



Caring for Claygate Village

MINUTES

STAFFING COMMITTEE MEETING held at 7.30pm 1st March 2023 in Claygate Village Hall.

Chair of the Committee: Michelle Woodward
Councillors: Brian Rawson, Jo Collon, Gil Bray
In attendance: Sally Harman (Parish Clerk & RFO)

The Clerk noted that the meeting would be recording solely for the purposes of assisting her with the minutes and that the recording would be deleted when the minutes were approved by Councillors at the next meeting.

1. **Apologies for absence**
None received.
2. **Declarations of Interest in items on the agenda.**
None
3. **To resolve on whether the Council will move into closed session to consider a confidential staffing matter in accordance with the Public Bodies (Admission to Meetings) Act 1960. Should this resolution be passed the public and press will be required to leave the meeting at this stage**

It was **unanimously agreed** to move into closed session to consider a confidential staffing matter.

The Clerk left the room and the Chair took over minute taking.

4. **To consider an updated Employment Contract and Job Description for the Parish Clerk and Responsible Financial Officer.**

The Committee had received an updated Parish Clerk and RFO Employment contract based on the National Association of Local Council's template which included amended salary and holidays as already approved by the Full Council. It also had an updated job description with amends that had arisen in the Clerk's appraisal held with Cllr Woodward and Cllr Bray on the 9th February 2023.

It was **unanimously agreed** to approve the updated Employment Contract and Job Description for the Parish Clerk and Responsible Financial Officer

API Clerk to add to 9th March 2023 full Council agenda for approval

5. **To consider the annual leave request for financial year 2023/2024 for the Parish Clerk and Responsible Financial Officer.**

It was **unanimously agreed** to approve annual leave request 2023/24 for the Parish Clerk and Responsible Financial Officer

AP2 Clerk to add to 9th March 2023 Full Council agenda for approval

6. **To consider a Sickness at Work Policy.**

The Committee had received a proposed Sickness at Work Policy (Appendix A) ahead of the meeting.

It was **unanimously agreed** to approve a Sickness at Work policy with Council's Sick Pay for the Parish Clerk and Responsible Financial Officer. The length of the Council's Sick Pay was not discussed.

AP3 Clerk to add to 9th March 2023 full Council agenda for discussion and final approval.

7. **To move out of closed session**

8. **Date and time of next meeting.**

To be confirmed as and when needed.

Meeting Closed: 19h40

Signed:

A handwritten signature in black ink, appearing to be 'A. May', written over a horizontal line.

Dated:

9/3/23.

Appendix A

CLAYGATE PARISH COUNCIL SICKNESS ABSENCE POLICY

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What to do if you are unwell

If you are away from work because of sickness you must:

- Telephone or email the Chair of the Staffing Committee and Chair of the Council on the first day of absence providing details and how long you expect to be off. If you are unable to call personally, someone else may call for you. It is your responsibility to ensure the Council is notified.

- If you are away for more than seven days (including weekends and other non-working days), you must send in a 'fit to work' statement from your doctor and continue to do so as each new certificate is issued to you. This certificate gives details as to whether you are too ill to work or whether you are well enough to work with suitable support from the Council. This gives you and the Council the opportunity to discuss suitable arrangements which will support your return to work. The form also gives more space for the doctor to provide information about your condition and helpful tick boxes to suggest common ways to help you return to work.

Return-to-work meetings

On the first day back at work after a period of sickness absence of over seven days, the Chair of the Council or Chair of the Staffing Committee may want to meet informally. If this is not possible on your first day back, the meeting may take place later. The return-to-work meeting should take place in a private place, and all discussions should be private and confidential. The meeting would normally include

- a welcome back to work;
- outline the purpose of the return-to-work meeting; which is to manage and monitor absence and attendance to identify any problem areas and offer support where appropriate;
- a discussion about the reasons for absence, in a supportive way and to understand whether the council can take any steps to help the employee's attendance;
- explain that the absence will be recorded;
- establish if medical advice has been sought (if appropriate);
- ensure a fit note from the doctor has been provided;
- a discussion on absence over the last 52 weeks, the impact on pay and any next steps; and
- a handover of work where appropriate.

Medical appointments

The council recognises that employees will, from time to time, need to attend medical appointments. Please try to arrange medical appointments in your own time or, if this is not possible, at times that will cause the minimum amount of absence from work or inconvenience to the council. The council will allow reasonable time off work [with pay / without pay] for such appointments.

Statutory Sick Pay

If you are ill and unable to attend work, you may be entitled to Statutory Sick Pay (SSP). SSP is currently paid after 4 Qualifying Days absence from work. The Qualifying Days are your normal working days that are in your contract. Tax and National Insurance will be deducted from SSP and if you earn below the lower earnings limit, you will not qualify for SSP.

Council's Sick Pay (Occupational Sick Pay)

It is the Council's policy to pay you your normal basic rate of pay exclusive of overtime/allowances during periods of sickness absence of up to [xxx weeks] [and half pay for a further xxx weeks]. This occupational sick pay will be for absences due to sickness calculated over the previous 52 weeks and will include your entitlement to SSP.

Payment is, however, conditional upon you complying with the council's procedure for notifying your manager of the absence, attending an interview with your manager on request to discuss the absence, and completing a self-certification form on return to work or providing a fit-note when requested. We may also ask you to attend an interview/examination with a nominated doctor at the request of the Council.

We may not pay you occupational sick pay where:

- you have failed to comply with the Council's sickness absence notification and evidence requirements;
- you unreasonably refuse to attend a sickness absence meeting with the Council on request;
- you are unable to work because you hurt yourself in dangerous sports / activities or any other occupation you have;
- you have misled the council about your fitness to work;
- you have resigned; or
- where disciplinary proceedings are pending against you.

Medical advice

The Council may want to obtain advice on your fitness for work from occupational health advisers or medical practitioners. Examples of when the Council might refer to occupational health or a medical practitioner include the following:

- to seek a medical report on your illness or injury;
- to establish when you might be able to return to work;
- to understand when you are likely to be fully fit to resume your normal duties;
- to understand what alternative duties you might be fit to undertake if you are unfit to resume your normal duties;
- to understand when you are likely to be fit to undertake any alternative duties;
- to ask for guidance on your condition, for example if there is a possibility that you are disabled or ambiguity as to the exact nature of the condition;
- to ask what reasonable adjustments could be made to working conditions or premises to facilitate a return to work;
- to understand the likely recurrence of the illness or injury once you have returned to work; and
- to discuss any adjustments that could be made to accommodate your disability, if you are disabled.

The Council will pay the cost of the report and you will have the right to see it. The Council will also be provided with a copy of the report and once we have seen it, we will want to meet you to discuss the findings and consider options available to you.

If you choose not to consent to an Occupational Health referral, any decisions in relation to your employment may be made without the benefit of access to medical reports.

Persistent short-term absence

Persistent short-term absence is where an employee is frequently absent from work for relatively short periods due to sickness. We understand most employees will have some short-term sickness absence from time to time. However, if you are frequently and persistently absent from work, this can damage efficiency and productivity, and place an additional burden of work on your colleagues and councillors.

Therefore, it is essential that frequent absence is dealt with promptly and consistently and in some circumstances, the Council may begin a capability or disciplinary procedure as part of the absence management process. If we do so, we will meet with you to set attendance targets. Following a review meeting we may issue a formal warning if those targets are not met. You will be given written notice in advance of any formal meeting and you can be accompanied by a work colleague or trade union representative. You may appeal against a formal warning. If your absence remains

unacceptable after a second formal warning, the council may bring your employment to an end following consultation with you.

If frequent absence is due to an underlying long-term health condition then we will also request, with consent, a medical report either from an Occupational Health Physician or your G.P. or consultant to establish further information about your health and how the council can support your attendance.

When considering the reasons for absence, and deciding on whether a formal meeting is appropriate, the council will not consider any pregnancy related absence. The council will also make adjustments where absences are related to a disability by allowing a higher level of absence before considering whether disciplinary action is appropriate.

The council will consider any alternative employment options before making any decision about ending employment. You will have the right to be accompanied by a work colleague or trade union representative at formal meetings and a right of appeal against a formal warning or dismissal sanction. The monitoring of absence operates on a rolling 52-week period.

Where it appears that there is no acceptable reason for an absence or if you have not followed the correct absence notification procedure, the matter should be treated as a conduct issue and dealt with under the disciplinary procedure.

Long-term absence

As a guide, long term absence is any absence which lasts or is expected to last over 4 weeks. In all cases of long-term absence, it is essential for the Council to maintain contact with you. In cases where the return date is less certain this will take the form of consultation and will include:

- Discussions at the start of the absence and periodically throughout
- Obtaining better information on your health and likely prognosis, ideally through an Occupational Health Physician
- Where appropriate alerting you to the fact that your absence is becoming a problem, and
- Allowing you the opportunity to state your opinion of your condition and giving consideration to that opinion

Where ill-health means that you are unlikely to return to work for a long period of time, the council may need to consider bringing your employment to an end. In these circumstances, the council will:

- Review your absence record to assess whether or not it is sufficient to justify dismissal
- Consult with you
- Obtain up-to-date medical advice
- Advise you in writing as soon as it is established that termination of employment has become a possibility
- [Discuss whether you may be able to access benefits from the Local Government Pension Scheme (where appropriate)]
- Meet with you to discuss the options and consider your views on continuing employment before any decisions are made, allowing you to be accompanied by a work colleague or trade union representative
- Review if there are any alternative jobs that you could do prior to taking any decision on whether or not to dismiss
- Allow a right of appeal against any decision to dismiss you on grounds of long-term ill health
- Following this meeting, inform you of the final decision

Absence as a result of disability

Where you experience sickness absence as a result of a disability it will be treated in line with the provisions contained within the Equality Act 2010 (formerly as part of the Disability Discrimination Act 1995). This will include considering whether any reasonable adjustments can be made.

Data protection

The Council will treat personal data collected during the absence management process in accordance with its data protection policy on processing special categories of personal data. Information about how your data is used and the basis for processing your data will be provided in our employee privacy notice. When relying on legitimate interests as the legal ground for processing your data, you can object to the processing.

This is a non-contractual procedure which will be reviewed from time to time.

February 2023