

# GODALMING TOWN COUNCIL

Tel: 01483 523575  
Fax: 01483 523077  
E-Mail: office@godalming-tc.gov.uk  
Website: www.godalming-tc.gov.uk

Municipal Buildings  
Bridge Street  
Godalming  
Surrey GU7 1HT

2 March 2018

I HEREBY SUMMON YOU to attend the **STAFFING COMMITTEE** Meeting to be held in the Council Chamber, Municipal Buildings, Bridge Street, Godalming on THURSDAY, 8 MARCH 2018 at 7.00pm.

Andy Jeffery  
Town Clerk

Committee Members: Councillor Cosser – Chairman  
Councillor Gray – Vice Chairman  
Councillor Poulter  
Councillor Williams  
Councillor Walden  
Chairman of Policy & Management (*ex officio*)

## AGENDA

1. MINUTES

To approve as a correct record the minutes of the meeting held on the 25 January 2018, a copy of which has been circulated previously.

2. APOLOGIES FOR ABSENCE

3. DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

To receive from Members any declarations of interests in relation to any items included on the Agenda for this meeting required to be disclosed by the Localism Act 2011 and the Godalming Members' Code of Conduct.

4. WORK PROGRAMME

Members to review the committee's work programme, attached for Member's information.

5. STAFF ABSENCES

In accordance with Standing Order 146 a summary report of staff absences up to 28 February 2018 is attached for the information of Members.

At the meeting of this committee held on 25 January 2018, Members requested the Town Clerk bring forward proposals to resolve the issue of outstanding leave rolling forward into future leave years (Minute 432-17 refers). Members are to consider the attached confidential report and are requested to indicate whether they resolve to agree the recommendations contained within the report.

6. POLICY REVIEWS

Following the consideration and amendment of the proposed Leave Policy and Absence & Sick Pay Policy (Minute 431-17 refers), Members authorised the Town Clerk to consult staff on these policies. Staff have raised no points for consideration by this Committee. As such, it is RECOMMENDED that Members resolve to RECOMMEND the adoption of these policies to Full Council (policy documents attached for the information of Members).

7. FACILITIES SUPERVISOR – RECRUITMENT UPDATE

Members to receive an update from the Committee Chairman following the recruitment process for a Facilities Supervisor.

8. COMMUNICATIONS ARISING FROM THIS MEETING

Members to identify which matters (if any), discussed at this meeting, are to be publicised.

9. DATE OF NEXT MEETING

The next meeting of the Staffing Committee is scheduled to be held on Thursday, 3 May 2018 at 7.00pm in the Council Chamber.

10. ANNOUNCEMENTS

Brought forward by permission of the Chairman. Requests to be submitted prior to commencement of the meeting.

THE COMMITTEE MAY WISH TO EXCLUDE THE PUBLIC AND PRESS FROM THE MEETING AT THIS POINT PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM BY REASON OF THE CONFIDENTIAL NATURE OF THE BUSINESS TO BE TRANSACTED IE. STAFFING MATTERS.

11. EXTENDED LEAVE REQUEST

As required by the emerging leave policy, Members to receive a leave request for an extended leave period.

12. CONTRACTS OF EMPLOYMENT

Following Members' consideration of new contracts of employment following the internal re-organisation of roles and responsibilities of the Town Council's staff and the review of the same by the Council's external HR services providers, Members are requested to resolve to approve the attached documents and authorise the Town Clerk to offer the relevant contract of particulars to the appropriate staff member.

13. ADDITIONAL WORKED HOURS AND TOIL ARRANGEMENTS

Members to receive a confidential report from the Town Clerk outlining proposals for the management of additional worked hours and TOIL arrangements to best provide for the efficient and effective management of council business and staff resource.

Members are requested to consider the confidential report (copy attached for the information of Members) and to determine whether they wish to resolve to accept the proposals contained within the report.

4. STAFFING SUB-COMMITTEE – WORK PROGRAMME – 8 MARCH 2018

<b>TASK</b>	<b>PROGRESS</b>	<b>LAST REVIEW DATE</b>	<b>PRIORITY FOR REVIEW</b>	<b>ACTUAL COMPLETION DATE</b>
Absence Policy, Including Toil and Compassionate leave	Policies on this agenda for approval following Staff consultation	9 Feb 2015	2	
Appraisal Scheme	Reviewed by external HR complete, adopted by Full Council on 20 July 2017	20 July 2017		20 July 2017
Bullying & Harassment Policy	To be externally reviewed	31 Mar 2016	7	
Code of Conduct – IT Facilities & Social Media Policy	Forwarded to Full Council for Adoption on 22 March 2018	13 Sept 2001	1	
Disciplinary Procedures	To be externally reviewed	6 June 2013	4	
Grievance Procedures	To be externally reviewed	21 Mar 2013		
Employee Code of Conduct	To be externally reviewed	6 Jun 2013	5	
Equality & Diversity Statement	To be externally reviewed	27 Mar 2014	6	
Health & Safety Policy	To be externally reviewed	31 Mar 2016	8	
Training Statement of Intent	To be externally reviewed	30 Apr 2009	3	

**GODALMING TOWN COUNCIL - STAFF ABSENCE REPORT APRIL 2017 TO FEBRUARY 2018**

	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	CUMULATIVE	2016/17	2015/16	2014/15	2013/14
	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours				
Available Working Hours	587.4	641.6	671.2	646.6	671.2	646.6	888.0	888.0	776.0	888.0	808.0	<b>8,112.6</b>	10,116.6	10,944.6	9,281.1	8,610.8
Annual Leave Taken	30.4	49.4	77.7	96.2	96.2	88.8	77.7	64.2	37.0	54.0	74.0	<b>745.6</b>	1,056.6	1,132.2	994.6	927.3
Sick Leave Taken	-	-	-	-	-	-	-	22.2	-	84.4	-	<b>106.6</b>	33.3	547.7	404.2	47.3
Other Authorised Absence	1.0	-	-	-	-	-	-	-	-	-	-	<b>1.0</b>	17.2	32.8	32.0	12.5
Net working hours	556.0	592.2	593.5	550.4	575.0	557.8	810.3	801.6	739.0	749.6	734.0	<b>7,259.4</b>	9,009.5	9,231.9	7,850.3	7,623.7
Net working hours as % of available hours	95%	92%	88%	85%	86%	86%	91%	90%	95%	84%	91%	<b>89%</b>	89%	84%	85%	89%
Sick Leave as a % of Available Hours	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	2.5%	0.0%	9.5%	0.0%	<b>1.3%</b>	0.3%	5.0%	4.4%	0.5%
Annual Leave taken as a % of Total Annual Leave	3%	5%	7%	9%	9%	8%	7%	6%	4%	5%	7%	<b>71%</b>	84%	82%	84%	83%
Notes:																
Annual Leave 2017/18 - Full Year												<b>930.2</b>	1051.6	1154.4	992.6	936.5
Annual Leave b/f from 2016/17												<b>118.6</b>	199.8	181.3	186.4	177.2
Total Annual Leave Available - Full Year												<b>1048.8</b>	1251.4	1335.7	1179.0	1113.7

All figures are expressed in hours



## LEAVE POLICY

(To be read in conjunction with the Absence & Sick Pay Policy)

**Policy Statement: The aim of this policy is to outline the leave entitlement of an employee. The Policy aims to ensure fair, equitable and consistent treatment of staff and is based on The National Agreement on Pay and Conditions of Service of the National Joint Council (“the NJC”) for Local Government Services (“the Green Book”)**

1. **Introduction:** The Council takes a positive view on work/life balance issues and believes that employees should take responsibility for regularly taking annual leave to ensure their own health, safety, and wellbeing in accordance with the Working Time Directive. The Council recognises that every individual, may, at some point, be challenged by unplanned and unexpected events or sudden ‘life events’ which can affect not only the individual’s work but may also impact on other colleagues. The Council’s Leave Policy provides a range of options to assist staff to meet these challenges, whilst ensuring the proper functioning of the Council’s services.

### PART ONE – ANNUAL LEAVE ALLOWANCE

#### 2. Leave Year Guidelines:

- The Council’s leave year runs from 1 April to 31 March.
- Leave must be taken at times agreed with the employee’s Line Manager.
- Annual leave should be planned over the year and not “saved” until the end of the financial year.
- Staff should give consideration to the operational needs of the Council prior to making an annual leave request. Every effort will be made to accommodate requests for annual leave. However, during peak operating periods or when planned major civic events are taking place, approval of leave requests will be at the Town Clerk’s discretion.
- Except as required by specific legislation, i.e. maternity leave, requests for annual leave should be made in a timely manner with, under normal circumstances, a minimum of 3 days’ notice for leave periods up to 5 days and 3 weeks’ notice for periods over 5 days.
- In the normal course of events, requests for annual leave should be made no more than 12 months in advance of the planned leave. However, where a special event is being planned an exemption may be granted by the Town Clerk. **Employees are reminded not to pre-book any holiday prior to approved leave being granted.**
- The maximum single period of leave, under normal circumstances, will be two weeks. Requests for longer periods of leave will require the approval of the Staffing Committee. Such requests should be made in writing to the Town Clerk a minimum of 3 months prior to the requested leave to allow such requests to be put to the Staffing Committee (if exact dates are not known, the request should state an approximate range of dates).
- Any employee not having taken at least 18 days of their Annual Leave Allowance (ALA) by 31 January will be required to submit a leave plan which provides for a minimum of 28 paid leave days to have been taken by 31 March. (18 days ALA, 2 Statutory Days plus 8 Public Holidays = 28 Days) pro rata for part time employees.

- All leave should be taken within the current leave year. In **exceptional circumstances**, employees may be allowed to carry over a maximum of five days untaken leave into the following year. Staff must request prior approval of the Town Clerk no later than 31 January in order to carry over unused leave. The Town Clerk will require approval of the Chairman of the Staffing Committee in order to carry over unused leave.
  - Legitimate 'exceptional circumstances' could include:
    - Workload – covering for other staff absences (other than normal annual leave) for more than 4 weeks.
    - Preparing for a successor or succession
    - Undertaking additional duties (either temporarily or permanently) which the Staffing Committee, upon review, deem not to have been sufficiently resourced.
  - Subject to the above, and the provisions of the Council's Sick Pay and Maternity/Paternity/Adoption Leave Policies, any untaken leave will be lost and employees will not be entitled to pay in lieu of untaken leave
  - Except where allowed by Employment Rights Act 1996 (Time Off for Dependents) leave taken without the prior approval of the employee's Line Manager will be classified as unauthorised absence and may result in pay being withheld, and/or disciplinary action being taken.
3. **Legal Requirement under the Working Time Amendment Regulations:** The Council's minimum leave allowances (21 days annual paid leave, 2 days extra statutory days plus 8 public holidays) exceeds the 28 days minimum annual leave required under the working time amendment regulations 2007. It is a statutory requirement that staff take a minimum of 28 days' paid annual leave each year.
  4. **Public Holidays:** Employees shall, irrespective of length of service, be entitled to a holiday with a normal day's pay for each of the statutory, general and public holidays as they occur.
  5. **Annual Leave:** The minimum paid annual leave entitlement for a full-time employee is twenty-one days with a further four days added to the next leave year after five years of eligible continuous service (pro rata for part time employees). For the purposes of entitlements regarding Annual Leave, the Occupational Sickness Scheme and the Occupational Maternity Scheme continuous service will include continuous previous service with any public authority to which the Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999 applies. Further guidance relating to the definition and calculation of eligible continuous service is detailed in 'The Green Book'
  6. **Extra Statutory Holidays:** Employees shall have an entitlement to two extra statutory days holiday, these 'statutory days' are to be used during the Christmas to New Year closure period.
  7. **Calculation of Annual Leave Entitlement:** The annual leave entitlement of employees leaving or joining The Council is proportionate to their completed service during the leave year. Deductions from an employee's final salary payment will be made for any leave taken in excess of entitlement.

For the purpose of calculating leave (annual, public and extra statutory holidays) entitlements may, where necessary, be expressed in hours over the leave year.

8. **Christmas to New Year Holiday Closure:** Godalming Town Council will follow the 'Council Office Closure' schedule set by Waverley Borough Council. If the Christmas Office Closure covers a period in excess of public holidays plus the two statutory days' holiday detailed above, staff will be required to allocate any additional days against either their ALA or 'accrued' TOIL. Notice of the number of days required to be set against this requirement will be announced no later than 31 October. It should be noted that due to the operational requirements of Godalming

Town Council or the Godalming Joint Burial Committee, it may not be possible to grant all staff leave during the entire shut down period, in which case appropriate adjustments to leave records will be made.

9. **Time off for Religious Festivals or Observations:** Wherever possible, the Council shall endeavour to accommodate requests for time off for religious festivals or observations which are not covered by statutory public holidays. Employees must use their annual leave entitlement for this purpose.
10. **Procedure for Obtaining Approval and Recording of Leave:** An employee's Line Manager must approve all paid leave in advance. Staff wishing to take paid leave should follow the procedure set out below:
  - Having discussed and agreed the dates with their Line Manager, staff are to enter the agreed leave dates onto their leave card held by the Support Services Executive. Alternatively, having agreed the dates with their Line Manager, remote workers may email the dates to the Support Services Executive for entry into the leave record book.
  - The Support Services Executive will present the relevant leave cards to the appropriate Line Manager for authorisation of the request as soon as practicable. On authorising leave, Line Managers are to inform the staff member that their leave request has been granted.
  - If approved, the Services Support Executive will update the details of the leave onto the staff leave calendar (shown on Microsoft Outlook for ease of reference by Line Managers and other staff).
  - Line Managers are to inform staff, in person, within 72 hours of a decision not to authorise a period of leave. The date and time the staff member was informed of the decision is to be recorded on the appropriate leave record card.
  - Upon notification from a Line Manager, the Support Services Executive is to record on an individual's leave record card any occasion where a staff member was required to work on a Public Holiday.
  - If an employee wishes to make a complaint regarding the application of the procedure, they should do so within the provisions of the Councils Grievance Procedure.
  - The Town Clerk shall consult with the Chairman of the Staffing Committee when making his/her leave arrangements and where the Town Clerk has delegation for authorisation of discretionary leave in relation to other staff, he or she will seek such authorisation from the Chairman of the Staffing Committee or Vice Chairman if the Chairman is unavailable.

## **PART TWO – SPECIAL FORMS OF LEAVE**

11. **Public Duties:** Paid leave of absence will be granted for employees undertaking jury service or serving on public bodies or undertaking public duties. Where an allowance is claimable for loss of earnings the employee should claim and pay the allowance to the Council.
12. **Election Duties:** Employees who wish to act as presiding officers, poll clerks or counting officers may request to take an unpaid leave day to carry out these duties. Employees should consult the Town Clerk and obtain permission, which should not be unreasonably withheld, before accepting the appointment.
13. **Legislative Background:** The Council recognises and abides by the current legislation regarding Maternity, Paternity, Adoption and Parental leave (Work and Families Act 2006). In the event that an eligible employee is seeking to take any of the aforementioned leave they should, at the earliest opportunity, discuss their plans with their Line Manager who will be able to seek further advice on leave entitlements, pay rates and the legislation which is current at the time.

14. **Occupational Maternity Scheme:** The Occupational Maternity Scheme, as detailed in 'The Green Book' shall apply to all pregnant employees regardless of the number of hours worked per week.
15. **Health & Safety in Pregnancy:** On receipt of written notification from an employee that she is pregnant, the Town Clerk should carry out a risk assessment. The employee and relevant Line Manager should be fully informed of any risks identified. The Line Manager and employee have an on-going responsibility to monitor any potential risks that may be present.
16. **Ante-Natal Care:** Any pregnant employee has the right to paid time off to attend ante-natal appointments and must produce evidence of appointments if requested to do so. Wherever possible these should be arranged outside of core time.
17. **Maternity Support Leave:** Five days paid leave shall be granted to the child's father or the partner or nominated carer of an expectant mother at or around the time of birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth.
18. **Adoption Leave:** Adoption support leave of five days with pay shall be granted to the partner or nominated carer of the primary adopter at or around the time of placement. A nominated carer is the person nominated by the primary adopter to assist in the care of the child and to provide support to the primary adopter at or around the time of the placement.
19. **Parental Leave Scheme:** In accordance with the arrangements for parental leave under the Maternity and Parental Leave etc. Regulations 1999, the Council has adopted the NJC model parental leave scheme as detailed in 'The Green Book'.
20. **Carer Leave:** Godalming Town Council recognises that a flexible and supportive approach is required for those who have care responsibilities for others. Special leave may be granted in the following circumstances:

Serious illness of a Husband, Wife, Partner, Son / Daughter or a close family member who requires constant care and attention in their own home, where no other care arrangements can be made or normal care arrangements have broken down, for example a person living alone recovering from an operation.

Up to five days with pay may be granted at the discretion of the Town Clerk in accordance with the individual circumstances of the case. These additional days paid leave will not normally be granted until employees have exhausted any outstanding annual leave entitlement (based on the pro-rata calculation of the full annual entitlement on the date of request).

In cases of family sickness other than serious illness, consideration will be given to allowing the employee flexibility for start, finish and lunch times to allow them to care for their Husband, Wife, Partner, Son, Daughter or a member of their close family.

The Council's Carer Leave Scheme should be used in circumstances where the illness relates to someone who is normally directly dependant upon the employee for domestic support.

21. **Time off for Medical Screening and Other Medical Appointments:** Wherever possible, visits to a GP and other routine medical appointments should be made outside working hours.

Where this is not possible, appointments should be made to minimise the extent of absence from work, for example, either at the beginning or end of the working day. Paid leave of up to two hours may be granted at the discretion of the Town Clerk, time off in excess this period will be permitted, subject to the employee making up the hours lost.



Employees having to attend hospital, clinic appointments or work related medical appointments (e.g. sight tests or occupational health) where the timing of the appointment(s) is beyond their control will be able to attend these appointments during the working hours with no expectation to make up the hours lost.

Necessary paid time off will be granted for the purpose of cancer screening.

22. **Special Leave:** Additional leave with or without pay may be granted in special circumstances at the discretion of the Staffing Committee, such requests are to be made in writing to the Town Clerk.
23. **Compassionate Leave:** The Town Clerk may grant up to three days' compassionate leave to help an employee cope with the serious illness or death of an immediate family member. Compassionate Leave in excess of these discretionary three days will, in the first instance, be recorded against Annual Leave. The Staffing Committee may, in exceptional circumstances, authorise all or part of the Annual Leave used for compassionate leave to be credited back to the employee's outstanding leave balance. The Staffing Committee's decision in this instance is final.
24. **Funerals:** An additional Compassionate Leave day may be granted for attendance at the funeral of an immediate family member; Spouse or Partner, Parent (birth, adoptive or step-parent), Child (birth or adopted) or Sibling (including step sibling).
25. **Time Off for Dependants:** Under the Employment Rights Act 1996, all employees (regardless of their length of service) have the right to take a reasonable amount of **unpaid** time off work in order to deal with particular unexpected emergencies affecting their dependants.

A dependant is:

- A spouse;
- A civil partner;
- A child;
- A parent;
- A person who lives with the employee other than as his or her employee, tenant, lodger or boarder;
- Any other person who would reasonably rely on the employee for assistance if he or she fell ill or was injured or assaulted, or who would rely on the employee to make arrangements for the provision of care in the event of illness or injury; or
- In relation to the disruption or termination of care for a dependant or any other person who reasonably relies on the employee to make arrangements for the provision of care.

Under this provision, an employee is entitled to take time off work:

- Where a dependant falls ill, gives birth, or is injured or assaulted;
- To provide assistance following the death of a dependant;
- Where there has been an unexpected disruption to, or termination of, the arrangements for the care of a dependant; and
- To deal with an emergency relating to a child of the employee that occurs unexpectedly at a child's school.

Although there is no requirement to give notice the employee must, as soon as possible, tell their Line Manager the reason for their absence and how long they expect to be away from work.

Exceptionally, consideration will be given to events which may be foreseen, but which are of a serious nature such as to make the presence of the employee necessary, for example, time off to settle an elderly relative into a care home or to attend a hospital appointment or planned operation with a child/partner. Such requests should be made to the Town Clerk for

determination in consultation with the Chairman of the Staffing Committee.

26. **Time Off In Lieu:** For staff members above pay point 28, unless otherwise agreed as part of employment particulars, additional hours worked outside of an individual's normal working hours will be compensated for by Time off in Lieu (TOIL). The points set out below govern the accrual and taking of TOIL.

- Additional hours which may accrue TOIL must be authorised in advance by the appropriate line manager.
- Unless otherwise approved and authorised by the Staffing Committee, TOIL will be granted at single rate (one hour worked equals one hour TOIL) when a member of staff is required to work outside their normal hours to service weekday meetings or to attend weekday Civic, Mayoral or approved external events.
- Staff attending weekday evening meetings or weekday Civic, Mayoral or approved external events will receive single rate TOIL with an additional hour to cover travel time, meeting preparation and clear-up.
- For meetings started during the employee's normal working day and proceeding beyond the end of the working day, single TOIL will be granted as earned after the end of the working day.
- Staff attending weekend meetings or weekend Civic, Mayoral or approved external events will receive TOIL at time and a half for the duration of their involvement /requirement at the event. Additionally those members of staff living outside of the GU7 postcode area will be granted travel time to and from an event held within the GU7 area. Travel time will be determined by the most direct route and standard parameters of the RAC route planner ([www.rac.co.uk/route-planner](http://www.rac.co.uk/route-planner)). The approved travel time allowance is to be recorded in the TOIL log.
- Employees are to report TOIL hours to the Support Services Executive, who will maintain the TOIL log, recording the date of accrued toil, the amount of toil time claimed, employees accumulated TOIL, date TOIL taken, balance of TOIL remaining. Once recorded in the TOIL log, the entry is to be authorised by the appropriate Line Manager.
- Whilst all staff should aim to take TOIL as soon as practicable after the date of accrual, in recognition of the relatively small number of employees at the Town Council and the resulting difficulty of taking time off, TOIL may be accrued in blocks not exceeding 22.5 hours (three working days).
- Toil in excess of 7.5 hours or more is to be requested and recorded using the same procedure as when requesting Annual Leave, with the added requirement that once approved by the Line Manager, the leave card is counter signed by the Support Services Executive to indicate that sufficient TOIL is available to support the request and that the accrued TOIL balance has been adjusted accordingly.
- Toil of less than 7.5 hours is to be requested from the appropriate Line Manager, who will inform the Support Services Executive in order for it to be recorded in the TOIL log.
- The Town Clerk will inform the Chairman of the Staffing Committee before taking TOIL in excess of 7.5 hours.
- TOIL is not to be used in advance of the hours being accrued.
- Except by specific agreement of the Staffing Committee, TOIL cannot be 'bought back'.

### **PART THREE – IMPLICATIONS ON PENSION CONTRIBUTIONS**

27. **Unpaid Leave:** If employees are granted unpaid leave of absence or leave on reduced pay (including parental leave).

**For the first 30 days:** Full LGPS membership continues to build up during this period but the employee must pay the pension contributions that would have been paid had she/he been at work.

**After 30 days:** This period will not count as pension scheme membership unless the employee opts to pay for it to do so. For the period to count as pensionable service he/she can elect to pay pension contributions for the whole period (up to a maximum absence period of 36 months) by taking out a Shared Cost Additional Pension Contribution (SCAPC) contract in order to maintain their full pension benefits. If the employee wishes to do this they must notify the RFO in writing within 30 days of their return to work (or within 30 days of leaving work if they do not return). Details of the cost of buying back the 'lost' pension can be obtained from the Pension Scheme; please ask the RFO for details.

28. **Maternity Leave:** Local Government Pension Scheme rules dictate that the employer pays pension contributions throughout Ordinary Maternity Leave (OML), whether or not the employee actually receives any pay. The employer's contributions will be based on what the employee would have been earning had she been working normally. The employee will also pay contributions but these will be based on the pay that she actually receives. If she receives no pay during this period, for example because she does not qualify for SMP, she will not have to pay any contributions but the period will still count as service under the scheme.

During Additional Maternity Leave (AML), pension contributions will continue to be made during the period when the employee is receiving SMP but not during any period of unpaid additional maternity leave. The employee can, however, choose to pay contributions for this unpaid period, in which case this period of service will count as pensionable service. The employee's contributions will be based on the pay they received immediately before unpaid leave began. The Council's contributions will be based on notional full pay. If the employee decides to pay their contributions, they must inform the RFO within 30 days of their return from maternity leave or, if the employee does not return, the last day of their employment.

29. **Unpaid Paternity Leave:** Local Government Pension Scheme rules dictate that, during Ordinary or Additional Paternity Leave, pension contributions will continue to be made during the period when the employee is receiving pay (full pay during Maternity Support Leave or Ordinary/Additional Statutory Paternity Pay) but not during any period of unpaid Additional Paternity Leave. The employee can, however, choose to pay contributions for this unpaid period, in which case this period will count as pensionable service. The employee's contributions will be based on the pay they received immediately before unpaid leave began. The Council's contributions will be based on notional full pay. If the employee decides to pay their contributions they must inform the RFO within 30 days of their return from adoption leave or, if the employee does not return, the last day of their employment.

30. **Adoption Leave:** Any period of Ordinary Adoption Leave will count as service for the purposes of the Local Government Pension Scheme. During this time, the employee will pay pension contributions on any Statutory Adoption Pay (SAP) and/or occupational adoption pay that they are entitled to. The employer will pay contributions based on the employee's notional full pay.

During Additional Adoption Leave pension contributions will continue to be made during the period when the employee is receiving SAP but not during any period of unpaid additional adoption leave. The employee, however, can choose to pay contributions for this unpaid period, in which case this period will count as pensionable service. The employee's contributions will be based on the pay they received immediately before unpaid leave began. The Council's contributions will be based on notional full pay. If the employee decides to pay their contributions they must inform RFO within 30 days of their return from adoption leave or, if the employee does not return, the last day of their employment.

31. **Industrial Action:** If employees who are LGPS members are absent from work due to industrial action they will also have the option to buy back the 'lost' pension by making an Additional Pension Contribution. In order to do so they must write to the RFO, however, there is no time limit and the entire cost will be met by the employee.



## **ABSENCE & SICK PAY POLICY**

### Policy Statement

Godalming Town Council is committed to maintaining the health, well-being and attendance of all employees. We value the contribution our employees make to the delivery of quality services to our community. So, when any employee is unable to be at work for any reason, we miss that contribution. This absence policy explains what we expect from managers and employees when handling absence.

Additionally, this policy outlines the payments made to an employee when they are absent due to sickness – this includes injury or disability. The policy aims to ensure fair, equitable and consistent treatment of staff.

This policy has been developed in consultation with employees and we welcome the continued involvement of employees in implementing this policy.

## **ABSENCE POLICY**

### Key Principles

The organisation's absence policy is based on the following principles:

1. As a responsible employer we undertake to provide payments to employees who are unable to attend work due to sickness. (See the Godalming Town Council Terms & Conditions of Employment).
2. Regular, punctual attendance is an implied term of every employee's contract of employment – we ask each employee to take responsibility for achieving and maintaining good attendance.
3. Open communication between managers and employees is encouraged.
4. Godalming Town Council will provide appropriate support to employees who have genuine grounds for absence for whatever reason. This support may include:
  - a. 'special leave' for necessary absences not caused by sickness
  - b. a flexible approach to the taking of annual leave
  - c. access to counsellors where necessary
  - d. rehabilitation programmes in cases of long-term sickness absence.
5. We will consider any advice given by the employee's GP on the 'Statement of Fitness for Work'. If the GP advises that an employee 'may be fit for work' we will discuss with the employee how we can help them get back to work – for example, on flexible hours, or altered duties.
6. We will use an occupational health adviser, where appropriate, to:

- a. help identify the nature of an employee's illness
- b. advise the employee and their manager on the best way to improve the employee's health and well-being.

and employees will be expected to attend referral meetings with an occupational health adviser if asked to do so.

7. The Town Council's disciplinary procedures will be used if an explanation for absence is not forthcoming or is not thought to be satisfactory.
8. We respect the confidentiality of all information relating to an employee's sickness. This policy will be implemented in line with all data protection legislation and the Access to Medical Records Act 1988.

### Notification of Absence

If an employee is going to be absent from work they should, in most circumstances, speak to their manager or deputy within an hour of their normal start time. They should also:

- Give a clear indication of the reason for absence (and the nature of the illness if applicable) and
- A likely return date.

The manager will check with the employee if there is any information they need about their current work. If the employee does not contact their manager by the required time the manager will attempt to contact the employee at home.

An employee may not always feel able to discuss their medical problems with their line manager. Managers will be sensitive to individual concerns and make alternative arrangements, where appropriate. For example, an employee may prefer to discuss health problems with a person of the same gender.

### Evidence of Incapacity

Employees can self-certify for the first seven days sickness absence. Thereafter a 'Statement of Fitness for Work' is required to cover every subsequent day. In appropriate cases sick pay will be terminated or suspended where certification requirements are not met. A 'Statement of Fitness for Work' will be required for any sickness absence which occurs while the employee is on annual leave (and where the employee wishes to substitute sick leave for the annual leave).

If absence is likely to be protracted, ie more than four weeks continuously, there is a shared responsibility for the Town Council and the employee to maintain contact at agreed intervals.

Exceptionally, if the employer is concerned at the frequency of an employee's absence, or their account of their reasons for absence, the employee may be required to submit a 'Statement of Fitness for Work', rather than self-certificates, from their first day of absence. In such cases the Council will meet the cost of any fee charged.

### 'May be fit for some work'

If the GP advises on the Statement of Fitness for Work that an employee 'may be fit for work' we will discuss with the employee ways of helping them get back to work. This might mean talking about a phased return to work or amended duties. This discussion will take place as an informal meeting between the manager and the employee (although, depending on the circumstances, the manager may need to seek advice and/or make an occupational health referral).

If it is not possible to provide the support an employee needs to return to work – for example, by making the necessary workplace adjustments – or an employee feels unable to return then the Statement will be used in the same way as if the GP advised that the employee was ‘not fit for work’.

### Return to Work Discussions

Managers will discuss absences with employees when they return to work to establish:

- The reason for, and cause of absence
- Anything the manager or the council can do to help
- That the employee is fit to return to work.

If an employee’s GP has advised that they ‘may be fit for work’ the return to work discussion can also be used to agree in detail how their return to work might work best in practice.

### A More Formal Review will be Triggered by:

- Frequent short-term absences;
- Long-term absence; or
- Any other pattern of absence that causes the manager concern.

This review will look at any further action required to improve the employee’s attendance and well-being and will be conducted as a formal meeting (with the employee having the right to be accompanied). A written record of the review will be kept.

Misuse of the Sickness Scheme will be dealt with under the disciplinary procedures.

## **SICK PAY POLICY**

1. If an employee is absent from work due to illness (this includes injury or other disability), a payment is made to make Statutory Sick Pay up to full pay and in accordance with the following scale.

**Employees are entitled to receive sick pay for the following periods:**

<b>Continuous Service</b>	<b>Sick Pay</b>
During 1st year of service	1 month’s full pay and, after completing 4 months’ service 2 months’ half pay
During 2nd year of service	2 months’ full pay and 2 months’ half pay
During 3rd year of service	4 months’ full pay and 4 months’ half pay
During 4th and 5th year of service	5 months’ full pay and 5 months’ half pay
After 5 years’ service	6 months’ full pay and 6 months’ half pay

2. **Normal Pay:** Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.
3. **Eligibility, Rate of Pay and Duration:** To be eligible for sick pay, the employee must comply with the Absence Policy. Sick pay will not be paid for absences which are not covered by an appropriate sickness certificate. The Council reserves the right to withhold pay for periods of unauthorised absence.
  - a. Employees can self-certify for the first seven days sickness absence. Thereafter a 'Statement of Fitness for Work' is required to cover every subsequent day.
  - b. For all absences, up to and including seven days, on returning to work, the employee is to provide the Town Clerk a signed statement detailing the reasons for absence, signed statements are to be retained on an employee's personnel file for 12 months. (Blank Statement forms are available from the Support Services Executive)
  - c. A 'Statement of Fitness for Work' will be required for any sickness absence which occurs while the employee is on annual leave, an employee shall be regarded as being on sick leave from the date of the 'Statement of Fitness for Work' (If required, The Council will reimburse the cost of a Statement of Fitness for Work covering a period of seven days or less).
  - d. The period during which sick pay shall be paid, and the rate of sick pay, in respect of any period of absence is calculated by deducting from the employee's entitlement on the first day the number of days of paid absence during the preceding twelve months. (NB: for sick pay purposes; a month is equivalent to 22 working days, pro rata for part time staff).
  - e. In the case of full pay periods, sick pay will be an amount which when added to Statutory Sick Pay and Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit receivable will secure the equivalent of normal pay.
  - f. In the case of half pay periods, sick pay will be the amount equal to half normal earnings plus an amount equivalent to Statutory Sick Pay and Incapacity Benefit, Employment and Support Allowance or equivalent social security benefit receivable, so long as the total sum does not exceed normal pay.
  - g. The Employment and Support Allowance or equivalent social security benefits to be taken into account for the calculation of sick pay are those to which an employee is entitled on the basis the employee has satisfied so far as is possible:
    - i. the conditions for the reporting of sickness as required by the council
    - ii. the claiming of benefits
    - iii. the obligation to declare any entitlement to benefits and any subsequent changes in circumstances affecting such entitlement.
  - h. In exceptional circumstances, the Staffing Committee has the power to extend the period of full or half-day pay at their discretion.
4. **Car User Allowance/Travel Allowance:** If an employee is absent from work due to sickness for a period exceeding three months the following element of their pay will stop:
  - Essential Car User Allowance
  - Work Place First Aider Payment
  - Out of hours enhancement payment

5. **Phased Return:** The employee's salary will be calculated on a pro rata basis to reflect their hours worked during a phased return. The remainder of the time will be recorded and paid as Sick Pay, if eligible.
6. **Third Party Damages:** An employee who is absent as a result of an accident shall not be entitled to an allowance if damages may be received from a third party in respect of the accident.
  - a. In this event, The Staffing Committee would authorise a payment to the employee equivalent to the sickness payment which would normally be paid under the Sick Pay Policy. The employee will sign an agreement to refund to the Council the equivalent payment from the amount of damages paid to them by the third party, or a proportion of the payment if the damages paid do not cover the full amount.
  - b. Any period of absence in this case, where a refund of the payment advanced is repaid in full, will not be recorded as sickness absence. If the payment is only repaid in part, then the period of absence not refunded will be recorded as sickness absence.
7. **Pay During Notice period**
  - a. Where notice is given to an employee that their employment is to be terminated by GTC whilst they are on sick leave, pay during the notice period will be notice pay (i.e. full pay) and not sick pay.
  - b. If an employee resigns their post whilst they are on sick leave, they will remain on sick pay during their notice period and conditions of the sick pay policy apply in the usual way.
8. **Non-payment of Sick Pay:** Sick pay may not be paid when the absence is due to:
  - an employee's own misconduct or neglect
  - deliberate conduct prejudicial to recovery
  - active participation in professional sport
  - injury while working in the employee's own time on their account for private gain or for another employer

The above decision will be made by The Staffing Committee.

The employee shall be advised of the grounds for suspension of Sick Pay and shall have a right of appeal. Such appeals will be heard by an independent panel chaired by the Mayor, plus two other elected councillors not serving on the Staffing Committee. If the panel concludes that the grounds were justified then the employee shall forfeit the right to any further payment in respect of that period of absence.

Repeated abuse of the sickness scheme will be dealt with under the disciplinary procedure.

9. **Occupational disease/accident at work:** Absence in respect of normal sickness is entirely separate from absence through occupational disease, accident or assault arising out of or in the course of employment with the Council. Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements under the scheme.
10. **Infectious Disease:** An employee who is prevented from attending work because of contact with infectious disease shall be entitled to receive normal pay and the period of absence will not be recorded as sickness absence under this policy.
11. Related Information: Statutory Sick Pay Information (<https://www.gov.uk/statutory-sick-pay>)



**GODALMING TOWN COUNCIL**

Disclosure by a Member<sup>1</sup> of a disclosable pecuniary interest or a non-pecuniary interest in a matter under consideration at a meeting (S.31 (4) Localism Act 2011 and the adopted Godalming Members' Code of Conduct).

As required by the Localism Act 2011 and the adopted Godalming Members' Code of Conduct, **I HEREBY DISCLOSE**, for the information of the authority that I have [a disclosable pecuniary interest]<sup>2</sup> [a non-pecuniary interest]<sup>3</sup> in the following matter:-

**COMMITTEE:**

**DATE:**

**NAME OF COUNCILLOR:** \_\_\_\_\_

Please use the form below to state in which agenda items you have an interest.

Agenda No.	Subject	Disclosable Pecuniary Interest	Non-Pecuniary Interest	Reason

**Signed** \_\_\_\_\_

**Dated** \_\_\_\_\_

<sup>1</sup> "Member" includes co-opted member, member of a committee, joint committee or sub-committee

<sup>2</sup> A disclosable pecuniary interest is defined by the Relevant Authorities (Disclosable Pecuniary Interests) regulations 2012/1464 and relate to employment, office, trade, profession or vocation, sponsorship, contracts, beneficial interests in land, licences to occupy land, corporate tenancies and securities

<sup>3</sup> A non-pecuniary interest is defined by Section 5 (4) of the Godalming Members' Code of Conduct.