency can take up to 12 months of adoption leave from the date of placement. A Member who is the partner of the 'primary adopter' is entitled to paternity leave only.

- 1.7** Members who are foster carers may take reasonable time off to undertake training, panel meetings and any ad hoc requirements associated with providing foster care and may request an extended period of leave depending on the needs of the child(ren) involved.
- 1.8** It is recognised that time away from Member responsibilities may be necessary for IVF and Fertility Treatments and due consideration to reasonable time off will be given.
- 1.9** Members on maternity, shared parental, adoption, or fostering leave retain their legal duty to attend a Council meeting within six months, unless Full Council has approved an extended period of leave.
- 1.10** Members intending to take maternity, paternity, shared parental or adoption leave must inform the Head of Democratic Services about the start and end of their leave.
- 1.11** Members on maternity, shared parental, adoption or fostering leave must respond to reasonable requests for information, and keep officers and colleagues informed about their return plans.
- 1.12** In the very difficult circumstances where a Member experiences the loss of a child (under the age of 18, or stillborn from 24 weeks of pregnancy) as a parent or as the partner of a parent, up to 2 weeks of leave may be taken. This can be taken as a single block of two weeks, or two separate blocks of one week at different times. The Member can take this leave at any time in the 56 weeks following the death of the child.

## **2 Basic Allowance**

- 2.1** To support Members during their maternity, paternity, shared parental or adoption leave periods, subject to the provisions of Section 4 they will continue to receive the Basic Allowance for the duration of the parental leave.

## **3. Special Responsibility Allowances**

- 3.1** Members entitled to a Special Responsibility Allowance shall continue to receive it during the period of maternity, paternity, shared parental or adoption leave unless:-

- (a) The Member is not reappointed to their position (or equivalent position) at the next Annual Meeting of the Council; or
- (b) The Member resigns from office or, at the end of their term, decides not to stand for re-election or is not re-elected.

- 3.2** While a member is taking parental leave, Full Council may appoint another Member to their position on a temporary basis. The replacement will receive a Special Responsibility Allowance for the role on a pro rata basis for the duration of the temporary appointment (subject, if already in a remunerated position, to the normal rule that a Member may only receive one Special Responsibility Allowance).
- 3.3** Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave 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 a Member's leave and they are not re-elected or decide not to stand for re-election, their allowances will cease from the day their term of office ends (normally the Monday after the election).

#### **Practical Arrangements**

A Member intending to take parental leave must in the first instance inform the Leader of their Group (if applicable) and the Head of Democratic Services in writing.

Members are asked to provide notice of their intention to take parental leave in accordance with the timescales set out below, where practicable:

- (a) Pregnant Members should give notice by no later than 28 days before they want to commence their maternity leave. Confirmation of the pregnancy and the expected week of childbirth is usually via a MAT B1 certificate (a form given to a woman by their doctor or midwife after the 20th week of pregnancy and shows the expected date of childbirth). As soon as practicable after the birth they should give notice of the baby's date of birth in writing.
- (b) A Member who is a primary adopter should give notice within 7 days of being told they have been matched with a child and provide confirmation of the

adoption, through the provision of a matching certificate, and the date the child is to be placed with the Member.

- (c) A Member intending to take paternity leave must advise of their intention at least 28 days before.
- (d) A Member who is intending to take shared parental leave must advise of their intention at least 8 weeks before.
- (e) Where the mother and their partner are both Members and qualify for shared parental leave, they must agree between them how many weeks of leave each of them will take. They must notify the Head of Democratic Services of the number of weeks that they have decided to take.
- (f) If a Member wishes to return from leave earlier than originally planned, he/she should notify the Leader of their Group (if applicable) and the Head of Democratic Services in writing, who will provide confirmation that the information has been received and from what date the Member will resume their responsibilities.