

DOVER DISTRICT COUNCIL
PARENTAL LEAVE POLICY FOR COUNCILLORS

Introduction

- 1.1 The Council at its meeting held on 20 July 2021 agreed a Motion to make provision for a Parental Leave Policy for Dover District Councillors. The intention of this policy is to encourage a broad range of candidates to stand for election, regardless of background, and particularly from groups that might be reluctant to do so – such as candidates who are younger, female or have family and/or caring responsibilities - and to ensure that councillors that are new or adoptive parents, as well as councillors with older children and other caring commitments are supported as appropriate.
- 1.2 This policy document sets out the process by which Members, of any gender, can seek a leave of absence which reflects not only the formal legislative permission required for absences of six months or more, but also the Council's own process to support new and adoptive parents seeking a period of parental leave of shorter duration.

Legislative Context

- 2.1 Section 85(1) of the Local Government Act 1972 makes provision for a meeting of the full Council to approve the non-attendance at meetings of the Council by a councillor for a period of six months or more, thereby avoiding the vacation of their office occurring once six consecutive months have elapsed during which they have not attended any meeting of the Council. The Council must approve this prior to the expiry of the six-month period.
- 2.2 All councillors receive a Basic Allowance in accordance with the provisions of The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended). In accordance with regulation 4(1), the Basic Allowance shall be the same for each Member and, unless voluntarily surrendered by a Member, there is no provision for the Council to withhold or alter the Basic Allowance paid to a particular member.

Leave Period

- 3.1 A Member may request parental leave with effect from the date of birth or adoption for a period of up to 1 year.
- 3.2 A Member intending to take parental 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.
- 3.3 A Member taking parental leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and other councillors informed and updated in relation to intended dates of return and requests for extension of leave.
- 3.4 It is the responsibility of any Member taking parental leave to make arrangements for the cover of their ward work during their period of absence.

Procedure for Notification

- 4.1 Any Member wishing to take parental leave should notify the Democratic and Corporate Services Manager in writing of the date that the leave will start and the date that it will

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conclude and as to their preferences regarding any contacts from the Council during their period of absence.

- 4.2 For any absence of six months or more, it is the responsibility of the Member concerned to make a written request to the full Council, via the Democratic and Corporate Services Manager, that this absence be approved. Notification of this should be given as soon as the Member is aware that they will be absent for six months or more. If insufficient notice is given it may not be possible to organise a meeting of the full Council in time to consider the request for an absence of six months or more.
- 4.3 The Democratic and Corporate Services Manager shall ensure that the Council's website is updated to show when a member is taking a period of absence, alongside details of any arrangements they have made to allow for constituency work in their ward to be covered.

Basic Allowance

- 5.1 All Members shall continue to receive their Basic Allowance in full whilst on parental leave.

Special Responsibility Allowances

- 6.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of parental leave but only for so long as they retain their position by virtue of the Special Responsibility Allowance is payable.
- 6.2 Where a replacement is appointed by the Leader of the Council (for executive positions) or the full Council (for non-executive positions) to cover the period of absence that person shall receive the Special Responsibility Allowance on a pro-rata basis for the period of the temporary appointment and the entitlement of the original member to the Special Responsibility Allowance shall cease.
- 6.3 Should a Member appointed to replace the member on parental leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.
- 6.4 Unless the Member taking parental leave is removed from their post at an Annual General Meeting of the Council, by the Leader of the Council, or by their Political Group whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, there is a presumption that they shall, at the end of their parental leave period, resume their duties.

Resigning from Office and Elections

- 7.1 If a Member decides not to return at the end of their parental leave, they should contact the Democratic and Corporate Services Manager for advice on how to proceed. The processes to be followed will be dependent upon whether the member is not wishing to return to a particular office or is wishing not to return as a councillor. In the case of the latter, the member would be advised to resign their office as a councillor in accordance with section 84 Local Government Act 1972.
- 7.2 If an election is held during the Member's parental leave period 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.