

SOUTH HEIGHTON PARISH COUNCIL

Working Hours, Sickness and Absence Policy

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Notes and Background

The Parish Council is committed to achieving good local governance. This means that the Parish Council wants to ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.

To help the Parish Council achieve this we aim to follow the six principles of good local governance:

- 1 Focusing on the purpose of the Council and on outcomes for the community and creating and implementing a vision for the local area;
- 2 Members and officers working together to achieve a common purpose with clearly defined functions and roles;
- 3 Promoting values for the Council and demonstrating the values of good governance through upholding high standards of conduct and behaviour;
- 4 Taking informed and transparent decisions which are subject to effective scrutiny and managing risk;
- 5 Developing the capacity and capability of Members and Officers to be effective;
- 6 Engaging with local people and other interested persons to ensure robust public accountability.

As a first tier of local government the Parish Council is directed and controlled by central government legislation. This document is one of a number, which together, sets out the systems and processes of how the Parish Council works within this framework and, as importantly, our culture and values on the way we work, so that we may fulfil these six principles.

This Sickness and Absence Policy has been prepared from the model provided by the Sussex and Surrey Association of Local Councils (SSALC) on their website as at 18th January 2018. It has however been adapted to meet the specific circumstances of South Heighton Parish Council.

It should be read in conjunction with the other adopted policies, procedures and protocols of the Parish Council such as the “Roles and Responsibilities of Councillors and Officers Protocol”, which deals in more detail with what is expected of Councillors and the Parish Clerk in respect of their roles, responsibilities and working relationships. In particular it should be read in association with the Parish Clerk’s contract of employment.

The Council is committed to being a responsible employer and the adoption and application of this Policy/Procedure is part of this commitment.

For their part the Parish Clerk is expected to comply with the principles of this Policy/Procedure.

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Appendix A – Recording of Hours Form

In the context of this document reference to the “Council” and/or “Parish Council” means South Heighton Parish Council

1. Introduction

- 1.1 The Council only has one employee the Parish Clerk and is committed to their care and well-being. The purpose of this policy is to ensure that they have access to information relating to sickness and absence and are aware of the steps they must follow when absent from work.
- 1.2 By managing sickness and absence, the Council aims to continue to provide a high quality service to members of the public.
- 1.3 This policy covers:
 - sickness leave
 - unauthorised absence and lateness
 - annual leave
 - compassionate and/or emergency leave
 - time off in lieu
 - medical appointments
 - maternity/paternity/adoption/parental leave

2. Sickness Leave

- 2.1 The Council recognises that there will be occasions when the Parish Clerk is unable to work due to sickness. The Council provides a sick pay scheme for the Parish Clerk in line with the National Joint Council (NJC) terms and conditions. Details of sick pay are included in the Parish Clerk's contract of employment.
- 2.2 If the Parish Clerk is unable to attend work due to sickness, they must inform the Chairman of the Council, or in their absence the Vice Chairman, giving the reason for sickness, the likely duration and the expected date of return. This must be done as soon as practical on the first day of absence so that alternative arrangements to undertake roles/tasks can be made where necessary to ensure that appropriate service levels can be maintained. Only in exceptional circumstances will the Council accept notification of absence from a third party. Regular contact must be maintained with the Chairman, or in their absence the Vice Chairman, during any protracted (3 days or over) period of absence.
- 2.3 For absence of seven days or less, the Parish Clerk will be required to complete the self-certification documentation as outlined in the Employment Rights Act 1996. For all absences which exceed a seven day period, a medical certificate is required.
- 2.4 If the Parish Clerk is frequently absent it is recognised by the Council that they could be suffering from poor health which may require medical investigation. The Council will offer support and guidance in consultation with the Parish Clerk and will consider referral to occupational health specialist services if deemed appropriate.
- 2.5 The Parish Clerk's sickness absence will be recorded by the Chairman of the Council, or in their absence the Vice Chairman, and held on the Parish Clerk's Personnel File. The Council will investigate and assess whether further action is necessary if periods of absence due to short-term self-certification sickness reach unacceptable levels, or if patterns emerge.
- 2.6 The Council takes a sympathetic view towards genuine ill health problems and will provide a supportive approach to the Parish Clerk if they have been subject to long-term sickness. When returning to work following a period of long-term sickness the Parish Clerk will be supported on their return to work, and the following options may be considered:

- Phased return to work
- Change of role or working pattern
- Provision of specialist equipment

- 2.7 When the Parish Clerk has returned from any period of sickness which lasted longer than 7 days, a return to work interview will be conducted by the Chairman, or in their absence the Vice Chairman. A record of the interview will be held on the Parish Clerk's Personnel File
- 2.8 In cases where the Parish Clerk's absence reaches excessive levels or there is a lack of information about the circumstances of the sickness absence, the Council may request medical information about their condition from their GP.
- 2.9 Any medical information received by the Council will be treated as strictly confidential. Any expense in obtaining medical information from the GP will be met by the Council.

3. Normal Working Hours and Unauthorised Absence and Lateness

- 3.1 It is recognised by the Council that the Parish Clerk may work flexible hours with no rigid set start time or working days, although they are required to establish arrangements to daily check and where appropriate respond to contact/enquiries on weekdays. The Parish Clerk is consequently responsible for organising their own normal working hours and practice, in agreement with the Council and maintaining a record of their hours worked to indicate they are complying with the hours of work required by their contract of employment. The basic general working hours and practice and arrangements for responding to contact/enquiries having been agreed by Council will be held by the Chairman on the Parish Clerk's Personnel File. The record of hours worked, on the currently approved form for this purpose (see Appendix A), should be presented by the Parish Clerk to the Council at each meeting to support the payment of their salary and copies will be held by the Chairman on the Parish Clerk's Personnel File.
- 3.2 Unauthorised absence occurs when the Parish Clerk fails to comply with their agreed normal working hours and practice and has not made alternative arrangements in consultation with the Chairman, or in their absence the Vice Chairman. Any substantive long term change to the working practices must be agreed in advance by Council in compliance with 3.1 above.
- 3.3 Where the Parish Clerk returns to work following an unauthorised absence, they will be required to attend a meeting with the Chairman, or in their absence the Vice Chairman to explain their absence. The Parish Clerk will be expected to take any unauthorised absence from their annual leave entitlement, or if no entitlement remains, pay will be deducted for the period of unauthorised absence. Unauthorised absence may result in disciplinary action being taken.
- 3.4 There may be occasions when it is unavoidable to be late for a Parish Council meeting. The Parish Clerk should contact the Chairman, or in their absence the Vice Chairman, to explain the reasons for any delay and to make any necessary arrangements. The Parish Clerk will be expected to make up any time lost due to lateness.
- 3.5 Persistent lateness may result in disciplinary action being taken.

4. Annual Leave

- 4.1 Details of annual leave entitlements are included in the Parish Clerk's contract of employment, in line with NJC terms and conditions.

4.2 The annual leave period runs from 1st April to 31st March the following year. A maximum of 5 day's annual leave may be carried over from one year's entitlement to the next, subject to the prior approval of the Council.

4.3 Requests for annual leave are at the discretion of and must be approved by the Council. Requests will be considered with regard to the operational requirements of the Council. Annual leave requests will not be unreasonably refused.

5. Compassionate and/or Emergency Leave

5.1 Compassionate leave is at the overall discretion of the Chairman of the Council, or in their absence the Vice Chairman, to be ratified at the next Council meeting. The Council recognises that each individual's respective relationships are different, however in order to achieve consistency, in general paid compassionate leave will be granted in the following circumstances:

- the death of a close family member i.e. spouse, civil partner, child, sibling, parent (or equivalent in-laws) or grand-parent
- the diagnosis of, or final stages of care for, a serious (life threatening) illness affecting a close family member (as defined above)
- the employee falling victim to a serious crime
- fire/flood/burglary at the employee's home
- road traffic collisions or other distressing accidents/incidents involving the employee or a close family member (as defined above)

5.2 The length of paid compassionate leave granted is at the discretion of the Chairman, or in his absence the Vice Chairman, but is limited to a maximum of 5 working days. Where a situation requires an extended period of leave beyond 5 working days, other options should be discussed including use of TOIL, annual leave and/or a period of unpaid leave.

5.3 Requests for compassionate leave for situations not included above will be considered on an individual basis.

5.4 Requests for emergency leave are at the discretion of the Chairman of the Council, or in their absence the Vice Chairman, to be ratified at the next Council meeting. The Council recognises that each individual's personal circumstances will dictate what may be deemed as an emergency, however in order to achieve consistency, in general paid emergency leave of one day will be granted in the following circumstances:

- To provide assistance or make arrangements for the provision of care for a dependant who is ill or injured
- On the occasion of an unexpected disruption or termination of arrangements for the care of a dependant.

5.5 The Parish Clerk will be expected to use the day's paid emergency leave to make any ongoing care arrangements for dependents. Any additional requests for leave should be considered as requests for annual leave, and will be assessed on the basis of the operational needs of the Council.

6. Overtime and Time off in Lieu (TOIL)

6.1 The Parish Clerk's average weekly working hours are detailed in their contract of employment.

- 6.2 The Council recognises the Parish Clerk’s right to receive recompense for working beyond their contracted hours. The nature of the Parish Clerk’s work and the programme of the Council however, mean that there are significant variations in the hours worked by the Parish Clerk from week to week and month to month. In these circumstances it is likely that there will be occasions when the hours worked within any one month will be over or under the contracted hours. Because of this the situation will be monitored through the arrangements set out in paragraph 3.1 above and reviewed by the Chairman at least annually as part of the Parish Clerk’s annual Performance Appraisal process. Any issues arising will be reported to Council as part of this process and considered and addressed by the Council.
- 6.3 Should the occasion arise for the need for planned overtime, the Council recognises that the Parish Clerk has the right to be paid at agreed NJC overtime rates. Any such paid overtime must be agreed in advance by the Council and fall outside the recognised flexible working time arrangements as set out in paragraph 3.1 above, or the opportunity to utilise time off in lieu (TOIL).
- 6.4 The Council recognises the use of TOIL and TOIL requests will be considered in the same way as annual leave requests, with regard to the need to maintain the operational effectiveness of the Council. Any TOIL must be agreed in advance by the Council.

7. Medical Appointments

- 7.1 Because of the limited hours of work and the flexibility in working times, the Parish Clerk is expected to arrange medical appointments out of their normal working hours wherever possible.
- 7.2 The Council recognises this is not always possible. Where it is necessary to make an appointment during their normal working hours, the Parish Clerk is encouraged to make the appointments at either the start or end of the day to minimise disruption to the work of the Council.
- 7.3 In-patient appointments or procedures taking the whole day will be treated as sick leave in accordance with the procedures outlined in this policy.

8. Maternity/Paternity/Adoption/Parental Leave

- 8.1 The Council recognises the Parish Clerk’s right to maternity/paternity/adoption/parental leave as set out in the relevant legislation.