

### Member Parental Leave Policy

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 and that reasonable and adequate arrangements are in place to provide cover for any special responsibilities during any period of leave taken.

#### 1. Leave Periods

**1.1** Members giving birth are entitled to up to 6 months maternity leave ~~from the due date~~ following or starting around the time of birth, with the option to extend up to 52 weeks by agreement if required.

**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 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.

**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 2 weeks paternity leave if they are the biological father 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 employment is requested to advise the Council of these 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 six 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.

**1.7** 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.

**1.8** 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 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.

**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.

**1.11** If a still birth occurs after 24 weeks of pregnancy, full maternity and paternity benefits and leave as set out in this policy will apply. If still birth occurs before 24 weeks of pregnancy, discretion will be given for a shorter period of absence.

**1.12** If a miscarriage occurs during the first 23 weeks of pregnancy, discretion will be given for a shorter period of absence.

**1.13** The Council's counselling and employee assistance service is available 24 hours a day (0333 212 8382). This is a fully confidential service and can provide counselling in the event of a still birth, miscarriage or termination. The Miscarriage Association also provide a range of advice and support at [www.miscarriageassociation.org.uk](http://www.miscarriageassociation.org.uk)

**1.14** Parental bereavement leave: in line with the eligibility for paid employees under the Parental Bereavement (Leave) Regulations 2020, members are entitled to two weeks bereavement leave if they lose a child under the age of 18, with continued entitlement to allowance as set out for parental leave in parts 2 and 3 below.

## **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 (SRA) 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 SRAs, 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 SRA shall apply.

**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.

#### **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.

#### **5. Local Member responsibilities**

**5.1** Any Member intending to take maternity, paternity, shared parental or adoption leave should ensure that they make arrangements for an alternative Member point of contact to be available to local residents in their division for the purposes of casework and other local Member enquiries.

#### **6. Notification of leave and of return**

**6.1** In cases where additional leave may be taken by agreement, the leave should be agreed between the councillor requesting leave and their group leader and Chief Executive (or Chief Executive if an Independent Councillor).

**6.2** The group leader or councillor should notify the Chief Executive of cover arrangements. The councillor should keep the group leader and Chief Executive informed of their intentions, giving normally at least one month's notice of their intended return date, including whether the period of absence should be extended to cover a longer period of time than first anticipated.

**6.3** Permitted leave will be reflected in attendance records as 'absent with reason'.