



Northern Ireland
Assembly

Research and Information Service Briefing Paper

Paper 45/26

March 2025

NIAR 51-2025

Proxy voting – definition of long-term injury and illness

Ray McCaffrey

This information is provided to Members of the Legislative Assembly (MLAs) in support of their duties, and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as professional legal advice, or as a substitute for it.

1 Introduction

This briefing paper has been prepared following a request from the Committee on Procedures. The committee asked for information on what, if any, definitions exist in relation to proxy voting for long-term illness and/or injury.

The research looked at the House of Commons, Scottish Parliament and Senedd. There is currently no provision for proxy voting in Dáil Eireann.

2 Provision for proxy voting for long-term injury and/or illness

2.1.1 House of Commons

Standing Order 39A provides for proxy voting:

2) A Member is eligible for a proxy vote by reason of—

- (a) childbirth;
- (b) care of an infant or newly adopted child;
- (c) complications relating to childbirth, miscarriage or baby loss;
- (d) serious long-term illness or injury; and
- (e) risk-based exclusion from the Parliamentary estate.¹

The provision for proxy voting in cases of long-term illness or injury will expire at the end of the current session (2024-25).

Neither Standing Orders or the proxy voting scheme provides a definition of long-term injury or illness.

¹ Addendum to House of Commons Standing Orders, November 2024:
https://publications.parliament.uk/pa/cm5901/cmstords/addendum/so_add_241107.pdf

2.1.2 Scottish Parliament

Rule 11.5A provides for proxy voting in the following circumstances:

2. A member is eligible to vote by proxy for any of the following reasons—

- (a) maternity leave, paternity leave, parental leave, adoption leave, or shared parental leave;
- (b) complications arising from pregnancy;
- (c) serious long-term illness or injury;
- (d) bereavement; or
- (e) attending to a person who is near the end of their life.²

There is no further information available in the Rules or proxy voting scheme on the definition of long-term illness and/or injury.

2.1.3 Senedd

Standing Order 12.41A states:

A Member may, by reason of absence from all Senedd proceedings for parental leave, long-term illness or injury, caring responsibilities or bereavement leave, arrange for their vote to be cast by another Member acting as a proxy (a proxy vote).³

The *Guidance on the proper conduct of Senedd Business* does not offer a definition of long-term illness or injury but does state:

The usual duration of the dispensation to vote by proxy is for a minimum of four weeks and a maximum of six months, including periods when the Senedd is in recess or dissolved. In exceptional circumstances the

² Standing Orders of the Scottish Parliament, July 2024: <https://www.parliament.scot/about/how-parliament-works/parliament-rules-and-guidance/-/media/09d6d8adf8cd4dd3be3b274fa800a361.ashx>

³ Standing Orders of the Welsh Parliament, January 2025: <https://senedd.wales/media/n33df5ry/so-eng.pdf>

Presiding Officer can use their discretion to extend the duration of a proxy voting arrangement.⁴

3 Other definitions of long-term illness and/or injury

The research looked at other definitions in use by organisations and found that there is no single, agreed definition. However, the following might be useful in informing the committee's deliberations:

Northern Ireland Statistics and Research Agency (NISRA) report: Sickness absence in the Northern Ireland Civil Service 2023-24: Long-term absences (those lasting more than 20 days) made up the vast majority of all working days lost.⁵ The report sets out the reasons for long-term absences:

- Anxiety/Stress/Depression/Other Psychiatric Illnesses
- Injury, Fracture
- Other Known Causes - Not Elsewhere Classified
- Heart, Cardiac and Circulatory Problems
- Gastrointestinal Problems
- Other Musculoskeletal Problems
- Benign and Malignant Tumours, Cancers
- Back Problems
- Chest and Respiratory Problems
- Genitourinary and Gynaecological Disorders
- Pregnancy Related Disorders
- Nervous System Disorders
- Other

⁴ Guidance on the proper conduct of Senedd Business, February 2025:
https://senedd.wales/media/ncvphjui/collation_of_guidance_eng.pdf

⁵ NISRA, Sickness absence in the Northern Ireland Civil Service 2023-24, September 2024:
<https://www.nisra.gov.uk/system/files/statistics/2324-Financial-Year-Absence-Report.pdf>

- No Reason Specified

Anxiety/Stress/Depression/Other Psychiatric Illnesses were by far the most common cause of long-term absence.

House of Commons Management Guidance: (this relates to staff only, not MPs): Definition of long-term sickness absence - The House defines long-term sickness absence as four or more consecutive weeks of absence.⁶ It offers advice on how to manage long-term absence, but does not define illnesses or injury.

Department for Work and Pensions: Sickness absence and health in the workplace: understanding employer behaviour and practice (July 2021)⁷ - defined as an instance of sickness absence from work lasting 4 or more weeks.

This report also provides the following information:

Prevalence of long-term sickness absence and requests for support

There is no official definition of what constitutes a long-term sickness absence (LTSA), but a period of 4 weeks has been commonly used.⁸

The report does not define long-term illness or injury.

Northern Ireland Assembly staff handbook: Long term sickness absence is defined as 28 calendar days or more. There is no accompanying definition of long-term absence.

Long-term illness appears to be an HR-related term primarily used to measure sickness absence. Whereas from a health perspective, long term condition is more commonly used.

⁶ House of Commons Management Guidance:
<https://www.parliament.uk/globalassets/documents/foi/163382map.pdf>

⁷ Department for Work and Pensions, Sickness absence and health in the workplace: understanding employer behaviour and practice, July 2021: <https://www.gov.uk/government/publications/sickness-absence-and-health-in-the-workplace-understanding-employer-behaviour-and-practice/sickness-absence-and-health-in-the-workplace-understanding-employer-behaviour-and-practice-report>

⁸ As above

The Department of Health (Northern Ireland) defines a long-term condition in the policy framework for Living with long term conditions:

A long-term condition - which may also be known as a chronic condition - is defined as a disease of long duration and generally slow progression. Long term conditions will usually require ongoing management and treatment over a period of years or decades. They are wide-ranging in their nature and may be physical, neurological or mental health conditions.”⁹

NHS England provides a definition in their data dictionary for Long Term Physical Health Condition. They list examples including Diabetes, Cardiovascular (e.g. Hypertension, Angina), Chronic Respiratory (e.g. Asthma, Chronic Obstructive Pulmonary Disease (COPD)), Chronic Neurological (e.g. Multiple Sclerosis), Chronic Pain (e.g. Arthritis), Post-COVID-19 syndrome (see Long COVID) and Other Long Term Conditions (e.g. Chronic Fatigue Syndrome, Irritable Bowel Syndrome (IBS), Cancer) etc.¹⁰

⁹ Department of Health (Northern Ireland), Living with long-term conditions: a policy framework, 2012: https://www.health-ni.gov.uk/sites/default/files/publications/dhssps/living-longterm-conditions_0.pdf

¹⁰ NHS Data Model and Dictionary: https://archive.datadictionary.nhs.uk/DD%20Release%20March%202024/nhs_business_definitions/long_term_physical_health_condition.html