

Parental Leave Policy for All Labour Groups

Introduction

This Policy sets out Members' entitlement to maternity, paternity, shared parental and adoption leave and relevant allowances in authorities where there is a Labour Group. It also sets out the obligations of both Members taking leave and the relevant Labour Group and Party officers and units regardless of whether Labour is in control or not. The objective of the 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 during any period of leave taken.

Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of local authority Labour Groups (and councillors overall where Labour is in control). 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.

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 currently be implemented on a voluntary basis, although Labour Groups should note that adequate parental leave provision has been Labour Party policy for many years. Discussions are ongoing about changing the law to enable compulsory provision, but until then these policies constitute best practice which Labour Groups (and the councils they control) are strongly advised to adopt.

Legal advice has been taken on these policies, and they conform with current requirements.

In making any amendments or adjustments to these policies Labour Groups should aim to avoid diluting or reducing the level of provision being made. Where the local authority concerned has a maternity or parental leave policy for Members the provisions in this document should be regarded as supplementary or additional to it as appropriate. In all cases, members having or adopting children should be able to avail themselves of the best provision possible, and should be fully supported to do that by both the Labour Group and the Labour Party.

All Labour Groups, whether in control or not, should take steps to ensure the implementation, either of the Labour Parental Leave Policy, or, failing that, of provisions which replicate that policy as closely as possible.

1. Leave Periods

1.1 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.

1.2 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 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.

1.3 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 week entitlement.

1.4 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).

1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Chief Whip of these at the earliest possible opportunity. Every reasonable effort will be made to replicate such arrangements in terms of leave.

1.6 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.

1.7 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.

1.8 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 Meeting agrees to an extended leave of absence prior to the expiration of that six month period.

1.9 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the reasonable notice periods both in terms of the point at which the leave starts and the point at which they return. The Chief Whip should set these notice periods following consultation with Group members, and should circulate them to the Group after each AGM.

2. Basic Allowance

2.1 All Members shall continue to receive their Basic Allowance from the Council in full whilst on maternity, paternity, shared parental or adoption leave.

3. Cover arrangements

3.1 Where Labour is in control and has implemented a parental leave policy, or where the Council has a parental leave policy covering portfolio-holders even if

Labour is not in control, the Labour Group shall ensure that that policy is implemented and that Members are supported to use it.

3.2 Where Labour is not in control, and where a Member taking leave (other than paternity leave) is a shadow portfolio-holder, or holds another senior role within the Group, another Member may be appointed or elected to provide cover during the period of absence.

3.3 Regardless of whether Labour is in control of the Council or not, a Member taking leave shall return at the end of their leave period to the same post which they held before the leave began, or to an alternative post with equivalent status and remuneration. This provision does not apply if the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or if Labour gains or loses control of the Council during the leave period.

3.4 In all cases it shall be the responsibility of the Chief Whip, in consultation (in the case of multi-Member wards) with relevant Ward colleagues of the Member taking leave and the Branch Labour Party officers, to ensure that casework, surgeries and other necessary Ward activities are covered during the period of leave.

3.5 In all cases, a Member who, due to a period of maternity or adoption leave, or shared parental leave of more than two months, is unable to meet the campaigning requirements of the Local Campaign Forum's Panel process, shall not be removed from the Panel on that ground alone.

3.6 The Chief Whip, Ward colleagues and Branch and Local Campaign Forum officers should ensure throughout a leave period that contact is maintained with the Member taking leave and that all reasonable measures are taken to provide support.

3.7 Members taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep the Party (as represented by the officers named in 4.6 above) informed and updated in relation to intended dates of return and requests for extension of leave.

4. Resigning from Office and Elections

4.1 If a Member decides to leave office at the end of their maternity, paternity, shared parental or adoption leave they must notify the Chief Whip and the Council at the earliest possible opportunity. Payment of the basic allowance 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 will cease from the Monday after the election date when they would technically leave office.