

## **Parental Leave Policy for Councillors**

### **1. Aim of the Policy**

- 1.1 The objectives of this policy are:
  - a. to ensure a supportive and non-discriminatory environment for councillors who have or are planning to have parental responsibilities;
  - b. to improve and retain a diversity of experience, age and background of councillors; and
  - c. to make public office more accessible to individuals who might otherwise feel excluded from it.
- 1.2 This policy sets out councillors' entitlements to Parental Leave (covering maternity, paternity, shared parental and adoption leave) and relevant allowances.
- 1.3 This policy has cross party support from all councillors.

### **2. Leave entitlement**

- 2.1 Councillors, who are the designated carer, are entitled to up to 6 months parental leave from the due date, , with the option to extend up to 52 weeks by agreement if required (see para 2.8).
- 2.2 A Councillor who adopts a child through an approved adoption agency shall be entitled to take up to 6months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required. For the purposes of this policy, surrogacy will fall under the definition of adoption and the Policy shall be applicable if a Councillor has applied for or be intending to apply for a Parental Order in relation to the child, in which case they shall be entitled to take up to 6-months leave with the option to extend up to 52 weeks by agreement if required.
- 2.3 In addition, where the birth is premature, the councillor is entitled to take leave during the period between the date of the birth and the due date. This is in addition to the 6 months' period as referred to in paragraph 2.1. 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.
- 2.4 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement (see para 2.6), and such exceptional leave shall not be deducted from the total 52 week entitlement.

- 2.5 A councillor 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. In circumstances where no Shared Parental Leave arrangements are available the Council will consider an alternative pattern of leave.
- 2.6 Where both parents are councillors 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 52 weeks. Special and/or? exceptional arrangements may be made in cases of prematurity.
- 2.7 Any councillor who takes parental leave is still subject to the legal duty under the Local s85 Government Act 1972 to attend a meeting of the Council within a six month period unless there is agreement by Council to an extended leave of absence prior to the expiration of that six month period. In addition any councillor on leave is still subject to the provisions of the Councillor Code of Conduct.
- 2.8 Any councillor intending to take parental 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.
- 2.9 Any councillor 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.
- 2.10 Absences from Council meetings during any period of Parental Leave will be noted as such, rather than being attributed to general absence.
- 2.11 If a Councillor wishes to have a keeping in touch day or attend a meeting (KIT day) then they should notify their Group Leader, although this will not affect any calculation of the leave periods or be taken into account for an extended leave period.

### **3. Basic Allowance and Special Responsibility Allowances (SRAs) During Parental Leave**

- 3.1 All councillors shall continue to receive their Basic Allowance in full whilst on parental leave.
- 3.2 Councillors entitled to a Special Responsibility Allowance (SRA) shall continue to receive their allowance in full whilst on parental leave
- 3.3 If a councillor holds a position that attracts a SRA it may be necessary to appoint a replacement. Where a replacement is appointed to cover the period of absence that replacement person shall receive a SRA on a pro rata basis for the period of the temporary appointment.

- 3.4 The payment of SRA, whether to the primary holder or the replacement, during a period of parental leave shall continue for a period of;
- a: six months; or
  - b: until the date of the next Annual Meeting of the Council; or
  - c: the Leader's decision on Cabinet appointments; or
  - d: until the date when the councillor 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.

- 3.5 Should a councillor appointed to cover for a councillor on parental leave already hold a remunerated position, the ordinary rules relating to payment of more than one SRA shall apply.
- 3.6 Unless the councillor taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or by the Leader's removing them from their Cabinet appointment, or if 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 councillor decides not to return at the end of their parental leave they must notify the council at the earliest opportunity. If they resign they must notify the proper officer of the council in writing of their resignation. All allowances will cease from the effective date of resignation.
- 4.2. If an election is held during the Councillor's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their allowances will cease from the 4th day after the ordinary day of election when they would legally vacate office.

#### **5. Ward Duties**

- 5.1 Councillors who take parental leave will be able to nominate another councillor to deal with local issues in their Ward, in consultation where applicable with the relevant Group Leader. It will be the responsibility of the councillor and Group Leader to hold discussions with their preferred nomination to arrange this.
- 5.2 Where a councillor has limited alternatives to nominate due to low political representation, the Leader will decide with the member the most appropriate way in which their ward duties can be covered.

- 5.3 Councillors are responsible for putting an out of office message redirecting queries to a designated councillor. However, if they still wish to respond to emails/correspondence whilst taking parental leave, they are at liberty to undertake this activity.
- 5.4 Democratic Services will provide help and advice where appropriate and arrange for officers in service areas to respond to enquiries.

## **6. Parental Bereavement Leave (miscarriage or still birth)**

- 6.1 The council's policy for employees is extended to councillors.
- 6.2 Parental bereavement leave will be granted to parents or primary carers following the death of a child under the age of 18 or a stillbirth after 24 weeks of pregnancy. Primary carers include adopters, foster parents and guardians as well as close relatives or family friends who have taken responsibility for the child's care in the absence of parents.
- 6.3 Parents or primary carers will be entitled to two weeks' leave.
- 6.4 Leave can either be taken in one block of two weeks or in two separate blocks of one week (but not as individual days), and can be taken within a 56 week period from the date of the child's death.
- 6.5 Leave can be taken without prior notice in the initial period (within 56 days of the child's death). Where leave is to be taken after the initial 8 week period, a minimum of one weeks' notice should be given to the relevant Group Leader, where possible. There is no requirement to provide the council with a copy of the death certificate.

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