



Kenilworth Town Council

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SICKNESS AND ABSENCE POLICY

Date of Approval – 11 January 2024

Date of Review – January 2027

1. Introduction

- 1.1 The Council is committed to the care and well-being of its employees.
- 1.2 The purpose of this policy is to ensure all staff members have access to information relating to sickness and absence and are aware of the steps they must follow when absent from work. This policy applies to all flexible working arrangements.
- 1.3 By managing sickness and absence, the Council will continue to provide a high quality service to members of the public.
- 1.4 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 staff are unable to work due to sickness. The Council provides a sick pay scheme for its employees in line with the National Joint Council (NJC) terms and conditions. Details of sick pay are included in the employee's contract.

- 2.2 If an employee is unable to attend work due to sickness, they must inform the Clerk, (in relation to Town Clerk absence – this should be notified to the leader of the Council) 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 service levels can be maintained. Regular contact must be maintained with the Clerk, (in relation to Town Clerk absence – contact with the leader of the Council) during a period of absence.
- 2.3 For absence of seven days or less, employees are 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 Employees who are frequently absent could be suffering from poor health which may require medical investigation. The Council will offer support and guidance in consultation with the employee, and will consider referral to occupational health specialist services if deemed appropriate.
- 2.5 All sickness absence will be recorded. 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 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
- 2.7 In cases where an employee'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.
- 2.8 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 Unauthorised absence and lateness

- 3.1 Unauthorised absence occurs when an employee fails to attend work and has not made arrangements with the Clerk, (in relation to Town Clerk absence – this should be notified to the leader of the Council).
- 3.2 Where an employee returns to work following an unauthorised absence, they will be required to attend a meeting with the Clerk, (in relation to Town Clerk absence – this should be a meeting with the leader of the Council) 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 formal disciplinary action being taken.

- 3.3 There may be occasions when it is unavoidable to be late for work. The employee should contact the Clerk, (in relation to Town Clerk – this should be notified to the leader of the Council) to explain the reasons for any delay. The employee will be expected to make up any time lost at work due to lateness. Persistent lateness may result in formal disciplinary action being taken.

4 Annual Leave

- 4.1 Details of annual leave entitlements are included in an employee's contract, in line with NJC terms and conditions.
- 4.2 The annual leave period runs from the anniversary of an Officers commencement of employment. A maximum of ten days (pro rata) annual leave may be carried over from one year's entitlement to the next, subject to operational needs and the Town Clerks prior approval.
- 4.3 Requests for annual leave are at the discretion of the Town Clerk, with consideration of the operational requirements of the Council being taken into account before a decision is made. Annual leave requests will not be unreasonably refused.
- 4.4 Where two or more employees request annual leave on the same dates, and it is not operationally possible to grant all the requests, approval will be at the discretion of the Town Clerk

5 Compassionate and/or emergency leave

- 5.1 Compassionate leave is at the overall discretion of the Town Clerk. 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 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
- 5.2 The length of paid compassionate leave granted is at the discretion of the Town Clerk, but is limited to a maximum of five days. Where a situation requires an extended period of leave beyond five days, other options should be discussed with the Clerk, (in relation to Town Clerk absence – this should be discussed with the leader of the Council) including use of Time Off in Lieu, 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 Town Clerk. 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 Employees are 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 assessed using the Council's annual leave guidelines.

6 Time off in lieu (TOIL)

6.1 The standard Council working week is 37 hours. Employee's individual weekly hours are detailed in their employment contracts.

6.2 The Council recognises an employee's right to receive recompense for working beyond their contracted hours, either financially or as time off. Any work conducted beyond contractual hours must be agreed with the Town Clerk and fall within the employees job description/requirements.

6.3 The Council encourages the use of TOIL, and welcomes employee's consideration of management of the Council salary budget. TOIL requests will be considered in the same way as annual leave requests, with the need to maintain operational effectiveness.

7 Medical appointments

7.1 Employees are expected to arrange medical appointments out of normal working hours wherever possible.

7.2 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 at either the start or end of the day where possible to minimise disruption to the work of the Council.

7.3 It is at the discretion of the Town Clerk whether employees are required to make up their working hours for medical appointments and evidence may be requested.

7.4 In-patient appointments or procedures taking the whole day will be treated as sick leave in accordance with the procedures outlined in section 2.

8 Maternity/paternity/adoption/parental leave

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

Maternity Leave and Pay - <https://www.gov.uk/maternity-pay-leave>

Paternity Leave and Pay - <https://www.gov.uk/paternity-pay-leave>

Adoption Leave and Pay - <https://www.gov.uk/adoption-pay-leave>

Shared Parental Leave and Pay - <https://www.gov.uk/shared-parental-leave-and-pay>
Unpaid Parental Leave - <https://www.gov.uk/parental-leave>