Northern Ireland Assembly

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Proxy voting – caring responsibilities

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1 Introduction

This briefing paper has been prepared following a request from the Committee on Procedures. The committee asked for information on:

- the position in other legislatures on proxy voting for (significant) caring responsibilities; and
- an update on work being undertaken by the Department for the Economy, and the anticipated timescale, on introducing carer's leave in Northern Ireland.

2 Current provisions for proxy voting

2.1 House of Commons

Standing Order 39A sets out the criteria for eligibility for a proxy vote in the House of Commons:

> (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 related to childbirth or pregnancy, miscarriage, baby loss or extended absence for fertility treatment; (d) serious long-term illness or injury; and
>
> (e) risk-based exclusion from the Parliamentary estate.[1]

2.2 Senedd

Standing Order 12.41A of the Senedd states:

[1] Standing Orders of the House of Commons: https://publications.parliament.uk/pa/cm5901/cmstords/so_1745_270326/so-2026i.pdf

> 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).

2.3 Scottish Parliament

Rule 11.5A sets out the circumstances in which a member may apply for a proxy vote:

> 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.

3 Proxy voting - caring responsibilities

The Senedd provides for proxy voting on the grounds of caring responsibilities. In the House of Commons, proxy voting is available for the care of an infant or newly adopted child, but the scheme does not provide a general entitlement to a proxy vote for other caring responsibilities. However, the scope of these provisions does not appear to extend to emergency absences.

3.1 House of Commons

In its July 2025 report, Proxy voting: *Review of arrangements introduced in Session 2024-25*, the House of Commons Procedure Committee commented:

> The scheme currently does not cover a range of circumstances which Members may wish it to, for example certain illnesses, conditions and personal situations which do not preclude all participation in parliamentary

> business but do make it difficult for Members to participate in divisions, which often come late in the day. We are aware that Members have raised dissatisfaction with the scheme not meeting their individual needs, which can include a wide range of matters such as caring responsibilities, short term illnesses, intermittent and degenerative conditions, and mental health conditions. We recognise that the proxy voting scheme should be balanced against evolving accessibility needs.[2]

In November 2025 the House of Commons Modernisation Committee published its report *Access to the House of Commons and its Procedures*. The report addressed the issue of proxy voting and its perceived limitations by some members:

> During our engagement with MPs we heard from some MPs who have chronic health conditions which may worsen from time to time, so called "fluctuating" conditions. This, for example, includes conditions such as rheumatism, Crohn's disease, and arthritis. MPs who manage these conditions are themselves the best judge of whether they are able to be present on the estate to vote, or whether their wellbeing on any given day is so poor that they would benefit from a proxy. It is not clear that such MPs are currently eligible for proxy votes under the "serious long-term illness or injury" category.[3]

The House of Commons proxy voting scheme states:

> The existence of proxy voting in the House of Commons is based on a general expectation of long-term absence from the Estate. Members should not apply for or retain a proxy vote if they intend to or become able to attend the Estate on a regular basis…Short-term absences and

[2] House of Commons Procedure Committee, Proxy voting: Review of arrangements introduced in Session 2024-25, July 2025: https://committees.parliament.uk/publications/48939/documents/256861/default/

[3] Houe of Commons Modernisation Committee, Access to the House of Commons and its Procedures, November 2025: https://committees.parliament.uk/publications/50674/documents/277668/default/

> individual medical appointments (not requiring extended absence from the Estate) should be dealt with by other means.[4]

These "other means" could include pairing, which is:

> an arrangement between two MPs of opposing parties to not vote in a particular division. This enables an MP to be absent without affecting the result of the vote as they effectively cancel each other out. Pairing is an informal arrangement which is not recognised by the House of Commons but must be registered with the Whips. Pairing is not allowed in divisions of great political importance.[5]

3.2 Senedd

The *Guidance on the proper conduct of Senedd Business*, issued by the Presiding Officer, sets out the criteria and procedures for obtaining a proxy vote. The following applies to members seeking a proxy vote on the basis of long-term illness or injury and caring responsibilities:

> **Eligibility**
>
> Proxy voting is available to Members who are absent from all Senedd proceedings for reasons of long-term personal illness or injury, or due to their caring responsibilities.
>
> A Member must notify the Presiding Officer of their intention to take leave, and provide any additional documentation or forms of notification that the Presiding Officer deems appropriate.
>
> The scheme is not compulsory and Members are free to vote in person or use any other informal pairings available to them.

[4] House of Commons Proxy Voting Scheme: https://publications.parliament.uk/pa/cm5901/cmproxyvoting/UPDATED_November2024_Proxy_voting_scheme_-_long-term-illness-to-end-of-Parliament_%20002.pdf

[5] Information on pairing, House of Commons: https://www.parliament.uk/site-information/glossary/pairing/

In the event of any ambiguity, the Presiding Officer will use their discretion to determine compliance with the proxy voting scheme.

Duration

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

A Member must specify in writing to the Presiding Officer the dates on which the absence will begin and end, subject to the maximum durations permitted. The Member is entitled to cast a vote by proxy for the period specified in the certificate issued by the Presiding Officer under Standing Order 12.41E.[6]

A footnote to the eligibility criteria states: Caring responsibilities will usually refer to care that is needed in exceptional circumstances, for example in relation to long-term illness or injury, and is not intended to include routine or permanent caring responsibilities.[7]

It would appear that members who are absent for emergency reasons might be advised to avail of existing, informal pairing arrangements.

3.3 Scottish Parliament

Unlike the Senedd, the Scottish Parliament does not provide a general proxy voting entitlement on the basis of caring responsibilities. Its rules permit a proxy where a Member is attending to a person who is near the end of their life.

The proxy voting scheme in the Scottish Parliament states:

[6] Senedd, Guidance on the proper conduct of Senedd Business, April 2026: https://senedd.wales/media/ncvphjui/collation_of_guidance_eng.pdf

[7] Senedd, Business Committee, Amending Standing Orders: Proxy voting, March 2023 https://senedd.wales/media/bufp1gme/cr-ld15751-e.pdf

Designation of a proxy must be made by the Member from their Parliamentary email account by 10.00am on any day there is a meeting of the Parliament during which votes will be held for which a Member wishes to designate a proxy. Designations should set out the anticipated duration of a proxy.

Following receipt of any designations, Presiding Officer will direct Parliamentary officials to verify that—

- Member A wishes to designate Member B as their proxy
- Member B agrees to be designated as proxy for Member A and does not hold more than one other proxy
- both Member A and Member B have read and agree to the terms of the scheme.

The responses from Members to Parliamentary officials seeking to verify the arrangement must be sent from Members' Parliamentary email account. This verification procedure will ensure that there can be no dubiety about the agreement of the Members concerned to act in accordance with the terms of this scheme.[8]

The Scottish Parliament operates an informal pairing mechanism, but it is unclear how it might apply where a member is absent due to unforeseen circumstances.

4 Remote voting

A key difference in the Scottish Parliament and Senedd compared to the House of Commons and Northern Ireland Assembly is the provision of remote electronic voting. This has been discussed in detail in previous research papers and its existence is likely to mitigate any unforeseen or emergency circumstances.

[8] Scottish Parliament, Proxy voting scheme: https://www.parliament.scot/about/how-parliament-works/parliament-rules-and-guidance/proxy-voting-scheme

It also potentially reduces the requirement for an emergency proxy system.

5 Carer's leave in Northern Ireland

The Department for the Economy is proposing to provide for statutory unpaid carer's leave via the Good Jobs Employment Rights Bill. The provisions would include:

- An employee with caring responsibilities will be entitled to take up to one week of unpaid carer's leave every 12 months to care for a family member or dependant with a long-term care need.
- Unless in an emergency situation, an employee will be required to provide their employer with notice - the notice period being the earlier of: twice as many days as the amount of leave requested; or three days in advance of the leave (for example, if requesting one day of carer's leave, two days' notice should be given as a courtesy to the employer)
- An employee who takes carer's leave will have similar employment protections to those applying to other kinds of statutory leave.[9]

These mirror existing provisions in Great Britain.

The bill has to date not been introduced into the Assembly.

[9] Department for the Economy, The Good Jobs Employment Rights Bill: the Way Forward, April 2025: https://www.economy-ni.gov.uk/sites/default/files/2025-05/The%20Good%20Jobs%20Employment%20Rights%20Bill%20-%20The%20Way%20Forward%20-%20Final%2022.5.25.pdf