



# Local Government (Wales) Measure 2011

## 2011 nawm 4

### PART 2

#### FAMILY ABSENCE FOR MEMBERS OF LOCAL AUTHORITIES

#### **28 Parental absence**

- (1) This section applies to a member of a local authority who satisfies prescribed conditions as to—
  - (a) having responsibility for a child, or
  - (b) expecting to have responsibility for a child.
- (2) The member is entitled to a period of absence (“parental absence”) for the purpose of caring for the child.
- (3) Regulations must include provision for determining—
  - (a) the extent of a member's entitlement to parental absence in respect of a child;
  - (b) when parental absence may be taken.
- <sup>F1</sup>(4) .....
- (5) Provision under subsection (3)(b) may (amongst other things) refer to—
  - (a) a child's age, or
  - (b) a prescribed period of time starting from a prescribed event.
- (6) Regulations may prescribe circumstances in which a member of a local authority, or the local authority, may—
  - (a) bring a period of parental absence to an end, or
  - (b) cancel a period of parental absence.
- (7) Regulations may—
  - (a) (for the purpose of subsection (2)) prescribe things which are, or are not, to be taken as done for the purpose of caring for a child;
  - (b) require parental absence to be taken as a single period of absence in all cases or in prescribed cases;

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*Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Measure 2011, Section 28. (See end of Document for details)*

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- (c) require parental absence to be taken as a series of periods of absence in all cases or in prescribed cases;
- (d) require all or prescribed parts of a period of parental absence to be taken at or by prescribed times;
- (e) allow a member to choose, subject to prescribed restrictions, the date on which a period of parental absence starts;
- (f) make provision about the postponement by a local authority of a period of parental absence which a member wishes to take;
- (g) prescribe a minimum or maximum period of absence which may be taken as part of a period of parental absence;
- (h) prescribe a maximum aggregate of periods of parental absence which may be taken during a prescribed period of time.

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**Textual Amendments**

**F1** S. 28(4) omitted (21.1.2021) by virtue of [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), [ss. 61\(6\)](#), [175\(1\)\(d\)](#)

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**Commencement Information**

**I1** S. 28 in force at 30.4.2012 by [S.I. 2012/1187](#), [art. 2\(1\)\(c\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government (Wales) Measure 2011, Section 28.