



BABERGH AND MID SUFFOLK DISTRICT COUNCILS

Councillor Parental Leave Policy Document

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1. Aim of the Policy

1.1 This policy sets out councillors' entitlements to Parental Leave (covering maternity, paternity shared parental and adoption leave) and relevant allowances.

1.2 The objective of the policy is to provide a positive environment for councillors with family responsibilities and to ensure that councillors 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 holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

1.3 Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors-particularly women and making public office more accessible to individuals who might otherwise have felt excluded from it.

2. Leave Provisions of the Policy

2.1 Councillors who are the designated carer, are entitled to up to 6 months parental leave from the due date, or date of placement in respect of adoption, with the option to extend up to 52 weeks by agreement.

2.2 In addition legal advice has been taken on these policies, and they conform with current requirements

- **Leave Periods**

Councillors 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.

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 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.

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.

Councillors shall be entitled to take a minimum of 2 weeks paternity leave following the birth of their child (ren) if they are the biological father or carer of the child as nominated by their partner/spouse.

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.

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 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.

A councillor 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.

Any councillor 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.

Any councillor 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.

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.

3. Basic Allowance and Special Responsibility Allowances (SRA's) During Parental Leave

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

- **Special Responsibility Allowances**

Councillors entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.

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.

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.

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 two Special Responsibility Allowances shall apply.

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. Ward Duties

5.1 Councillors who take parental leave will be able to nominate another councillor to deal with local issues in their Ward. It will be the responsibility of the councillor to hold discussions with their preferred nomination to arrange this. Where this hasn't been possible, the councillor taking parental leave will need to raise this with their Political Group Leader.

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 Committee 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 A premature birth is defined as any birth which takes place before the 37th week of pregnancy. Neo-natal means "relating to new-born children". A child is classed as a neonate from their birth until the 28th day after their Expected Due Date.

6.2 If a councillor has a stillbirth on or after the 25th week of their pregnancy, they will still be eligible to receive parental leave and allowances as normal. If a councillor miscarries earlier than the 25th week of their pregnancy they will not qualify for

parental leave and allowances, and any time off will count as sickness absence. The Council will endeavour to support them throughout this difficult time.

6.3 The Council understands that it may not always be possible to notify it immediately of a premature birth, or a neo-natal care situation. However, it asks that the parent or a family member informs the Council as soon as possible so that the correct parental leave and allowances are received. The Council also asks that the councillor keeps Committee Services informed of any changes. The Council may require evidence of the premature birth/neo-natal care when possible. This could be in the form of a birth certificate or a copy of a discharge letter.

6.4 On a member's return to take up their duties the Council recommends they meet with their Group Leader (if applicable) and the Corporate Manager Governance and Civic Office to discuss whether any further support is required.