

## **Parental, Carers and Special Leave Policy for Members**

### **Aim of the Policy**

- 1.1. The aim of this Policy is to place on record the Council's ongoing intention to provide a positive and accommodating environment for all Members, including those who have family and/or caring responsibilities. Ensuring that a range of people from across our society feel supported to stand for election is a key ambition for the Council. Only by supporting existing elected and co-opted members while also encouraging representation from under-represented groups will the Council attract and retain all those who wish to represent their community or communities, whatever their individual life circumstances.
- 1.2. This policy offers some key guiding principles, which are to be given their widest possible application in line with the aims and ambitions outlined above.

### **Context & application of this Policy**

- 1.3 This Policy applies to all types of Leave that a member may wish to take as a result of their family-related responsibilities. This includes but is not limited to the following:
- Parental Leave (including maternal and paternal leave, adoptive leave and any leave taken by a person acting as the main carer for a child under the age of 18),
  - Carers' Leave (including any leave taken to care for another individual of any age),
  - Bereavement Leave (including that taken following the death of a partner, dependent or other key individual) and
  - Special Leave (including compassionate leave and leave triggered by a complex family situation).

Note: for the avoidance of doubt; a carer is someone who provides unpaid support to a family member, child, partner or friend who could not manage daily activities without this help.

- 1.4 The term 'Leave' is used throughout this policy to describe a period of absence of less than 6 months which members may take from their duties at their discretion. Parental Leave will be permitted for up to an additional 6 months provided that prior authorisation has been granted – see para 2.4). The legislative framework in relation to member

attendance at Council meetings is not affected by this policy and the requirement for authorisation of any absence of 6 months or more remains as set out at s85 of the Local Government Act 1972, as described at paragraph ~~2.7-2.9~~~~3.4-3.6~~ below.

### **Member allowances, including Special Responsibility Allowances**

1.5. The taking of Leave pursuant to this Policy will not trigger any change to a Member's Basic Allowance or Special Responsibility Allowance, which will continue to be payable to members until such time as they cease to be a member or cease to hold their position of Special Responsibility.

~~1.6.3.2~~ Where a replacement is appointed to cover the period of absence then that person shall receive an equivalent SRA on a pro rata basis for the period of the temporary appointment.

~~1.7.3.3~~ 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.

~~1.8.3.4~~ Should a Member appointed to replace the member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules in place regulating the payment of more than one Special Responsibility Allowances shall apply.

~~1.9.3.5~~ Unless the Member taking leave is removed from their post at an Annual General 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.

### **Parental Leave, including adoption, ~~and antenatal~~ and neonatal leave**

~~2.0.4.~~ An elected Member who has given birth to or is (one of the) primary carer(s) of a child, including an adopted child, may take up to ~~twelve~~~~six~~ months' Leave from their Member duties following or starting at around the time of the birth/ adoption/ otherwise assuming caring responsibilities for their child. This is provided that any Leave of six months or more is authorised in advance in accordance with the Council's process and this Policy.

2.1.2-A Members will be supported in attending antenatal appointments and/or pre-adoption appointments where they aim to be (one of the) primary carer(s) of a child, and in providing neonatal care where such is required.

2.2.3-The parental Leave provisions in para 2.1 above will be applied equally to any Member whose child is not carried to term or is stillborn. The same principles will also be applied to parents who suffer the bereavement of a child.

### **Carers, Special and other Leave**

2.3.4 Other Leave including (but not limited to) the types of Leave listed in para 1.3 may also be taken for a period of less than six months at the elected Member's discretion, having first notified their Group and the Monitoring Officer in advance of their intention to take Leave in accordance with para 2.43.2 below.

### **Notification of taking of Leave, and of return**

2.4.3.1 Members are expected to alert both their Group (if they have one) and fellow ward members as well as the Monitoring Officer where they plan to take Leave of any duration exceeding one calendar month. They are expected to indicate an anticipated date of return at that time, and to keep both their Group and the Monitoring Officer informed of their intentions, including by notifying them should their period of absence be extended to cover a longer period of time than first anticipated.

### **Communication by members who are on Leave**

2.5.3.2 It is for the individual member to decide whether/ to what extent to continue to respond to emails and correspondence whilst on Leave. While Members will normally be expected to put on an 'out of office' automated message redirecting queries to a designated /alternative member, the main expectation is that they are clear re how long they intend to be absent and the extent to which they will continue to engage, as well as who should be contacted in their absence.

## Local Constituent Duties

[2.6.3-3](#) Members who take Leave may nominate one or more other Member(s) to deal with local issues in their constituency. Where a Member is in a Group, they may ask another Group member; alternatively or where they are not in a Group then they may ask another Member, who may have been elected to the same ward. It will normally be the responsibility of the Member taking Leave to arrange this and to notify the Monitoring Officer of the arrangement which has been made.

### Leave of 6 months or more

[2.7.3-4](#) ~~Any p~~Periods of absence of six months or more is subject to fall outside the limits of this Policy. Section 85 of the Local Government Act 1972. This provides that any member failing to attend any meetings of the authority for six consecutive months shall automatically cease to be a member unless their reason for not attending was due to a reason approved by the authority before the expiry of that period.

[2.8.3-5](#) ~~As a result, w~~Written application must be made to the Monitoring Officer of the Council by any member seeking to take -member for Leave of any description for a period of six months or more, including any application for authorisation for between 6-12 months' Parental Leave pursuant to para 2.0 above.- Written application must normally be made by the member seeking Leave at least two weeks before the six consecutive months expire.

[2.9.3-6](#) Further details are available on application to the Monitoring Officer.

Approved December 2021

Updated 16 May 2024