

**Report to:** Personnel Committee

**Report Ref:** P1911  
**Meeting Date:** 4<sup>th</sup> September 2019  
**Agenda Item:** 10  
**Prepared By:** Town Clerk



**Subject:** Policy Reviews

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## 1.0 BACKGROUND

The committee has previously established a working group to review the policies which sit under the committee. The working group has concluded its review of the first three policies: Absence and Leave, Flexible Working and Lone Working, and presents revised policies for adoption.

The working group is seeking to make policies as simple and digestible as possible and, where possible to merge policies into the council's Employee Handbook. The revised policies are contained overleaf, marked up to show the proposed changes.

It is recommended that the three policies are adopted as amended and that they are inserted into the Employee Handbook.

When inserting them into the Employee Handbook, the Town Clerk will make minor amendments to achieve a uniform voice through the handbook e.g. referring to "you may" rather than "an employee may" etc. Once the working group has reviewed all standalone policies, it will conclude the review with a review of the Employee Handbook.



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# LONE WORKING POLICY

## Introduction

- 1.1 A lone worker is defined as anyone who works in isolation from their colleagues and without close/direct supervision. This includes mobile workers working away from their usual base. This policy applies to all lone workers and managers of staff who undertake lone working.
- 1.2 Due to the nature of the council's operations it recognises that lone working is both required and common but recognises its obligations for the safety of all employees.

## Risk Assessment

- 2.1 The Town Clerk is responsible for ensuring that a risk assessment is undertaken for all lone working activity and that this is reviewed at least annually. For the avoidance of doubt this includes an assessment of any health and safety risks arising from the lone working activity. Line managers must undertake a risk assessment upon commencement of an employment and review this at least annually.
- ~~2.2 The risk assessment must be submitted to the Town Clerk~~
- ~~2-32.2~~ The Town Clerk shall take all reasonable steps to minimise risks identified and report any substantial risks to the Personnel Committee.

- ~~2-42.3~~ The Town Clerk shall develop procedures and safe working practices in relation to lone working

## Support and Training

- 3.1 Lone workers need to be sufficiently experienced to understand the risks and precautions of lone working fully. Line managers need to set limits on what can and cannot be done when working alone. Safe lone working practices are contained in Appendix [X]
- ~~3.2~~ Any person who has concerns about the continuance of a lone activity being carried out should feel confident that they have their line manager's support to terminate the task and return to office at any time.
- ~~3.3~~ Where such incidents arise this must be reported to the Town Clerk.
- ~~3.4~~
- ~~3-23.5~~ On return to the office employees should ask for a debrief with their line manager if they feel any issues need to be addressed following a lone working activity. The risk assessment may need to be modified and used as part of the planning process for subsequent activities.
- ~~3-33.6~~ The council shall provide any training necessary



## FLEXIBLE WORKING POLICY

### Flexible Working

- 1.1 The Council Office should be open to the public 9am to 5pm Monday to Friday subject to exigencies
- 1.2 Employees are expected to work their contracted weekly hours (CWH) as specified in their contract of employment, any variations must be sanctioned by the employee's line manager.
- 1.3 Employees are to work no more or less than their CWH unless sanctioned by their line manager.
- 1.4 Excess hours worked without the sanction of the employee's line manager cannot be claimed.
- 1.5 The general work pattern (days and hours) of the employee will be agreed with their line manager at the commencement of their employment.
- 1.6 Employees may carry a credit or debit of 2 working days as flex over from one calendar month to another. Any credit hours in excess will be lost and any debit hours will be deducted from the employee's salary. In exceptional circumstances only a line manager may permit the carryover of additional hours.

### Timesheet Management

- 2.1 Employees are responsible for completing their timesheets daily.
- 2.2 Timesheets will record the start and finish times as well as the total break time taken.
- 2.3 Timesheets will be submitted to the Town Clerk weekly and the data entered onto a master timesheet.

### Policy Revision

- ~~3.1 The implementation of this policy will be monitored by the Town Clerk and Personnel Committee.~~
- ~~3.2 Any variation to the policy will be subject to one months' notice to all employees.~~



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## ABSENCE AND LEAVE POLICY

### Absence

- ~~1.31.1~~ Absence rates will be monitored by line managers and the Town Clerk who will discuss absences with employees and explore options to find solutions to help them attend work regularly along with consideration of the reason for absence.
- ~~1.4~~ Line managers will discuss absences with employees and explore options to find solutions to help them attend work regularly.
- ~~1.51.2~~ Employees must inform their line manager of unexpected absence ~~(such as sickness, injury or other genuine emergency situations)~~ as soon as possible and in any instance by 9:30am.
- ~~1.61.3~~ In the case of absence because of an emergency situation, employees will normally be required to take annual holiday entitlement to cover the period of absence or utilise Flex Credit under the Flexible Working policy.
- ~~1.11.4~~ In cases of sickness of 7 calendar days or less, employees must complete a Self-Certification Form upon their return to work. Where absence is expected to/lasts for a period in excess of 7 days, ~~Fit Note Certificate(s)~~ Statement of Fitness for Work certificate(s) will be required from a doctor to cover the employee for the duration. An employee who has presented a certificate stating they are unfit for work will not be allowed to work until either that certificate has expired or until a certificate stating the employee is fit for work has been presented.
- ~~1.71.5~~ Unauthorised absence will lead to disciplinary action which may include dismissal.
- ~~1.81.6~~ Should an employee be taken ill at work and need to go home, the absence will be counted as sick leave. If an employee leaves before 11am a full day's absence must be shown, if leaving after 11am a half day.

### Absence Review

- ~~1.2~~ Every employee absence shall be assessed and reviewed after every period of absence. ~~The purpose of this shall be to:~~
- ~~1.3~~
- ~~1.1~~ welcome the employee back to work and provide an update about any developments which have occurred during their absence
- ~~1.1~~ check that an employee is fit for work and to understand their wellbeing needs
- ~~1.1~~ see whether the council can provide any additional support to help rehabilitation
- ~~1.1~~ review the employee's absence record & discuss any patterns of absence which are apparent and which cause concern.
- ~~1.1~~ discuss with the employee the impact of their absence on the council.

The form of the review will vary according to each individual's absence record and shall be recorded and signed by the line manager and employee. It shall be focused on reviewing the employee's absence record, ensuring the employee is updated on developments during their absence and seeking to provide support to minimise any future absences.



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~~1.91.7~~ Long term sick leave will be reviewed at regular intervals. If after a reasonable period an employee remains unable to work the Competency Procedure may be invoked.

### Payment during Absence

~~1.4~~ Providing policy has been adhered to, upon completion of a probationary period or after four months employment employees are entitled to receive Council Sick Pay, calculated in accordance with the Green Book ~~as follows:~~

~~During 1st year of service ————— 1 month full pay and 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/ 5th year of service ————— 5 months full pay 5 months half pay~~

~~1.51.8~~ After 5 years of service ————— 6 months full pay and 6 months half pay.

~~1.51.9~~ The Personnel Committee has discretion to extend the period of sick pay in exceptional cases.

~~1.51.10~~ If you are absent from work due to incapacity caused through an accident and the Council has continued to pay you, the Council reserves the right to recover such sums as appropriate as part of any case for compensation pursued against a third party.

### Appointments

2.1 Employees should endeavour to make any appointments (such as doctors, dentists etc) in their own time. With the approval of your line manager you may utilise the council's flexible working policy to facilitate appointments.

~~2.2 — Employees with flexible working hours may, with the approval of their line manager, utilise the arrangement to facilitate appointments.~~

~~2.3 — Where 2.1 and 2.2 is not reasonably practicable appointments should be timed to cause minimal disruption to the working day and approved with the employee's line manager.~~

### Jury Duty & Public Duties

~~3.1 — Employees are entitled to time off to fulfil their obligations with regard to Jury Service.~~

3.2 ~~In the event of an employee being summoned for Jury Service they~~ You must notify the Town Clerk immediately on receipt of ~~the a jury service~~ summons providing details of dates they are required to attend. Employees must keep the Town Clerk informed should they be retained for a prolonged period and you must return to normal work immediately following release from duty.



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- ~~3.3 Employees must return to normal work immediately following their release of duties.~~
- 3.4 Employees are entitled to payment for this time off, but should claim expenses from the court to cover their costs and also compensation for loss of earnings. These will be payable to the Council.
- 3.5 Employees in certain public positions have the right to reasonable time off with pay during working hours to perform duties associated with these positions. Where an allowance is claimable for loss of earnings, the employee must claim this and pay to the Council. Such employees should discuss their position with the Town Clerk so that suitable arrangements can be made.
- ~~3.6 Such employees are encouraged to discuss their position with the Town Clerk so that suitable arrangements can be made.~~

### **Maternity Leave**

- 4.1 Employees shall notify the council at least 15 weeks prior the expected week of childbirth or as soon as is reasonably practicable that she is pregnant, the expected week of childbirth and the data of the beginning of her absence. Employees shall give this notice in writing and produce the MAT-B1 form at the appropriate time.
- 4.2 A pregnant employee has the right to paid time off to attend for ante-natal care and shall provide evidence of appointments on request.
- 4.3 Maternity leave shall commence no earlier than 11 weeks before the expected week of childbirth or from the time of childbirth if that is earlier.

### **Maternity Pay**

- 4.4 Employees who have less than one year's continuous service at the beginning of the 11<sup>th</sup> week before the expected week of childbirth will receive the employee's entitlement to statutory maternity pay (SMP)
- 4.5 Employees who have completed one year's continuous service at the 11<sup>th</sup> week before the expected week of childbirth shall receive:
- 90% of a week's pay, offset against payments made by way of SMP for the first six weeks
  - For employees who declare in writing that she intends to return to work will for the subsequent twelve weeks receive half a week's pay without deduction except by the extent to which the combined pay and SMP exceeds full pay.
  - For employees not intending to return to work payments during the subsequent twenty weeks shall be SMP
- 4.6 Payments made by the council during maternity leave under 4.9b shall be made on the understanding that the employee will return to the council for a period of at least three months and in the event of not doing so shall refund the council monies paid or such part thereof (except SMP) at the discretion of the Personnel Committee.



## Holiday (Annual Leave)

- 5.1 The Council's holiday year runs from 1<sup>st</sup> April to the following 31<sup>st</sup> March
- 5.2 Entitlement to holiday for the year in which an employee joins the council is calculated on a pro-rata basis rounded up to the nearest whole day.

5.3 Employees are entitled to 21 days paid leave per year (pro-rata for part time employees), paid leave for all bank and public holidays in England and two additional days which will be determined by the Town Clerk.

~~5.4 In addition, employees are entitled to paid leave for all bank and public holidays in England~~

~~5.5 Employees are further entitled to two days paid leave which will normally be used by the council to close of the office over the Christmas break. The Town Clerk shall agree the use of these days with employees.~~

~~5.6.4~~ After five years continuous service prior to the commencement of the leave employees shall be entitled to 25 days paid leave per year.

~~5.7.5~~ Employees must agree the dates of holidays with their line manager in advance.

~~5.8 Holiday may be carried over from one leave year to another only at the discretion of the Personnel Committee. Any holiday carried over must be used within the new holiday year. The Personnel Committee will normally only allow a maximum of five days to be carried over. At its discretion the Personnel Committee may allow the carry over of up to five days of leave from one holiday year to the next.~~

~~5.9 Employees on Maternity or Sick Leave continue to accrue entitlement to holiday.~~

~~5.10.6~~ If an employee is ill while on holiday the absence will only be treated as sick leave rather than holiday if medical certificates are produced as evidence.

~~5.11.7~~ On leaving the council you will receive payment for any part of the accrued annual holiday entitlement not taken. If you have taken more than your accrued entitlement at the date of leaving the council reserves the right to deduct the excess from your final salary.

## Paternity Leave

6.1 Employees are entitled to take unpaid leave to accompany a pregnant woman to two ante-natal appointments if they are the father, expectant mother's spouse or civil partner, in a long-term relationship with the expectant mother or the intended parent (if having a baby through a surrogacy arrangement or adoption). An appointment may last up to 6.5 hrs.

~~6.2 Maternity support leave of 5 days with pay shall be granted to a child's father or the partner or nominated carer of an expectant mother at or around the time of birth in accordance with the Green Book.~~

~~6.3.2~~ The child's father or nominated carer of an expectant mother shall be entitled to five days paid maternity support leave at or around the time of birth of the child in accordance with the Green Book.

~~6.4.3~~ Statutory Paternity Leave entitles relevant employees, subject to having held 26 weeks continuous service by the 15<sup>th</sup> week before the expected week of childbirth, to two week's paternity leave (paid in accordance with the statutory paternity pay rate) to be taken within



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56 days from the birth of the child. This leave must be taken in one go (as either one week or two consecutive weeks) and 28 days' notice of the start must be provided to the employee's line manager.

## **Adoption (inc Surrogacy) Leave**

### ~~Employees are entitled to Statutory Adoption Leave~~

- 7.1 Within seven days of being matched with a child employees must inform their line manager in writing how much leave they wish to take, the leave start date and the date of placement. Employees should provide evidence of the placement.
- 7.2 In the case of surrogacy arrangements, employees should inform their line manager in writing 15 weeks prior to the due date when the child is due and when they wish to start their leave.
- 7.3 Leave shall commence no earlier than two weeks before the placement or, in the case of adoption from outside the UK, when the child arrives in the UK or within 28 days of this or in the case of surrogacy the day or day after the child is born.
- 7.4 Employees entitled to adoption leave shall be entitled to five days paid leave to attend adoption appointments after being matched with a child.
- 7.5 Employees will be entitled to Adoption Leave in accordance with accordance with statute.

## **Adoption Pay**

- 7.6 Employees must give 28 days' notice before being paid Statutory Adoption Pay; unless the time between being matched with a child is less than this.
- 7.7 Employees who have less than one year's continuous service at the beginning of the 11<sup>th</sup> week prior to adoption leave commencing shall receive the employee's entitlement to statutory adoption pay (SAP)
- 7.8 Employees who have completed one year's continuous service at the 11<sup>th</sup> week prior to adoption leave commencing shall receive:
  - a. 90% of a week's pay, offset against payments made by way of SAP for the first six weeks
  - b. For employees who declare in writing that they intend to return to work will for the subsequent twelve weeks receive half a week's pay without deduction except by the extent to which the combined pay and SAP exceeds full pay.
  - c. For employees not intending to return to work payments during the subsequent twenty weeks shall be SAP
- 7.9 Payments made by the council during adoption leave under 7.8b shall be made on the understanding that the employee will return to the council for a period of at least three months and in the event of not doing so shall refund the council monies paid or such part thereof (except SAP) at the discretion of the Personnel Committee.

## **Additional Leave**

## **Parental Leave**



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~~8.1 Employees have a right to unpaid parental leave in accordance with statute.~~

~~8.28.1~~ Employees are entitled to 18 week's unpaid leave for each child or adopted child, up to their 18<sup>th</sup> birthday. This is limited to four weeks per child per annum.

~~8.38.2~~ Parental leave must be taken as whole weeks.

~~8.48.3~~ Employees must give 21 days' notice before their intended start date and must confirm the start and end dates in writing.

~~8.58.4~~ Employee's rights to Shared Parental Leave and Statutory Shared Parental Pay are set out in statute.

### **Time off for Dependants**

~~8.68.5~~ Employees may take a reasonable amount of unpaid leave to deal with an emergency involving a dependent, this shall be discussed with their line manager.

### **Bereavement**

~~8.78.6~~ Employees who suffer bereavement in their immediate family (~~parent, spouse, brother, sister, son, daughter, in-laws, legal guardian or partner~~) shall be entitled to paid leave to attend the funeral.

~~8.88.7~~ Additional paid leave may be allowed for immediate family bereavement at the discretion of the employee's Line Manager.

~~8.98.8~~ Time off for funerals will also be allowed for more distant relatives and close friends at the discretion of the employee's Line Manager.



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