

## **Watford Borough Council Leave Policy for Councillors**

### **1. Introduction**

- 1.1 This policy sets out councillors' entitlement to maternity, paternity, shared parental, adoption, bereavement, compassionate and long-term sick leave.
- 1.2 The policy does not apply to the Elected Mayor as the role, and the expectations that come with it, are materially different.
- 1.3 For the purposes of the policy the term 'permitted leave' shall be used to cover all instances mentioned in 1.1 above.
- 1.4 There is, at present, no legal right to leave of any kind for people in elected office. This applies to MPs as well as councillors. Therefore, councils may only adopt a policy at a local level on a voluntary basis.
- 1.5 The objective of the policy is to ensure that, insofar as possible, councillors are able to take leave as appropriate and that reasonable and adequate arrangements are in place to provide cover for Portfolio Holders, chairs of committees and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.
- 1.6 Having a policy that entitles councillors to take permitted leave will contribute towards increasing the diversity of experience, age and background of councillors. It will also assist with retaining experienced councillors and making public office more accessible to individuals who might otherwise feel excluded from it.
- 1.7 Each political group represented at Watford Borough Council is encouraged to agree and adopt this policy and supporting guidelines to ensure a fairness in approach and to support councillors equally regardless of the party they represent.

### **2. Leave periods**

- 2.1 The period of leave should be agreed between the councillor requesting leave and their group leader, to be guided by the time period which is permitted to Watford Borough Council employees in the same circumstances, as set out in the relevant policies<sup>1</sup>.
- 2.2 The group leader will be responsible for continued welfare contact during this time, either taking responsibility themselves or by appointing another member of the group to be the point person.
- 2.3 In the event the group leader requires leave, their responsibilities will be conferred to the deputy group leader.

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<sup>1</sup> Policies to be consulted are: WBC Maternity, Paternity, Adoption and Parental Leave; WBC Parental Bereavement Leave; WBC Sickness and Absence Management; and WBC Special Leave Policies

- 2.4 In the event of a councillor not belonging to a group, they should consult with the council's Human Resources team to agree the best course of action.

### **3. Procedures**

- 3.1 Any councillor intending to take permitted leave will be responsible for ensuring that they comply with the relevant notice requirements of the council, as set out in the relevant policies for employees, both in terms of the point at which the leave starts and the point at which they return.
- 3.2 Any councillor taking permitted leave should, where possible, ensure that they respond to reasonable requests for information promptly, and have in place appropriate automatic replies and forwarding messages for any communication they receive. Any councillor taking permitted leave should also ensure that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.
- 3.3 Where a councillor is on permitted leave their attendance records shall reflect this by noting they are 'absent with reason'.
- 3.4 Councillors are reminded that failure to attend a formal meeting of the council for more than six months will lead to automatic disqualification from office, unless the councillor has been granted a dispensation by Full Council. It is suggested that should it be the case that a councillor intends to request permitted leave and not attend any formal meetings they seek a dispensation from the full council meeting immediately prior to the time of intended leave by sending notice to the Group Head of Democracy and Governance with the reasons for non attendance and endorsement by their group leader so that an appropriate report can be prepared. In the event that Full Council does not grant the dispensation the councillor should ensure they attend at least one formal meeting in the six month period.

### **4. Basic allowance**

- 4.1 All councillors shall continue to receive their Basic Allowance in full whilst on permitted leave subject to the provisions of 6.2 below.

### **5. Special responsibility allowances**

- 5.1 Councillors entitled to a Special Responsibility Allowance (SRA) shall continue to receive their allowance in full whilst on permitted leave. If they are a chair or vice chair of a committee and their leave straddles a municipal year or they are a Portfolio Holder or Cabinet member without portfolio and there is a change of Elected Mayor during the term of their leave, their Special Responsibility Allowance will end from either the date of Annual Council for chairs and vice chairs or the date a new Elected Mayor takes office in the case of a Portfolio Holder or Cabinet member without portfolio.
- 5.2 If the councillor on permitted leave is unable to continue with their commitment that attracts an SRA and a replacement is appointed to cover the period of absence, that person shall, in addition, receive an SRA on a pro rata basis for the period of the temporary appointment.

- 5.3 Should a councillor appointed to replace the councillor on permitted leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowance shall apply.
- 5.4 If the councillor on permitted leave wishes to return to their role during the agreed period of leave, they will need to give one month's notice to the replacement councillor to enable them to return to the position. A clear handover will be provided. They should also notify the Group Head of Democracy and Governance so that payroll can be notified.
- 5.5 Unless there has been a change of Elected Mayor during the leave period, it is expected that, in the event of the councillor being a Portfolio Holder or a Cabinet member without portfolio who takes leave under this policy, on their return they would return to their former portfolio or to the Cabinet. A chair or vice chair of a committee would return to their position as chair or vice chair if the return was in the same municipal year.

## **6. Resigning from Office and Elections**

- 6.1 If a councillor decides not to return at the end of permitted leave, they must submit their resignation to the Group Head of Democracy and Governance. All allowances will cease from the effective resignation date.
- 6.2 If an election is held during the councillor's permitted leave, the councillor is up for re-election and they are not re-elected, or they decide not to stand for re-election, their basic allowance and any SRA if appropriate will cease from the Monday after the election date which is the date they technically leave office.