

SALISBURY
CITY COUNCIL



Salisbury City Council Parental Leave for Councillors Policy

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HR 55	1	CC	85557	85757	8 March '22	As required	Full Council

Distribution

Internal: All Councillors

External (if requested): Website

1. Background

- 1.1. Politicians currently have no legal right to take maternity or paternity leave. Organisations may however voluntarily make such policies to enable and support Councillors in making reasonable arrangements at the time of birth or adoption.
- 1.2. The Local Government Association (LGA) has considered this issue and other council's policies have been used to inform Salisbury City Council's draft policy.

2. Introduction

- 2.1. This policy sets out Members' entitlement to maternity, paternity, shared parental and adoption leave and relevant allowances.
- 2.2. 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, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for the councillor's responsibilities during any period of leave taken.
- 2.3. Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of city councillors. It will also assist with retaining experienced councillors, particularly women, and making public office more accessible to individuals who might otherwise feel excluded from it.
- 2.4. There is at present no legal right to parental leave of any kind for people in elected public office. This applies to MPs as well as councillors and has been the subject of lengthy debate. These policies can therefore only be implemented on a voluntary basis.

3. Leave periods

- 3.1. Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to a maximum 52 weeks by agreement if required.
- 3.2. 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 month's 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.
- 3.3. 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 weeks entitlement.
- 3.4. 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).
- 3.5. 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.
- 3.6. Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first 6 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.

- 3.7. A Member who adopts a child through an approved adoption agency shall be entitled to take up to 6 months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.
- 3.8. Any Member who takes maternity, paternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a 6 month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that 6 month period.
- 3.9. Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they give reasonable notice to the Council, both in terms of the date their leave starts and the point at which they return.
- 3.10. 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.

4. Basic Allowance

- 4.1. All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.
- 4.2. If the member holds a chair or leader position, a member will be appointed to replace them whilst maternity, paternity, shared parental or adoption leave.
- 4.3. 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, to an alternative post with equivalent status which they held before the leave began.

5. Resigning from Office and Elections

- 5.1. 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.
- 5.2. 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 will cease from the Monday after the election date when they would technically leave office.