



NORTH HORSHAM PARISH COUNCIL

ABSENCE MANAGEMENT POLICY

POLICY STATEMENT

The contribution made to North Horsham Parish Council, by every member of staff, is highly valued and the Council is committed to working with staff to manage health, work and wellbeing to promote good attendance. “Work can have a positive impact on our health and wellbeing”. The Advisory, Conciliation and Arbitration Service (ACAS).

KEY PRINCIPLES

North Horsham Parish Council's Absence Management Policy is based on the following principles –

- Providing pay, subject to contractual terms and conditions, to members of staff who are unable to attend work due to sickness.
- Sharing responsibility with members of staff to ensure regular and punctual attendance at work.
- Supporting members of staff who have genuine reasons for absence, including –
 - Special Leave for necessary absences not caused by sickness.
 - A managed approach to the taking of annual leave.
 - Programmed return to work in cases of long term sickness absence.
 - The use of qualified Occupational Health Advisors, where appropriate to –
 - Help to identify the member of staff's illness
 - Advise on the best way to improve the member of staff's health and well-being.
- To work with all members of staff in the implementation of this Policy.
- To manage absence and sickness to support the Council in providing a high quality service to members of the public.

WHO DOES THE POLICY APPLY TO?

This Policy applies to all employees of North Horsham Parish Council.

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6. REVIEW OF POLICY

1. UNAUTHORISED ABSENCE AND LATENESS

- 1.1 Unauthorised absence occurs when an employee fails to attend work and has not made arrangements with their line manager.
- 1.2 Where an employee returns to work following an unauthorised absence, they will be required to attend a meeting with their line manager to explain their absence. The employee 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.
- 1.3 There may be occasions when it is unavoidable to be late for work. The employee should contact their line manager to explain the reasons for any delay. The employee will be expected to make up any time lost at work to lateness. Persistent lateness may result in disciplinary action being taken.

2. ABSENCE BY REASON OF SICKNESS

2.1 Reporting sickness absence

- 2.1.1. If an employee is unable to attend work due to sickness, they must inform their line manager, giving the reason for sickness, the likely duration and the expected date of return. The employee must inform the Deputy Clerk (caretaking/cleaning staff) or the Parish Clerk (administration staff) within one hour of the member of staff's normal start time or by 10am whichever is the later to maintain service levels. If at all possible, a report should be made earlier than this. Only in exceptional circumstances will the council accept notification of absence from a third party.
- 2.1.2. If the Deputy Clerk or the Parish Clerk is not available, the member of staff must leave a message with the Parish Office and ensure that this includes a contact telephone number (if one is available), an appropriate explanation of the illness and some indication of the date when the member of staff is likely to return to work.
- 2.1.3. Regular contact must be maintained with the line manager during a period of absence. For guidance, the Deputy Clerk or the Parish Clerk should be telephoned again on the third day of any absence, informed of progress and likely return date.

2.2. After seven days continuous sickness absence

2.2.1. The member of staff must obtain a Doctor's Certificate dated from the 8th day of sickness. The **original** Certificate must be sent to the Parish Clerk or brought into the Parish Office.

2.2.2. Failure to submit a Certificate **could** result in loss of pay.

2.2.3. Certificates must be sent to the Parish Clerk or brought into the Parish Office, within two days of the date of issue.

2.3. Continued sickness absence

2.3.1. If the sickness absence continues beyond the period stated in the member of staff's Medical Certificate, further Certificates must be obtained promptly by the member of staff, to cover their absence until they are fit to return to work.

2.3.2. In the event of a member of staff being absent through sickness for either –

- a period of four weeks
- or as soon as the Parish Council considers that the sickness absence may be prolonged
- or that the sickness may have been caused by or exacerbated by the employee's work

North Horsham Parish Council reserves the right to require the member of staff to undergo an independent medical examination.

2.3.3. The cost of such an examination will be met by North Horsham Parish Council.

2.3.4. The medical report arising from such an examination will be fully disclosed to North Horsham Parish Council. Any medical information received by the council will be treated as strictly confidential.

2.3.5. Members of staff's statutory rights under the Access to Medical Records Act 1988 and any other relevant legislation are unaffected by this section of the Policy.

2.4. Sickness absence during Annual Leave

2.4.1. If a member of staff falls sick during the course of their Annual Leave, a Doctor's Certificate must be provided; and the member of staff will be regarded as being on sick leave from the date specified on the Certificate.

2.4.2. The balance of the Annual Leave may be taken at a later date, subject to the provisions regarding Annual Leave, elsewhere in this Policy.

2.5. Returning to work

2.5.1. If the Medical Certificate does not state the exact date on which the member of staff should return to work, a "Fit to Return to Work" Certificate must be obtained from the doctor before the member of staff resumes their duties. This is a requirement of the Statutory Sick Pay provisions.

2.5.2 Absences not covered by a Doctor's Certificate must use the Council's 'Self Certification' form, as outlined in the Employment Rights Act 1996, obtainable from the Parish Clerk.

2.5.3 The Council takes a sympathetic view towards genuine ill health problems and will provide a supportive approach to employees who have been subject to long term sickness. An employee returning to work following a period of long term sickness 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.

2.5.4 Where an employee has returned from any period of sickness, a return to work interview will be conducted by their line manager.

2.6. Frequent or intermittent sickness absence

2.6.1. The Parish Clerk may discuss any sickness absence with the member of staff, but always in the particular instances of –

- Three or more absences in a three month period.
- Frequent or intermittent absences amounting to 8 days in a rolling year.
- Patterns which give rise for concern e.g. absences at weekends, days prior to and after weekends or days adjacent to Bank Holidays.

2.7. Monitoring sickness absence

2.7.1. Records will be kept, in accordance with the terms of General Data Protection Regulation (2018) and other relevant legislation, to enable the monitoring of employees' absences by reason of sickness.

2.8. Occupational Sick Pay

2.8.1. North Horsham Parish Council's Occupational Sick Pay scheme is payable as shown in the table below -

Length of service	Full Pay for	Half Pay for
During first year	1 Month	
After completion of 4 months service		2 Months
During 2nd year	2 Months	2 Months
During 3 rd year	4 Months	4 Months
During 4 th and 5 th years	5 months	5months
After 5 years service	6 months	6 months

2.8.2. The Council **may** withdraw the scheme for any absence (or repeated absence) if it is related to -

- Misconduct.
- An injury incurred whilst working for someone else or self-employment.
- An injury incurred whilst taking part in professional or dangerous sport.

2.8.3. Each individual case will be determined on its merits.

2.8.4. If the member of staff's sickness absence is due to an accident and there will be a claim for damages from a third party, e.g. following a car accident, the member of staff must inform the Parish Clerk.

2.8.5. The claim should include loss of pay which, if successful, must be reimbursed to the Parish Council.

2.8.6. North Horsham Parish Council reserves the right to withhold occupational sick pay if there is evidence which casts doubt on the validity of a sickness claim.

2.9. Conduct during sickness absence

2.9.1. In all cases of sickness or injury, which necessitate taking time off work, it is expected that the member of staff will do everything they can to facilitate a speedy return to fitness and to work.

2.9.2. The Parish Council would not expect any member of staff who is absent from work or on a phased return to work, due to sickness or injury to –

- Participate in any sports, hobbies, social activities or unpaid work inconsistent with their stated illness or injury; and which could aggravate the illness or injury or which could delay recovery.
- Undertake any paid or unpaid employment or voluntary work whilst absent from the Parish Council's employment on sick leave.

2.9.3. A breach of these expectations may be dealt with under North Horsham Parish Council's Disciplinary Code.

2.10. False Declarations in respect of sickness absence

2.10.1. The submission of a fraudulent sickness claim will be considered to be a very serious disciplinary matter, which may result in dismissal.

2.11. Medical Appointments

2.11.1. Employees are expected to arrange medical appointments out of normal working hours wherever possible. The council recognises this is not always possible. Where it is necessary to make an appointment during normal working hours, employees are encouraged to make the appointments are either the start or the end of the day wherever possible to minimise the disruption to the work of the council. Your line manager should be informed as soon as a medical appointment in working hours is made.

2.11.2. In the case of hospital appointments or procedures taking the whole day, the member of staff should inform their line manager as soon as possible. In patient appointments or procedures taking the whole day will be treated as sick leave in accordance with the procedures in this policy.

2.11.3. In the case of a genuine emergency, the member of staff must contact the Deputy Clerk or Parish Clerk as soon as possible.

2.11.4. Frequent absence for emergency treatment may be dealt with by the Parish Council's Disciplinary Procedures.

- 2.11.5. Necessary paid time off will be granted for the purposes of health screening.

3. ANNUAL LEAVE

3.1 Annual Leave Entitlement

- 3.1.1. Details of the leave entitlement for each individual member of staff are contained in the individual's Contract of Employment.
- 3.1.2. The current Annual Leave entitlement for full-time members of staff is twenty one days, rising to twenty five days, after five years of continuous service.
- 3.1.3. For those members of staff working an alternative working pattern, there is an equivalent leave calculation, which is made available to each member of staff.
- 3.1.4. Half-day Annual Leave is usually either 9am to 12.45pm or 1.15pm to 5pm.

3.2. Applying for Annual Leave

- 3.2.1. Applications for Annual Leave should be submitted to the Deputy Clerk or Parish Clerk, on the dedicated form, for endorsement, before final approval by the Parish Clerk.
- 3.2.2. Cover for caretaker holidays will be arranged by the Deputy Clerk/ Facilities Officer.

3.3 Unused Annual Leave

- 3.3.1. North Horsham Parish Council encourages and expects members of staff to take their full annual leave entitlement during the current leave year which runs from April to March.
- 3.3.2. The Parish Clerk may authorise, in exceptional circumstances only, that untaken annual leave may be carried forward to the next leave year. This discretion will be limited to one week (part time hours *pro rata*) only.
- 3.3.3. Unused Annual Leave will not be paid unless –

- the member of staff leaves the employment of North Horsham Parish Council, when the amount of Annual Leave owing will be calculated pro rata to the date of leaving.
- there are exceptional circumstances preventing the member of staff from taking their Annual Leave entitlement. In such cases, approval can only be given by the Personnel Committee.

3.4. Sickness absence during Annual Leave

3.4.1. If a member of staff falls sick during the course of their Annual Leave, a Doctor's Certificate must be provided; and the member of staff will be regarded as being on sick leave from the date specified on the Certificate.

3.4.2. The balance of the Annual Leave may be taken at a later date, subject to the provisions regarding Annual Leave contained in this section of the Policy.

3.5. Annual Leave Records

3.5.1. An Annual Leave record will be kept in respect of each member of staff.

4. TIME OFF IN LIEU

4.1 Entitlement to Time Off In Lieu

4.1.1. North Horsham Parish Council usually pays overtime to caretaking/cleaning members of staff. However, in some circumstances, where mutually agreed, lieu time may be awarded.

4.1.2. Time off in lieu is awarded to administration staff who are not paid overtime, and who act as Clerk to meetings of the Parish Council, its Committees and Working Groups; or attend meetings on behalf of the Parish Council; or any other approved Parish Council function, outside of normal office hours.

4.1.3 Where office staff cover the opening of the halls, lieu time is awarded. If cover is given for a prolonged period, to cover vacant posts or sickness, overtime may be given with the approval of the Personnel Committee.

4.1.4 The council encourages the use of Time Off in Lieu when it offers a way to help manage the council's salary budget, but this must be

balanced with providing sufficient cover for the office and buildings to run smoothly.

4.2. Calculating Time off in Lieu

4.2.1. Where the event is between 5pm and 10pm, the entitlement is calculated at half a day time off in lieu.

4.2.2. Where the event ends after 10pm, the entitlement is one day time off in lieu.

4.2.3 Office staff who cover the opening and closing of buildings will be awarded lieu time to recompense them for working beyond their contracted hours.

4.3. Using Time off in Lieu

4.3.1 North Horsham Parish Council encourages and expects those members of staff who accrue Time off in Lieu to utilise it during the current leave year.

4.3.2. A member of staff will only be permitted in exceptional circumstances to carry forward accrued Time off in Lieu to the following leave year; and will be subject to the approval of the Personnel Committee.

4.4 Applying for Time off in Lieu

4.4.1. Applications for the taking of Time off in Lieu should be submitted to the Parish Clerk, on the dedicated form, for approval.

4.5. Time off in Lieu Records

4.5.1. A Time off in Lieu record will be kept in respect of each member of staff.

5. OTHER LEAVE

5.1 Dependant Leave

5.1.1. In the event of an emergency involving a dependant, a member of staff may request time off at short notice to deal with the situation and to make any necessary longer term arrangements.

5.1.2. A dependant is the husband, wife, child or parent of the member of staff; or partner of family member who lives in the same household as the member of staff.

5.1.3. This will normally be for up to two days but may be extended, in exceptional circumstances, at the discretion of the Parish Clerk.

5.1.4. Such time off will normally be unpaid but the Parish Clerk may allow the time to be taken as Annual Leave or as Time off in Lieu (if accrued).

5.2. Compassionate Leave

5.2.1. The Parental Bereavement (Leave and Pay) Act 2018 provides for two weeks' leave for employees following the loss of a child under the age of 18 or a stillbirth after 24 weeks of pregnancy. Employees with 26 weeks continuous service will be entitled to paid leave at the statutory rate and other employees will be entitled to unpaid leave.

5.2.2 Other compassionate leave is at the overall discretion of the Parish Clerk. The council recognises that each individual's respective relationships are different, however, in order to achieve consistency, in general compassionate leave will be granted in the following circumstances:-

- the death of a close relative ie spouse, civil partner, sibling, parent.
- the diagnosis of, or final stages of care for, a serious (life threatening) illness affecting a close family relative.
- 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.

5.3. Public Duty

5.3.1. Members of staff who hold certain public positions under Section 50 of the Employment Rights Act 1996 (for example Justices of the Peace, Prison Board members, Statutory Tribunal members, School Governors etc.) are entitled to be allowed reasonable time off to perform the duties associated with the post.

5.3.2. Whether such time off will be paid will be at the discretion of the Parish Clerk.

5.3.3. Members of staff who are considering accepting an appointment under the above legislation are strongly advised to discuss the situation with the Parish Clerk, prior to accepting the appointment, to determine whether a reasonable amount of time off can be allocated.

5.3.4. Similarly, members of staff who may be considering joining the Special Constabulary are strongly urged to discuss the situation with the Parish Clerk before doing so.

5.4. Volunteer Reservists

5.4.1. Those members of staff who are Volunteer Reservists have special employment protection under The Reserve Forces (Safeguard of Employment) Act 1985, in the event that they are mobilised for operational duties with the Regular Forces.

5.4.2. The Parish Council, as an employer, is also afforded protection under the Reserve Forces Act 1996.

5.4.3. Members of staff who are either a Volunteer Reservist or considering becoming one are strongly urged to discuss the situation with the Parish Clerk.

5.5 Jury Service

5.5.1. If a member of staff is called for Jury Service, the Parish Clerk must be informed immediately.

5.5.2. Jury Service normally lasts for 10 days, although some trials may take longer. Jurors are usually warned in advance if this is likely to happen and members of staff should consult with the Parish Clerk if this is likely to be the case and before volunteering to sit on a lengthy trial.

5.5.3. Members of staff who are called for Jury Service should give a copy of the Confirmation of Jury Service letter received from the Court to the Parish Clerk as soon as practicable after receipt.

5.5.4. Whilst members of staff called for Jury Service will be paid as normal, they will be expected to make the appropriate claim for loss of earnings while on Jury Service.

5.5.5. The member of staff must ask the Court for a Certificate of Loss of Earnings which should be passed to the Parish Clerk for completion.

5.5.6. Whilst there are limits to the amounts that can be claimed, the amount claimed and received from The Court Service by the member of staff will be deducted from the next appropriate monthly salary payment.

5.6. Absence due to adverse weather conditions

5.6.1. The decision as to whether the Parish Council's Community Venues are opened at times of adverse weather conditions will be taken by the Parish Clerk, in liaison with the Deputy Clerk.

5.6.2. Where the decision is made to close the Community Venues those members of staff who are rostered to work on any such days will be paid in full.

5.6.3. Those members of staff who are not rostered to work on those days or who are on other leave will not be entitled to a day off in lieu.

5.6.4. Where the Community Venues remain open and members of staff are unable to attend work due to the adverse weather conditions, the member of staff should make contact with the Deputy Clerk or Parish Clerk as soon as possible, ideally before the working shift is due to begin, so that cover for the shift can be arranged.

5.6.5. Where a member of staff is unable to attend for work due to adverse weather conditions, one of the following options may be considered and approved by the Deputy Clerk or the Parish Clerk –

- to work from home (applicable to the Parish Clerk and Deputy Clerk only).
- to work at an alternative Community Venue (which will be subject to the availability of other members of staff and use of the Venues).
- to make up the time within the next two months, for example when working authorised overtime hours.
- to take the time as Annual Leave.
- to take the time as unpaid leave.

5.6.6. All requests to implement the above will be treated sympathetically and will take into account such factors as the distance to be travelled to and from work, the prevailing weather conditions, the member of staff's usual mode of transport to work and the safety, health and mobility of the member of staff.

5.6.7. Where worsening weather conditions affect a member of staff's journey home approval may be given by the Premises Manager or the Parish Clerk to leave work early, without loss of pay.

5.7. Records of other absence

5.7.1. A record of other absence will be kept in respect of each member of staff.

5.8 Maternity/ paternity/ adoption/ parental leave

5.8.1. The Council recognises an employee's right to maternity/ paternity/ adoption/ parental leave as set out in relevant legislation.

6. REVIEW OF THE POLICY

Subject to any new legislation, changes in case law which require immediate amendment or the requirements of the Parish Council, the Absence Management Policy will be reviewed on a two year basis.

July 2020