

Constitution Committee

Date: 10 June 2024

Agenda Item:

Title of Report	Neo-natal care leave for councillors
Purpose of Report	To consider expanding the Members Parental Leave Scheme to make provision for neonatal care leave for councillors.
Recommendations	That the committee recommends to County Council the changes to the Members Parental Leave Scheme that are set out in the appendix to this report.
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1. The Neonatal Care Act (2023) introduces a statutory right for employees to up to 12 weeks' paid leave and pay when their baby requires neonatal care in addition to existing parental leave entitlements. The aim of the legislation is to allow parents dedicated time to spend with their baby while they are receiving medical care, without that eating into their maternity and paternity leave.
2. Although councillors are not legally classified as employees, and so are not covered by the Act, the Minister for Local Government has written to Council Leaders encouraging them to make similar provision for councillors.
3. Adopting such an approach would be consistent with that taken by the council with regard to Parental leave. The Council adopted a Members Parental Leave Scheme in February 2020 which makes provision for councillors that is broadly equivalent to that enjoyed by employees of the council, ie:
 - Members who give birth are entitled to up to 26 weeks' leave following the due date, with the option to extend up to 52 weeks by agreement;
 - Members are entitled to two weeks' leave if they are the biological father or nominated carer of their partner/spouse following birth;
 - Members who adopt a child through an approved adoption agency are entitled to up to 26 weeks' leave following the due date, with the option to extend up to 52 weeks by agreement;
 - Basic allowances continue during such periods of leave
 - Special Responsibility Allowances (SRA) continue on a basis equivalent to that afforded by the GCC staff scheme.
 - Arrangements will be made wherever possible to help to cover casework.
4. Any member who takes such leave remains bound by their duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council has agreed to an extended leave of absence in advance of that period expiring. In order to avoid this becoming a barrier to members taking parental leave, the policy makes it clear that the normal expectation is that request for an extension will be approved.
5. In order to maintain alignment with Employee Terms and Conditions, it is recommended that the Members Parental Leave Scheme be updated to make provision for neonatal care leave. The appendix below sets out the proposed changes to the scheme for consideration by the committee.

ENDS