



Members Maternity, Paternity, Shared Parental Leave and Adoption Policy

Document title	Members Maternity, Paternity, Shared Parental and Adoption Leave Allowance Policy
Summary of purpose	The purpose of this policy and procedure is to provide information and guidance on the operation of Maldon District Council's Scheme
Prepared by	Members Allowance Working Group
Version number	1
Approved by	Council
Approval date	
Date of implementation	
Review frequency	3 years
Next review date	2025 As required by legislative changes
Circulation	All Members and staff
Published on the Council's website	Yes

If you would like this information in large print, Braille or another language, please raise a service request.



Members Maternity, Paternity, Shared Parental and Adoption Leave Policy

CONTENTS

1.	Introduction.....	3
2.	Leave Periods.....	3
3.	Notification Protocols	4
4.	Basic Allowance	4
5.	Special Responsibility Allowances (SRA).....	4
6.	Resigning from Office and Elections.....	5

1. INTRODUCTION

- 1.1 As part of Maldon District Councils commitment to equality and diversity, this Policy sets out Members' entitlement to maternity, paternity, shared parental and adoption leave allowances, it is, as far as possible comparable with employees of the Council.
- 1.2 The objective of the policy is to ensure where possible Members are able to take appropriate leave at the time of birth or adoption, that both parents are able to take leave, 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, and that there is reasonable support available for members with care responsibilities.
- 1.3 Improved provision for (new) parents will contribute towards increasing the diversity of experience, age and background of local authority Members. It will also assist with retaining experienced Members and making public office more accessible to individuals who might otherwise feel excluded from it.

2. LEAVE PERIODS

- 2.1 Members giving birth or adopting are entitled to up to 26 weeks maternity leave from the due date or adoption date, with the option to extend up to a maximum of 52 weeks in total by agreement if required.
- 2.2 Members shall be entitled to take a maximum of 2 weeks paternity or adoption leave if they are the biological father or nominated carer of the child(ren).
- 2.3 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 the Council.
- 2.4 Where both parents are Members, leave may be shared up to a maximum of 24 weeks for the first 26 weeks. Special and exceptional arrangements may be made in cases of prematurity.
- 2.5 A Member who adopts a child through an approved adoption agency shall be entitled to take up to 26 weeks adoption leave from the date of placement, with the option to extend up to a maximum of 52 weeks total by agreement if required.
- 2.6 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 agrees to an extended leave of absence prior to the expiration of that six-month period. Such agreement must be obtained from the Director of Resources prior to the commencement of absence, the granting of such a request not to be unreasonably withheld. As an example being if the 26 week period ends just before purdah and thus the next Council meeting that could count, might be a

further 8 weeks away, making a total (potentially) of 34 weeks from attending a meeting. This could be overcome by acknowledgment from the Director of Resources at the commencement of parental leave,

- 2.7 Any member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep employees and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.
- 2.8 To ensure members remain updated with events in the Council. Keeping in Touch (KIT) sessions during the leave period are recommended.
- 2.9 Members are responsible for making appropriate cover arrangements whilst on leave.

3. NOTIFICATION PROTOCOLS

- 3.1 The Councillor must notify the Director of Resources in writing no later than the end of the 15th week before the expected week of childbirth for Maternity/Paternity leave, or within 7 days of being matched with a child for adoptive leave or as soon as reasonably practicable afterwards, and provide:
 - The week the baby is due or the week of adoption
 - Maternity only; original MAT B1 certificate
 - The period the leave the Councillors intends to take in keeping with the policy.
 - When they want their leave to start
- 3.2 If the Councillor wishes to return from leave earlier than originally planned they should write to the Director of Resources, who will provide confirmation that the information has been received and from what date they will resume the responsibilities.

4. BASIC ALLOWANCE

- 4.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

5. SPECIAL RESPONSIBILITY ALLOWANCES (SRA)

- 5.1 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 for a maximum period of 26 weeks.
- 5.2 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.

- 5.3 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 26 weeks, 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 26 week period.
- 5.4 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 Special Responsibility Allowances shall apply.
- 5.5 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.

6. RESIGNING FROM OFFICE AND ELECTIONS

- 6.1 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.
- 6.2 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.