

Councillor Parental Leave Policy

Introduction

- 1 This policy sets out councillors' entitlements to Parental Leave (covering maternity, paternity, shared parental, parental bereavement and adoption leave) and relevant allowances.
- 2 The objective of the policy is to ensure that insofar as possible Elected Members (Members) 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.
- 3 There is at present no legal right to parental leave of any kind for members. However, this policy will contribute towards increasing and retaining the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors and making public office more accessible to individuals who might otherwise feel excluded from it.

Leave Periods

Maternity Leave

- 4 Members 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.
- 5 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.
- 6 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.

Paternity Leave

- 7 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).

Shared Parental Leave

- 8 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.

- 9 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.

Adoption Leave

- 10 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.

Parental Bereavement Leave

- 11 Members who suffer a stillbirth after 24 weeks of pregnancy will still be entitled to up to 52 weeks maternity leave, as will a member who loses a child after it is born.
- 12 Member(s) with parental responsibility will be entitled to two weeks leave. The two weeks leave can be taken either in one block of two weeks, or as two separate blocks of one week each. The leave must be taken within 56 weeks of the date of the miscarriage or stillbirth. This is to allow for time to be taken off for difficult events such as birthdays or anniversaries.
- 13 In the event that a Member loses more than one child, they will be entitled to take a separate period of leave for each child.
- 14 Support is available to Members via the Council's Employee Assistance Programme (EAP);
 - <https://intranet.oxfordshire.gov.uk/cms/content/employee-assistance-programme>
 - Vita Wellbeing Telephone: 0800 111 6387
 - Email Helpline: Wellness@vhg.co.uk

Leave Arrangements

- 15 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under Section 85 of 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.
- 16 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.
- 17 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.

Basic Allowance

- 18 Any member wishing to take a period of maternity, paternity, adoption or parental leave will continue to receive the basic allowance. For a period of non-attendance at qualifying meetings to extend beyond six months Council would first need to grant a special dispensation under Section 85 of the Local Government Act 1972.

Special Responsibility Allowances

- 19 Members 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.
- 20 Where a replacement is appointed to cover the period of absence that person shall receive Special Responsibility Allowances on a pro rata basis for the period of the temporary appointment.
- 21 The payment of Special Responsibility Allowances (SRA), 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.
- 22 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 Special Responsibility Allowances shall apply.
- 23 Unless the Member taking leave is removed from their post at an Annual Meeting of the Council whilst on leave, or unless the Party to which they belong (if any) 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.

Resigning from Office and Elections

- 24 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.
- 25 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 (subject to any change of

day relating to Bank Holidays).

Notification Requirements

- 26 A Member intending to take parental leave must in the first instance inform their group leader (if applicable) and the Monitoring Officer in writing. Members are asked to provide notice of their intention to take parental leave in accordance with the timescales set out below:
- 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 notify the same 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) For paternity leave a Member should give notice by the 15th week before the Expected week of childbirth.
 - d) A Member who is intending to take shared parental leave must advise of their intention at least 8 weeks before.
- 27 Any Member taking leave for more than a 2-month period must meet with the Monitoring Officer and Group Leader (if applicable) to discuss practical issues including how to keep in touch and about expected dates of return.
- 28 The Monitoring Officer will ensure that business support and payroll are informed of arrangements to ensure that allowances are paid in accordance with the Policy.
- 29 Any requests for special or exceptional circumstances, or extensions in line with the policy will be agreed by the Monitoring Officer in consultation with the Leader of the Council, and the group leader (if applicable).
- 30 It will be the responsibility of the group leader to allocate another Member to undertake a 'caretaking' role for the relevant division, in consultation with the Monitoring Officer. The 'caretaking' role will be allocated to a neighbouring divisional Member as far as possible. If a Member is independent and not part of a group, the Monitoring Officer will liaise with that member and any other independent Members as to who is best placed to take on the "caretaking" role.
- 31 Appointments to cover areas of special responsibility whilst a Member is on parental leave will be made in accordance with the relevant procedures for appointments.
- 32 Notice of a Member taking leave will be recorded as an apology in the minutes of a council meeting with (parental leave) added after their name if requested by the

relevant member.

Policy Review

33 The Monitoring Officer will review and amend (at least every two years) this policy as appropriate to ensure that it remains compliant with legislation and meets the needs of the council.

Responsible Officer: Monitoring Officer

Date: June 2025

Review Date: June 2027