

NORTH LINCOLNSHIRE COUNCIL

BUSINESS TRANSFORMATION CABINET MEMBER

HR POLICY CHANGES TO SUPPORT WORKWELL

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To seek approval for revised HR policies to achieve WorkWell objectives and support the council's ambitions.

2. BACKGROUND INFORMATION

- 2.1 Due to the changing work environment which is emerging under the WorkWell vision, it has been necessary to review key HR policies which govern and guide the organisation in how it manages an increasingly agile workforce.
- 2.2 The purpose of this review was to ensure that key HR policies enable employees to adopt new ways of working and enable managers to manage their teams under WorkWell. The key policies identified for review were:
- Agile Working
 - Home Working
 - Working Time
 - Special Leave
 - Flexitime
 - Allowances and Expenses
 - Digital Technologies
 - Attendance Management
- 2.3 A series of workshops have taken place with HR and a cross-section of council managers. Trade union representatives also participated as part of the consultation process. Discussion within the workshops focused on the following questions in the context of WorkWell:

- What challenges currently exist when using these policies to manage teams?
- How do the policies need to change to support agile working?

2.4 As a result of the discussions, draft revised policies were prepared and consulted on in a further workshop. A summary of the changes for each policy is provided below. Appendix 1 includes full copies of the draft policies for further reference as required.

Agile Working and Homeworking

- Agile Working has been broadened to apply to all council employees, not just those employees working across Shared Services with North East Lincolnshire Council.
- The Homeworking policy has been revoked and the principles incorporated into the revised Agile Working policy.
- There is a change in focus, to treat agile working as the default, rather than as an option to be considered.
- The policy has been updated to reflect and promote the use of new technologies i.e. Skype, GovRoam.
- There is now an emphasis on developing team protocols to support agile working.
- A new Homeworking toolkit is appended to the Agile Working policy to assist managers in meeting requirements where employees are contracted to work all of their hours in their own home.

Working Time

- Content which is duplicated in other policy documents has been removed.
- The reference to the council's 'normal business hours' being 8.00am to 6.00pm has been removed, in recognition of the WorkWell principle that employees have 'maximum flexibility and minimum constraints' and 'can think and act to do the right things at the right time'.

Special Leave

- The policy has been updated to include a reference to agile or flexible working as possible alternatives to requesting special leave. This recognises a wider capacity to work remotely and deliver agreed

outputs outside of an employee's normal standard working hours (in consultation with their manager).

Flexitime

- Content which is duplicated in other policy documents has been removed.
- A standard template for recording working time has been developed.

Allowances and Expenses

- Content which is duplicated in Finance Manual has been removed.
- The reference to telephone allowances has been removed as these are now obsolete.
- Any reference to submitting paper claims for e.g. subsistence has been removed to reflect the expectation that claims are made electronically.

Digital Technologies

- The policy was reviewed in May 2018 to reflect new ways of working so minimal changes were required.
- The requirement that calendar entries containing third party information be marked 'private' has been added.

Managing Attendance

- Clarification has been added that an employee may report their absence by email or text, if this has been agreed in advance and on the basis that manager will make contact by phone at the earliest opportunity. As working patterns become more diverse, a manager may not be at work at the same time as an employee to receive a phone call, so alternative arrangements may be required.
- The policy has been updated to include a reference to agile or flexible working as possible alternatives to sickness leave, following consultation with a manager. This gives recognition to employees' wider ability to work from home rather than in an office, dependent on the needs of the service and there being clear and measurable outputs.
- The Manager Checklist is still available at Appendix 3 as a mechanism for recording management action, but is no longer mandatory. Managers were finding the additional documentation

excessive, particularly for occasional short-term absence when it wasn't always adding value to the process.

- 2.5 These are interim changes to meet WorkWell objectives in the short-term pending a more detailed review of the format and content of HR policies in line with the council's transformation.

3. OPTIONS FOR CONSIDERATION

- 3.1 To approve the proposed policy revisions.
- 3.2 To reject the proposed policy revisions.

4. ANALYSIS OF OPTIONS

- 4.1 Approving the proposed revisions will facilitate the continued transformation of the council's workforce to be more agile. This will support employees to 'have maximum flexibility and minimum constraints...to think and act to do the right things at the right time'; ultimately contributing to the organisational goals: progressive, commercial, sustainable and enabling.
- 4.2 Rejecting the proposed policy revisions will not give the necessary support to employees to adapt to the changing work environment, or to managers to enable them to manage increasingly agile teams.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 No additional resources to those already identified as part of the WorkWell vision.

6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 6.1 Not applicable.

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTEREST DECLARED

- 7.1 A cross-section of managers and trade union representatives have been consulted and involved in the policy revisions and are supportive of the changes.

8. RECOMMENDATIONS

- 8.1 That the revised policies be approved in support of the WorkWell vision.

DIRECTOR OF BUSINESS DEVELOPMENT

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Background information used in the preparation of this report:

Appendix 1: Workwell Policy Drafts

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1.0 Introduction

- 1.1 North Lincolnshire Council wants to create progressive working practices that will produce the most effective and efficient way to deliver services. Agile working creates an environment where employees can think and act with agility. It allows maximum flexibility and minimum constraints around where and how employees can carry out their work.
- 1.2 Advanced communication and information technology enables employees to work from a variety of locations without the traditional limitations of where and when a role can be carried out. The degree of work agility will be dependent on organisational need and the nature of the role..
- 1.3 This policy applies to employees of North Lincolnshire Council except those employees appointed directly by schools with delegated powers.
- 1.4 Further information on homeworking, where employees are contracted to work **all** of their hours at home, can be found in the Homeworking Toolkit, A.11a.

2.0 Aims and objectives

- 2.1 Agile working encourages employees and managers to think differently about the work that they do and to consider how and where they work to deliver services effectively and efficiently. Agile working should:
- Increase efficiency and productivity.
 - Meet the council's transformation objectives.
 - Improve business performance.
 - Be cost effective.
 - Allow customer expectations to be met.
 - Ensure skills are utilised effectively.
 - Support and enhance employee performance.

3.0 Implementation and management

3.1 Employees will be encouraged to consider the various options available to their particular role. This may include:

- Working from a core location or designated contractual work base;
- working from any suitable council location;
- working across sites from other councils, or partnership organisations with a secure network (e.g. GovRoam);
- working from home;
- flexible working.

Note 1: When working from home, employees should be mindful of the possibility that they may be expected to attend a council site, e.g. for a meeting, at relatively short notice, and therefore should be accordingly prepared.

3.2 A list of council sites with agile workspaces is available on TOPdesk. Prior to travelling to work at an alternative site, particularly within an external organisation, employees must ensure that appropriate workspace is available.

3.3 Working arrangements should always be discussed and agreed between the manager and the employee to ensure that arrangements are beneficial to the council and service delivery.

3.4 Managers should ensure that the employee has access to the equipment and facilities to work in an agile way and carry out their role.

3.5 Managers supervising employees working from multiple locations should establish a team working strategy that will support employee inclusion and prevent feelings of isolation from their manager and/or team members and should therefore ensure the following are discussed and agreed:

- Establish a clear understanding of the role and expectations;
- set clear and realistic individual targets and objectives that contribute to the team objectives and enables performance to be measured in terms of output and service delivery;
- set the frequency and methods of communication between the employee, the manager and other team members e.g. email updates, Skype contact, and regular team and one to one meetings;
- encourage the employee to maintain regular contact and to advise of any problems or issues as soon as they arise.

3.6 Managers and employees should agree some 'team protocols' to support agile working which will include:

- Secure systems of work including shared electronic filing
- Secure storage of equipment and documentation
- Health and safety arrangements including accident reporting
- Telephone/Skype routing/message handling
- Alternatives to business travel, or smart journey planning where alternatives are not available
- Hours of work, including service cover
- Lone working support
- Booking annual leave

3.7 Working arrangements should be reviewed on a regular basis: individually through one to ones or supervisions, and at a team level through team meetings, to ensure they are working effectively.

4.0 Sickness Absence

4.1 An employee should follow normal absence reporting procedures to notify their manager of absence.

5.0 Travel Expenses

5.1 For administrative purposes, including the claiming of travel expenses, employees undertaking agile working will retain a nominal contractual work base. Guidance on claiming travel expenses is available on TOPdesk.

6.0 Workplace

6.1 When working away from the contractual work base, the policies and procedures of the council will still apply. The host organisation is responsible for the health and safety of the building but employees have a personal responsibility for their own health and safety. Employees must make themselves aware of the requirements at each site visited e.g. signing in/out, fire evacuation etc.

6.2 Employees who have been provided with specialist equipment in the office as a result of workplace assessments e.g. footrests, specialist chairs, keyboards etc. will need to discuss with their manager whether the equipment can be transferred to an alternative location. Agile working from more than one site may not be possible as specialist equipment may only be supplied to one location.

6.3 Where an employee requires adjustments under the Equality Act 2010, individual needs will be discussed thoroughly and careful consideration given to how the employee's needs can be reasonably met in the context of agile working. Further guidance is available in D.2 Making Reasonable Adjustments Guidance.

7.0 Security of data

7.1 Employees have a personal and professional responsibility to keep information safe and to be aware of confidentiality regardless of their working environment. Security of information is particularly important when employees are working in an agile way.

7.2 Employees must ensure they fully understand, and are compliant with, the relevant policies and guidance in respect of information security, data protection and confidentiality.

7.3 Any breaches of these policies may lead to an employee being subject to the council's Disciplinary policy.

8.0 Security of equipment

8.1 Equipment provided by the council for work purposes such as laptops, mobiles and memory devices must be kept secure at all times. Laptops and equipment not in use should be stored in lockable storage cabinets

8.2 When working at home, every effort must be made to secure equipment by either locking it away in cabinets or, if this facility is not available, ensuring it is stored out of sight of windows and doors to deter thieves. Further guidance can be found in the Information Governance knowledge base on TOPdesk.

8.3 Employees should take all reasonable steps to safeguard equipment from loss or damage. Laptops should not be left unattended in vehicles.

9.0 Health and safety

9.1 Due to the nature of agile working, employees will need to undertake regular dynamic risk assessments to ensure their workstation is set up correctly. The council will provide training and toolkits to support this and employees should notify their manager immediately of any issues arising. Health and safety and wellbeing issues will also be discussed during Employee Performance Review Meetings.

9.2 Further health and safety information and guidance relating to agile working can be found in the Health and Safety section on TOPdesk.

1.0 Introduction

- 1.1 Homeworking is where employees are contracted to work all of their contracted hours in their home.
- 1.3 Employees working at home (referred to as 'home workers') will have it expressly detailed in their contracts of employment that they are home workers. Occasional home working is an example of broader agile working practices and much of what follows may not be directly applicable to occasional home working but will provide useful guidance.
- 1.4 All terms and conditions of employment and council policies and procedures remain in place unless specifically modified by this policy.
- 1.5 Not all jobs are suitable for home working and all home working arrangements must be approved in advance. Managers will actively consider posts for home working but will not normally require an existing employee to home work. Employees may request to work from home but there is no automatic right and the decision will be taken by the manager, having objectively considered the request, including the statutory implications of requests for flexible working. See B.3.6 Flexible Working policy.

2.0 Eligibility and Assessment

- 2.1 In determining whether a post is suitable for homeworking managers must give consideration to the points in Agile Working, paragraph 2.1. :
- 2.3 If a manager establishes that a post is suitable for home working, then prior to any agreement, the employee should complete an assessment of the homeworking location to confirm the following (See Appendix 1):

- The employee's home must be able to accommodate an office function, preferably in a separate room.
- The employee should not have other commitments (e.g. voluntary work, or running a business) whilst they will be home working.

2.4 If Appendix 1 is agreed then a full risk assessment must be undertaken by the manager at the employee's home. This is to ensure that all health and safety risks are identified, documented and controls put in place to eliminate or reduce risks to an acceptable level (see Appendices 2 and 3).

2.5 Employees have a responsibility to take care of themselves and other people affected by their work activities and to cooperate with the employer in meeting their legal obligations. As the control that can be exercised over an employee working from home is limited, the day to day responsibility for health and safety will be with the home worker and they should report any concerns immediately. The risk assessment template and guidance (Appendices 2 and 3) should be used for at least annual reviews of the work environment.

2.6 Health and safety information is available on TOPdesk which provides detailed guidance on the various health and safety issues that need to be considered, including the use of display screen equipment, work equipment, first aid, fire precautions and the recording and reporting of accidents including those required under RIDDOR. Advice is also available from the Safety Solutions Team.

3.0 Equipment and security

3.1 Subject to the conditions and assessment outlined in section 2, the council will supply equipment which is essential to enable an employee to work effectively and securely from home. This may include:

- Relevant IT equipment/mobile technology;
- small office equipment, such as a set of lockable drawers;

- consumables/stationery;
- Furniture such as desks and chairs will only be provided where there is a specific requirement, such as a recommendation from occupational health, a medical practitioner or Access to Work.

3.2 Home workers are required to have a suitable home broadband connection with which to access the council's network. The council will not supply the employee's home broadband or pay for any upgrades to employee's existing home broadband lines.

Note 1: Unlimited downloads with a minimum speed of at least 2 mbps is recommended. If in doubt, contact the IT Enablers for further information.

3.3 Should there be any system downtime which prevents the home worker from actually undertaking work, the following apply:

Planned system downtime:

- Attend the designated office base or take annual/flexi leave.

Unplanned system downtime:

- Two hours or less, paid time at home providing IT have been informed and an estimated fix time is established.
- More than two hours, attend the designated office base or take annual/flexi leave.

3.4 Equipment supplied by the council remains the property of the council at all times and is not for personal use, although the employee may access the Internet for personal use in accordance with C.9 Digital Technologies policy. However, the computer must not be used by anyone other than the home worker (members of the family, friends etc.)

- 3.5 Any costs incurred as a result of changes made by the employee after initial set up (moving house, home improvements, change of use etc.) will be the responsibility of the employee and at their expense. If a home worker leaves the council's employment it is their responsibility to ensure they return any council equipment promptly and in good condition.

Information security

- 3.6 It is the home worker's responsibility to ensure that they maintain the security and confidentiality of work related information within their home at all times, in accordance with the council's Information Security policy, available on TOPdesk.
- 3.7 Confidential waste must be gathered up and securely transported to the office on the home worker's next scheduled visit/review. Once in the office, it will be disposed of in the normal way with the other confidential waste that is produced. Alternatively, if the home worker has suitable cross cut paper shredding facilities, the confidential waste may be put through the home shredder and thrown away with the rest of the household rubbish. This should be determined at the initial suitability assessment by the relevant manager.

Insurance

- 3.8 The employee is required to ensure that their buildings and contents insurance policy provides cover for home working. The council will not reimburse any increase in premium should this occur.

Mortgage and rental

- 3.9 Before commencing home working, employees should advise their mortgage provider or landlord that they intend to work from home. The council will not be responsible for any additional costs as a result.
- 3.10 The council will not accept any responsibility for an employee who suffers any detriment, loss or legal action as a result of not obtaining the necessary permissions from their insurer, mortgage lender or landlord.

4.0 Contracts of employment

- 4.1 Home working arrangements are subject to regular reviews. The first review should take place after one month with subsequent reviews forming part of the employee performance management framework thereafter. See Appendix 2.

Hours of work

- 4.2 Home working may be a flexible working arrangement but the requirement remains for the employee to fulfil their contractual obligation. Employees and managers must agree an appropriate working pattern.
- 4.3 Requests from home workers to change their working arrangements will be treated in the same way as other employees. See B.3.6 Flexible Working policy.

Training and contact

- 4.4 Arrangements may vary but it is essential that home workers receive adequate management, support and training. Meetings should take place on a regular basis in line with the employee performance management framework. During employee performance review meetings the suitability and effectiveness of the home working arrangement will be discussed. Where possible, the home worker should also have the opportunity to attend team meetings, training days and receive regular messages and updates.

Expenses

- 4.5 Business travel will be paid in accordance with council policy; therefore mileage is not payable when the home worker attends the designated office base. Any other mileage incurred should be claimed through the electronic system. See part B of the council's Finance manual for more information, available on TOPdesk.

Home working allowance

- 4.8 A home working allowance will be payable to employees who work at home. See B.4 Allowances and Expenses policy for the latest allowance amount.

Withdrawal of home working

- 4.9 If service requirements change and home working is no longer a suitable option, consultation with a view to agreement will take place with the home worker to find an alternative arrangement. In the event of a failure to agree, the home worker will be given contractual written notice of the change to their contract of employment.
- 4.10 In the event of concern about the employee's health and safety, performance, conduct or capability, the home working agreement may be suspended or withdrawn as part of a sanction/reasonable adjustment or the outcome of action in accordance with the Disciplinary or Managing Performance procedures.
- 4.11 Where the employee wishes to voluntarily cease home working they must make a written request to this effect, giving their reasons, to the manager.

1.0 Introduction

1.1 The standard working week for full time employees is a 37 hour (5 day) week. Part time employees and those with irregular working patterns shall have the same provisions applied on a pro rata basis.

1.2 While the standard week is 37 hours, this may be varied by agreement. .

1.3 In considering working arrangements the following need to be taken into account:

- Working Time Regulations 1998 (as amended);
- Relevant health and safety legislation;
- National Agreements on Conditions of Service.

1.4 The main provisions of the of the Working Time Regulations are:

- A limit of an average of 48 hours a week (*40 hours for Young workers*) which a worker can be required to work;
- a limit of an average of eight hours work in 24 which nightworkers can be required to work;
- a right to 11 hours (*12 hours for Young workers*) rest a day;
- a right to a day off each week (*2 consecutive days for Young workers*);
- a right to a minimum in-work rest break of 20 minutes (*30 minutes for Young workers*) if the working day is longer than six hours (*four and a half hours for Young workers*);
- a right to 5.6 weeks paid leave per year;
- a right for nightworkers to receive free health assessments.

Greater detail on all of the above can be found at Appendix 1.

1.5 The aim of the council is to comply with the provisions (i.e. without the use of flexibilities, modifications and exemptions) of the regulations, which have been written with a view to reducing health and safety risks.

1.6 This procedure applies to all employees of the council other than those appointed by schools with delegated powers. The scope of the Working Time Regulations however is much wider and in the context of these regulations and the following procedure a 'worker' covers:

- Someone who has a contract of employment, or
- Someone who is paid a regular salary or wage and works for an organisation, business or individual. Their employer normally provides them with work, controls when and how the work is done, supplies them with tools and other equipment, and pays tax and National Insurance contributions. In the council this includes casuals, sessional workers and the majority of agency workers and freelancers.

Note 1: This procedure addresses working time issues during periods of normal activity. Guidance on working time considerations in the event of adverse weather conditions can be found in Appendix 4.

2.0 Standard Working Arrangements

2.1 Standard working arrangements should be determined at the time of or immediately following an offer of employment to the successful candidate. At the latest this should be conducted on the first day of work and both parties **must** complete and sign Appendix 2, which is provided for this purpose.

Note 2: Completed forms must be forwarded to the Human Resources (HR) Advisory Service to be filed securely in the employee's personal file.

Note 3: Details of non-standard working patterns and shift work including associated enhancements and allowances can be found in the council's Pay policy B.2.

2.3 The manager will consider any request made by the employee in relation to their working hours against the needs of the service. This may lead to negotiations to set the working hours, however the overriding factor will be the need to meet service requirements.

2.4 If an employee wishes to temporarily change their standard working arrangements this must be agreed in advance by the line manager, who will decide if the request for change meets the needs of the service. Employee requests to permanently change standard working arrangements should be made in accordance with the council's Flexible Working policy B.3.6 if applicable.

3.0 Implementation, Monitoring and Review

3.1 In seeking to make changes to working arrangements, Directors or their nominated senior officers, in conjunction with HR, will consult fully with staff and their trade union representatives.

3.2 HR will assist Directors, as necessary, to establish appropriate records for demonstrating particular areas of compliance as required by the Working Time Regulations, specifically:

- The 48 hour week;
- night working limits; and
- health assessments for night workers.

3.3 Directors or their nominated senior officers should identify employees who regularly work in excess of their contracted weekly hours and investigate the reasons for this situation. Where employees are identified as exceeding the 48 hour limit, managers should review the workload and practice and consideration should be given to adjusting working hours or redesigning the job.

4.0 Recording of Time

Note 5: Employees have a responsibility to arrange their working time and locations in the most efficient way possible. This will minimise the claiming of time in excess of normal working hours.

- 4.1 Employees are deemed to start work for the day when they begin their first duty, at their first place of work.
- 4.2 Employees who are not working at their normal place of work and have to undertake a journey to work that is longer than their usual journey from home to work may record the additional travelling time as time worked. Employees whose journey is shorter than usual, should record their start time when they begin their first duty on arrival.
- 4.5 For time recording purposes employees will claim the actual time spent on the training course, plus any travel time in accordance with paragraph 4.2, subject to it not exceeding their normal working day.
- 4.6 If an employee is directed to attend a meeting or conference where the main beneficiary is the council, or the employee is required to represent the council, the actual working time spent away from the work base, plus any travel time in accordance with paragraph 4.2, may be recorded.

5.0 Additional Employment

- 5.1 New employees joining the council who already have another job must notify the council prior to commencement so that the overall working hours may be taken into account.
- 5.2 Employees must equally ensure that any work undertaken outside their main employment with the council does not adversely affect their ability to satisfactorily perform the duties of their main post.

5.3 Existing council employees who wish to take up additional employment (including work on a self-employed basis) must inform their line manager in writing prior to taking up any additional employment. The letter should contain information about the hours and patterns of work involved and specifically detail the combined total hours the employee intends to work.

5.4 Managers must assess the request against the provisions of the Working Time Regulations including considering whether the employee's health is likely to suffer as a result of inadequate breaks. Managers must also judge whether there is any potential conflict of interest.

5.4.1 The council does not prevent employees from having more than one job. However, if an employee has more than one job, they must make sure they declare the combined actual total hours they work. This also applies to any casual work that employees do.

5.4.2 Where an employee has more than one job their combined hours should not exceed the weekly average of 48 hours.

5.4.3 If an employee is working more than an average of 48 hours a week in total, or more generally in the manager's view the number or pattern of hours proposed or being worked might threaten the health or safety of the employee (or of others), the manager must take all reasonable steps to remove the health or safety risk. This might mean:

- reduce the number of hours being worked (if that is reasonable), or
- asking the employee to give up the other job.

The priority should be to protect the health and safety of all workers by ensuring that no individual works such long hours as to be a danger to themselves or to others.

5.4.4 Where discussions do not successfully reduce the employees total working hours to less than an average of 48 hours a week, the manager should ask

the employee whether they wish to voluntarily sign the working time waiver clause agreement provided at Appendix 3.

- 5.5 Employees who are paid on spinal column point 29 and above or who undertake work of a regulatory nature will require consent for additional employment by written approval from their Director.

Note 6: 'Regulatory nature' for this purpose means a post that involves 'undertaking enforcement pursuant to a statutory power' i.e. any action taken by officers aimed at ensuring compliance with the law; for example, environmental health and trading standards.

6.0 Flexitime Scheme

- 6.1 The flexitime scheme is available to all employees of the council other than those employed in schools with delegated powers or where they have been specifically excluded by their manager because of the nature of the duties of the post or the requirements of the service. Detailed guidance can be found in the council's Flexitime scheme B.3a.

7.0 Time Off in Lieu (TOIL)

- 7.1 TOIL normally applies:
- as an alternative to an overtime payment; or
 - as part of the compensation package for working on public holidays.
- 7.2 The amount of time granted in lieu should exactly match the hours worked in all cases except for national conditions of service relating to public holiday entitlement.
- 7.3 Time off in lieu should not be granted as a means of overcoming the flexitime limits.

1.0 Introduction

1.1 North Lincolnshire Council recognises that enabling its employees to achieve an effective work life balance benefits employees, the organisation and the community it serves.

1.2 This procedure describes the steps to be taken by which employees may apply for special leave, which covers periods of absence from work, which are not covered by any other policy.

Note 1: Separate guidance on annual, maternity, adoption, paternity, maternity support and parental leave can be found in section B of the council's Human Resources (HR) manual.

1.3 Entitlement to certain types of leave are covered by statutory obligations, whilst other forms of leave are discretionary and may be granted by the appropriate manager. In all circumstances, requests will be considered sympathetically but are subject to individual circumstances and the needs of the service.

1.4 This procedure applies to all employees of the council other than those employed in schools with delegated powers.

1.5 Employees must wherever possible schedule non-work commitments outside of normal working hours. Where this is not possible, but the time can still be selected, commitments should be scheduled as near to the start or finish time of the working day to minimise disruption. There is an expectation that employees will attend work before and after appointments wherever appropriate.

1.6 Where amounts of leave are specified these are based on a standard 37 hour (5 day) week. Part time employees and those working irregular working patterns shall have applied to them the same provisions pro-rata to comparable full time 37 hour (5 day) week employees in the council.

1.7 With the exception of those provisions contained in Appendix 1, jury service,

witnesses, election duties and leave for carers at sections 12.0, 13.0 and 14.0, the total time off with pay that can be claimed in any leave year shall not exceed 10 days.
Pro-rata for part-time employees.

- 1.8 In very exceptional circumstances the maximum amount of time off with or without pay, can be increased. This will only occur following consultation with the employee's Director and the HR Commercial and Operational Lead.

Note 2: Where appropriate, and in consultation with their line manager, employees may wish to explore elements of agile or flexible working as a supportive measure, as an alternative to requesting Special Leave

2.0 Requests for leave

- 2.1 Requests for leave should in the first instance be made to the immediate manager by means of completing a special leave application form. In an emergency situation, this form may be completed retrospectively.
- 2.2 Employees requesting time off for unexpected or sudden problems must inform their manager as soon as possible on the first day of their absence, the reason for it, any work commitments that need to be rearranged and how long they expect to be away from work. Employees must also inform their manager if the duration of the absence extends beyond the original estimate.
- 2.3 Where the provisions of this policy are insufficient to cover longer term situations, careful consideration will be given to varying or adapting existing work arrangements to enable such needs to be met. Other working arrangements such as the use of annual leave, flexi-leave, taking work home or making up time off may be considered.
- 2.4 Sympathetic consideration will also be given to requests for unpaid leave. Employees may be granted up to 148 hours (four weeks) of unpaid leave in any leave year, across all policies. *Pro-rata for part-time employees.*

- 2.5 Periods of unpaid leave in excess of 148 hours (four weeks) should be requested in accordance with the council's Career Break Good Action Guide B.3.6a.

Note 3: Pension benefits will not build up during a period of unpaid leave. Members of the Local Government Pension Scheme (LGPS) can elect to cover the period of pension 'lost' by taking out a Shared Cost Additional Pension Contribution (SCAPC) contract. Where a SCAPC contract is taken out to cover the pension 'lost' the cost is shared one third to the employee and two thirds to the employer, provided that employees make an election to buy the 'lost' pension within 30 days of returning to work. Further information is available at www.lgps2014.org.

Employees who are members of the Teachers' Pension Scheme can find detailed information at www.teacherspensions.co.uk.

3.0 Compassionate leave

- 3.1 A maximum of 37 hours paid leave may be granted in any leave year to cover:

- Time off for dependants (emergencies);
- bereavement; or
- domestic emergencies.

- 3.2 Since the amount of time off required will vary with the differing circumstances of each case, employees should always discuss their situation with their manager.

Time off for dependants (Emergencies)

- 3.3 Employees are able to take a reasonable period of paid leave to deal with personal emergencies involving dependants, subject to the constraints at 1.7 and 3.1. This enables employees to deal with unexpected or sudden problems and make any necessary longer term arrangements.

- 3.4 Examples of the circumstances, which may apply are:

- Illness, involvement in an accident or assault, including where the victim is hurt or distressed and cannot care for themselves;
- to make longer term care arrangements for someone who is ill or injured;
- to deal with an unexpected disruption or breakdown in care arrangements for a dependant (e.g. a child may have chicken pox and would not be allowed in

crèche therefore time may be needed to make suitable arrangements/visit a doctor);

- to deal with an incident involving your child during school hours.

This list is not exhaustive and managers will deal fairly and consistently with employees when requests for leave arise.

- 3.5 For most unexpected or sudden problems, one or two days should be sufficient to deal with the initial crisis. For example, if a child falls ill with chickenpox, the leave provided should be enough to help the employee cope with the situation; to deal with the immediate care of the child, visiting the doctor if necessary and to make longer term care arrangements where possible. If the child remains sick employees should use annual leave, flexi-leave or unpaid leave.

Note 4: A dependant is the husband, wife or partner, child or parent of the employee. This includes step parents and those fostering young people. It also includes someone who lives with the employee as part of their family. In cases of illness, injury or where care arrangements break down, a dependant may be a close relative or someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency. It will not normally include tenants or boarders living in the family home.

Bereavement

- 3.6 Employees are able to take a reasonable amount of paid leave to make funeral arrangements for a dependant, attend the funeral and deal with the registration of the death where appropriate, subject to the constraints at 1.7 and 3.1.
- 3.7 The employee may choose to take leave on non-consecutive days to deal with the various stages of bereavement, e.g. if the employee is the executor of the will etc.
- 3.8 Employees may also take paid leave to attend the funeral of a close relative. This will usually be up to a day but managers should take account of the fact that the nature of relationships and the required observances of different religions will vary.

Note 5: A close relative is defined as a parent in-law, sister, brother, (in-laws), grandchild, grandparent, auntie, uncle, niece or nephew of the employee. Half-blood relatives are also included, as are adoptive

relationships and relationships which would have existed but for an adoption, i.e. an employee's natural relatives.

Domestic emergencies

- 3.9 In domestic emergencies employees will be expected to cover any time off required through the use of annual leave or flexi-leave prior to applying for special leave.
- 3.10 Employees are able to take a reasonable amount of paid leave with domestic incidents involving their property, which have immediate or unavoidable consequences, subject to the constraints at 1.7, 3.1 and 3.9. Examples of the circumstances that may apply are:
- Burglary;
 - flood;
 - fire.

This list is not exhaustive and managers will deal fairly and consistently with employees when requests for leave arise.

Time off for dependants (Planned events)

- 3.11 All requests for leave for dependants (planned events) will be unpaid. Examples of the circumstances that may apply are:
- To attend ante-natal clinics with your pregnant partner;
 - to attend a hospital appointment or planned operation with a child/partner.
- 3.12 For planned events the amount of time off granted should only be sufficient to cover the appointment and any necessary travelling time. There is an expectation that employees will attend work before and after appointments wherever appropriate.
- 3.13 Reasonably foreseen disruptions to normal child care arrangements, such as school closure as a result of nationally proposed strike action, should be covered by the use of annual leave, flexi-leave or unpaid leave.

- 3.14 Following any period of absence it is good practice for the appropriate manager to discuss with the employee whether any further support or assistance can be provided.

4.0 Medical consultation and treatment

- 4.1 Employees should wherever possible request and/or schedule medical appointments outside of normal working hours.
- 4.2 For all routine medical or dental appointments, where employees have the ability to make an appointment, annual leave and/or flexi-leave should be used.
- 4.3 Employees who are required to attend outpatients appointments (supported by evidence of the appointment) will be granted paid leave for this purpose if the length of absence required is less than 50% of their normal working day. Where a longer absence is required, either this should be recorded as sickness absence or annual leave, flexi-leave or unpaid leave should be requested.
- 4.4 For any outpatient appointments where the time can be selected, they should be scheduled as near to the start or finish time of the working day to minimise disruption. There is an expectation that employees will attend work before and after appointments wherever appropriate.
- 4.5 If an employee is admitted to hospital as a day patient or in-patient, or attends for emergency treatment this should be recorded as sickness absence in accordance with the council's Sickness Absence procedure D.2.
- 4.6 For time off for elective surgery (not prescribed by a doctor) or consultation associated with such procedures, employees must use annual leave or flexi-leave, but may be granted unpaid leave if the other two options are not available to them.

Fertility treatment

- 4.7 Employees undergoing a cycle of fertility treatment will be granted a maximum of 37 hours paid leave in any leave year.
- 4.8 An employee whose partner is receiving fertility treatment will be granted a maximum of 7.5 hours paid leave in any leave year.

Medical donors

- 4.9 Attendance at blood donor sessions should be scheduled outside of normal working hours wherever possible. Otherwise they should be planned as near to the start or finish time of the working day to minimise disruption and employees should use annual leave or flexi-leave.
- 4.10 For all other medical donations including, bone marrow, tissue and organ, employees will be granted a maximum of 15 hours paid leave in any leave year.
- 4.11 With reference to 4.3, 4.6, 4.7 and 4.10 above, if the employee subsequently remains absent because of sickness, normal reporting arrangements in accordance with the council's Attendance Management procedure must apply and ensuing days will be recorded as sickness absence.

5.0 Jury service

- 5.1 Leave will be granted to employees required to serve as jurors. Employees who serve as jurors must seek compensation for loss of earnings from the court.
- 5.2 Courts issue jurors with a loss of earnings certificate which employees should submit to the council's payroll section to complete. Once employees have received reimbursement for loss of earnings from the court they should present the statement provided to payroll, so a deduction of an equal amount (excluding any travel and subsistence payments) can be made from their next pay period.

6.0 Witnesses

- 6.1 Unpaid leave will be given to employees attending court on subpoena or witness summons. Pay lost in this way may be recovered from the party requiring the attendance or from the court authorities where witnesses are paid out of public funds. This provision does not apply to employees who are plaintiffs, defendants, petitioners or respondents, when annual leave, flexi-leave or unpaid leave should be used.
- 6.2 Employees who are called as a witness as part of their job role, or on behalf of the council will be considered to be at work.

7.0 Election duties

- 7.1 Employees will be granted, subject to service needs, paid leave to undertake election duties within North Lincolnshire.

8.0 Attending job interviews

- 8.1 Employees who are invited to an interview for another post within North Lincolnshire Council only, will be allowed paid leave to attend.
- 8.2 Employees who have been given notice of dismissal by reason of redundancy are entitled during their period of notice to reasonable time off with pay to look for other employment or to arrange for training for future employment.

9.0 Study leave

- 9.1 A maximum of 22.5 hours paid leave may be granted in any leave year to an

employee participating in an 'approved course', for the purpose of:

- final revision for examinations;
- assignments; and
- dissertations.

Note 6: An 'approved course' is a course of study which is normally work related, for which an employee is being released to attend and/or is receiving financial assistance from the council.

9.2 In addition employees are entitled to paid leave for the purpose of sitting approved examinations.

9.3 The responsible manager will approve paid leave for final revision for examinations relating to approved courses on the basis of half a day for each examination paper to be taken, subject to sufficient notice being given and the constraints at 1.7 and 9.1. This leave must be taken within the two weeks prior to the examination and will not be granted for subsequent attempts at the same examination.

9.4 Employees will be granted paid leave for the purpose of the completion of assignments and dissertations relating to approved courses. Leave will be provided on the basis of half a day for each assignment and two days for dissertations, subject to sufficient notice being given and the constraints at 1.7 and 9.1.

Note 7: The provisions of 9.3 and 9.4 are subject to a maximum of 22.5 hours not being exceeded in any leave year.

9.5 Employees approved by their Director to study on a correspondence basis e.g. through the Open University or other college courses may be offered paid leave. This will be granted at the discretion of the Director, up to a maximum of 15 working days for each stage or year of the course, including time off for examinations. This does not apply to second or subsequent attempts at the same examination. The Director may stipulate where the employee will study during such leave. Leave for residential study periods, including Open University/college summer schools, must be included in the maximum of 15 days.

10.0 Apprenticeships/National Vocational Qualifications (NVQ)

- 10.1 Managers should approve paid leave within working hours to prepare portfolios of evidence at work relating to approved apprenticeships/NVQ qualifications on the basis of half a day per week (this may also include meeting with assessors).
- 10.2 This time should be agreed with candidates who are actively working towards their qualification. Candidates will be encouraged through their learning plan to complete their qualification in a reasonable timescale in agreement with their manager. Managers are expected to review candidates regularly to ensure progress is being made. A timescale of up to 18 months should normally be negotiated with the candidate for completion of their award.

11.0 NVQ Assessors and verifiers

- 11.1 Assessors and verifiers who are actively working with candidates and have received prior line management approval to utilise their qualifications should be allowed paid leave on the basis of half a day per week. These employees will also require access to continual professional development for their qualifications (e.g. attending standardisation meetings and training) and paid leave will be allowed for this purpose.

12.0 Foster carers/Connected persons

- 12.1 Employees who are currently or plan to become foster carers/connected persons are entitled to:
- Up to 5 days (37 hours) paid leave during their assessment for approval in becoming a foster carer.
 - An additional 5 days (37 hours) paid leave during the approval process or when they are caring for a foster child, e.g. for meetings, training or unforeseen

emergencies relating to their fostering role, e.g. to accommodate an emergency placement.

- Up to 10 days (74 hours) paid leave at the start or end of a planned permanent placement.

Note 8: Connected Person fostering is a legal arrangement where a child who cannot be cared for by their parents, is looked after by a relative, family friend or any other person with a connection to the child in a personal or professional capacity.

Note 9: As appropriate, these provisions will extend to prospective parents in the 'fostering for adoption' system, and intended parents in a surrogacy arrangement that are eligible, and intend to apply for a parental order.

12.2 Employees may take up to a maximum of 20 days (148 hours) paid leave in a leave year. The maximum entitlement will be granted only in circumstances, where an employee has, applied to be a foster carer, received training and had a child permanently placed with them, all within 12 months. (This will only happen in the first year of an employee becoming a foster carer).

12.3 Normally, it is expected that employees may take up to 10 days (74 hours) paid leave in a leave year when a child is placed with them.

12.4 Leave may or may not be planned in advance and will be granted at the discretion of managers, who will take into account the nature of the request and the needs of the service.

12.5 Employees may wish to consider a temporary change to their standard working arrangements and should discuss this with their manager, who will decide if the request for the change meets the needs of the service. Employee requests to permanently change standard working arrangements should be made in accordance with the council's Flexible Working Policy B.3.6.

13.0 Supported lodging providers/Adult carers

Employees who are currently or plan to become supported lodging providers for North Lincolnshire Council or adult carers within North Lincolnshire will be allowed up to six days paid leave to attend training, planning meetings, reviews and any other relevant meeting as agreed by the responsible placement officer.

14.0 Parent/carers of disabled children/adults

- 14.1 Paid leave of up to three hours per month (pro-rata) will be granted to employees who are parent/carers of disabled children/adults to attend formal consultation and/or participation events in support of the council's overall function and responsibility to disabled people and their carers.
- 14.2 Employees may choose to bank the hours provided over a maximum of three months if they wish to attend a whole day event.

15.0 Extraneous duties

- 15.1 In granting leave for extraneous duties, the needs of the service will be considered first. Detailed guidance can be found in Appendix 1.

16.0 Volunteering leave

- 16.1 The council will actively encourage employees to become involved in voluntary activities within North Lincolnshire Council or those that directly assist the community, are relevant to the work of this council and are consistent with its priorities.

- 16.2 A maximum of three days (22.5 hours) paid leave in any leave year will be available subject to the needs of the service and the constraint at paragraph 1.7. Requests for leave will be granted subject to a commitment from the employee to volunteer for an equivalent amount of time using their own annual leave or flexi-leave.
- 16.3 In addition employees who have confirmed their retirement may request a maximum of one day (7.5 hours) paid leave a month in their last three months of service.
- 16.4 Volunteering leave will only be provided for activities that take place during the normal working hours of the employee and will be granted on a pro-rata basis for part time employees.
- 16.5 A maximum of six days (44.5 hours) paid leave will be permitted for voluntary work in the following areas:
- Young witness support scheme;
 - special constable.

The provision of six days will not be subject to the conditions at paragraph 16.2 and may be provided for activities performed outside of the North Lincolnshire area.

- 16.6 Volunteering leave will not normally be granted in addition to time off for the performance of other extraneous duties.

17.0 Religious festivals and holy days

- 17.1 The nature, duration and requirements will vary depending upon the holy day or religious festival, and can also vary depending on the personal religious beliefs of an individual.
- 17.2 Employees should discuss their individual circumstances and requirements with their manager as far in advance as possible to enable a discussion about how these might

be accommodated. All requests should be considered sympathetically, balancing the employee's requirements with the operational needs of the service. Whilst any time off granted for religious observance will be unpaid, the following options may be considered as alternatives:

- Short-term variation of a working pattern e.g. earlier or later start/finish times;
- use of annual leave;
- use of the flexitime scheme (including short-term accrual of flexitime debit in excess of the usual maximum amount);
- flexibility around the timing of (unpaid) breaks e.g. lunch breaks;
- short-term adjustments to duties or place of work e.g. spreading out particularly mentally or physically demanding tasks during a period of religious fasting, working from home;
- temporary provision of a suitable private prayer space.

1.0 Introduction

- 1.1 The council recognises that employees have personal lives as well as working lives and supports the provision of the Flexitime scheme in allowing them to balance these two commitments.
- 1.2 The scheme offers short-term flexibility in working hours for the benefit of individual employees and the service. Generally this will be in circumstances where there is a need to commence work later or leave work earlier than the agreed standard working hours, or where short-term commitments are difficult to arrange outside of normal working hours.

Note 1: Separate guidance on annual, maternity, adoption, paternity, maternity support, parental and special leave can be found in section B of the council's Human Resources (HR) manual.

- 1.3 Managers must determine and record all employees' standard working hours, in accordance with paragraph 2.1 of the council's Working Time policy A.5, before commencing flexitime.
- 1.4 Managers must also determine and record the operating boundaries, such as the amount that hours can be varied without prior approval. The amount of variation must be appropriate to the particular post and the needs of the service.
- 1.5 The scheme is available to all employees of the council other than those employed in schools with delegated powers or where their manager has specifically excluded them because the nature of the duties of the post or the requirements of the service prevents inclusion in the scheme.

2.0 Operation of the scheme

- 2.1 In allowing employees access to the scheme, managers must be satisfied that the nature and volume of work allows for the occasional variation of standard working hours and/or accrual of additional hours.

- 2.2 Unless an emergency arises, the relevant manager must approve in advance all additional hours worked and variations to hours or flexi-leave taken outside of the previously agreed boundaries set in accordance with paragraph 1.4.
- 2.3 Managers must be satisfied that work is available before agreeing to requests to work additional hours to acquire flexi-leave credit and that flexi-leave is only granted in circumstances where there is sufficient cover to maintain service provision.
- 2.4 Managers must ensure that an employee's use of this scheme does not contravene the provisions of the Working Time Regulations. That as a minimum, an uninterrupted in work rest (lunch) break of 20 minutes is taken where an employee's working day exceeds six hours, unless statutory exemptions apply. Such rest breaks must not be taken at the beginning or end of a period of working time.

Note 2: Young workers (those over the minimum school leaving age but who have not yet reached the age of 18) are entitled to a 30 minute rest break if their working day exceeds four and a half hours. Further guidance is available in the council's Working Time policy A.5.

- 2.5 The council reserves the right to withdraw an individual's access to flexitime where they fail to comply with the provisions of the scheme or related policies. Any proven abuse of the scheme may also result in action being taken against the individual employee in accordance with the council's Disciplinary procedure C.2.
- 2.6 Flexi-leave may be taken in periods divisible by five minutes. The amount of flexi-leave taken should not normally exceed two working days (pro-rata for part time employees) in any calculating period.
- 2.7 Employee requests to permanently change standard working arrangements should be made in accordance with the council's Flexible Working policy B.3.6.
- 2.8 Flexi-leave should not be used to cover smoking breaks, which are not permitted in accordance with the council's Smoking policy D.5.

3.0 Recording of time

- 3.1 Each employee in the scheme is responsible for keeping an accurate record of all start and finish times, including in work rest (lunch) breaks.
- 3.2 Actual start and finish times to the nearest five minutes shall be entered on the approved recording sheet.
- 3.3 Employees should not schedule meetings and other work commitments that prevent them from taking an in work rest (lunch) break. Where this happens as a result of meetings overrunning or other genuine unforeseen reasons employees are not required to record an in work rest (lunch) break if they are not able to take one. This is providing the situation is explained to the relevant manager on each occasion and does not become a common occurrence.
- 3.4 Record sheets shall be submitted to the manager for checking at the end of every calculating period, or at any time upon request.
- 3.5 The period for calculating the contractual hours of employees shall be on a fixed four weekly basis. The contractual hours for a four-week calculating period will amount to 4 x the contractual average weekly hours, i.e. for a full-time employee 4 x 37 = 148 hours.

4.0 Credits/Debits

- 4.1 At the end of each calculating period employees may have accumulated no more than 16 hours credit or 8 hours debit to carry forward. For part time employees the amount will be on a pro rata basis. Credit in excess of 16 hours will be lost. Debit in excess of 8 hours may result in an adjustment achieved by:
- Making the time up the following week;
 - deductions from annual leave;
 - deductions from salary equivalent to the number of hours excess.

- 4.2 In exceptional circumstances or in a genuine emergency a manager may authorise the carrying forward of debit or credit in excess of the permitted levels. In such cases the excess time (credit or debit) should be rectified within a period not exceeding two months.
- 4.3 In respect of periods of authorised absence (e.g. annual leave, sickness) an employees' standard working hours for each day of absence will be credited to the calculating period.

5.0 Employees leaving the council's employment

- 5.1 Where employees leaving the council have time in credit and have been unable to take time off due to the needs of the service or some other legitimate reason then payment in lieu of that time at plain time rate will be made.
- 5.2 Where employees leaving the council have time in debit every effort should be made for these hours to be made up during the period of notice. Where this has not been possible, a deduction equivalent to the remaining hours in debit will be made from the final salary payment due.
- 5.3 Where an employee's final salary payment is insufficient to allow for the whole of any such deduction, an account will be established and the employee will be required to repay the outstanding amount due to the council within 30 calendar days of the termination of employment.

1.0 Introduction

- 1.1 This procedure details the allowances and arrangements for reimbursement of expenditure in specific circumstances.
- 1.2 This procedure applies to all employees of the council other than those appointed by schools with delegated powers.
- 1.3 Part time employees shall have the same allowance provisions pro-rata to comparable full time employees in the council, except payment of professional subscriptions, which will be paid in full.
- 1.4 Current rates and allowances are detailed in Appendix 1.

2.0 Procedure

Homeworking Allowance

- 2.1 Directors may approve the payment of a homeworking allowance where employees are required as a condition of their contract of employment or who agree to work from their home, which is then regarded as their work base.
- 2.2 The allowance will not be payable in respect of offices outside the employee's home and used by the employee for other purposes additional to their official duties.

First Aid Allowance

- 2.3 Directors will determine with the relevant guidance the number of appointed first aiders in their service areas.
- 2.4 Employees who hold a current first aid certificate and are required by their Director to provide first aid cover at offices, depots or their place of work during normal

working hours in accordance with any statutory requirement, will be paid a first aid allowance.

- 2.5 The certificates recognised for this purpose are those authorised by the council which comply with Regulation 3(2) of the Health and Safety (First Aid) Regulations 1981 and contain wording to that effect.

Vehicle and Subsistence Allowances

- 2.14 Employees will be reimbursed for the use of their private vehicle whilst undertaking official business in the course of their employment. Mileage will be reimbursed at the Approved Mileage Allowance Payments (AMAP) rates as specified by Her Majesty's Revenue and Customs (HMRC). Current rates are as contained in Appendix 1.

- 2.15 For an employee to qualify for payment of subsistence expenses the following criteria must be met:

- There must have been additional expenditure to that normally incurred.
- The additional expenditure must have been unavoidable and not form part of the employee's normal arrangements.
- Actual expenditure will be reimbursed up to the maximum amounts contained in Appendix 1.
- Claims cannot be made where a suitable meal is provided free of charge.
- Receipts or appropriate evidence of expenditure being produced.
- The employee must be working outside the North Lincolnshire boundary (and/or North East Lincolnshire for employees working under the shared service arrangement).
- Breakfast may be claimed if work/travel commences before normal working hours.
- Tea may be claimed if work/travel continues up to 18:00, **or** dinner if work/travel continues after 18:00.

- 2.16 No reimbursement of subsistence expenses will be made where overtime is paid on a normal working day. Employees working overtime on non-normal working days may claim reimbursement of expenses subject to meeting the qualifying criteria and approval of their Director.
- 2.17 Claims for both vehicle and subsistence allowances should be completed electronically.

Payment of Professional Subscriptions

- 2.18 Directors may approve the payment of one professional subscription, where one of the criteria detailed applies:
- Where current membership of a professional body or association is required by statute to the undertaking of the duties of the post.
 - For students on approved courses for which membership of a professional body or association is mandatory, for no longer than the normal duration of the course concerned.

Training Expenses

- 2.19 Reimbursement and payment of training expenses must be agreed and approved in advance by the employee's Director and will be paid in accordance with the Finance Manual.

Specialist Driving Licence

- 2.20 Where an employee is required to possess a Heavy Goods Vehicle, Passenger Carrying Vehicle and/or other specialist driving licence, the full renewal costs will be reimbursed.

Review

- 2.21 Directors must review eligibility of allowances annually.
- 2.22 The council will withdraw entitlement to allowances where it is established that they are no longer appropriate, after giving contractual notice.

1.0 Introduction

1.1 This policy provides the necessary governance rules and principles that apply to employees when using digital technologies, such as, but not exclusive to:

- Email
- Internet and Intralinc
- Social media
- Mobile devices including mobile phones, smart phones and tablets.
- Skype

1.2 This policy will be reviewed regularly to ensure that it remains relevant and also that any new digital technologies are included as appropriate.

2.0 General guidance

2.1 Employee usage of digital technologies will be reasonably monitored where necessary. Employees waive any right to privacy in anything they create, store, send or receive when using the council's digital technologies. Digital Information is stored in line with the General Data Protection Regulation 2018 and as such may need to be provided in response to Subject Access Requests. Requests for information may also be made under the Freedom of Information Act 2000.

2.2 This policy should be read in conjunction with the council's Code of Conduct and any breaches of this policy may lead to action being taken in accordance with the council's Disciplinary procedure.

2.3 When using the council's digital technologies, you:

- Should not give your password to any other person.
- Should telephone the IT Solution Centre in the event of a forgotten password or use the automated password reset tool.
- Should inform the IT Solution Centre if you believe there has been a breach of the IT Security policy.

- Should inform your manager if you suspect a colleague has misused digital technologies.

3.0 Email guidance

3.1 The council operates a corporate email facility that provides employees with an email address for use in connection with their work. These guidelines also apply to all users accessing email on council provided mobile devices (e.g. smartphone/tablet users).

3.2 Personal mobile devices with Internet access (e.g. Windows, Apple, and Android smartphones/tablets) may be used to access work email. This is covered at section 7.0.

3.3 When using the council's email system you should not:

- Use a council email address for personal purposes. The personal use of an email address for employee benefits, medical or schooling/child care purposes is permitted.
- Send or forward emails containing offensive or disruptive content, which includes, but is not limited to defamatory, offensive, racist or obscene remarks. If you receive an email of this nature, you must promptly notify the IT Solution Centre to record this.
- Send 'junk' emails, chain mail, photos, jokes and executable files of a non-business nature. All messages distributed via the email system are the property of the council.
- Send unsolicited email messages.
- Forge or attempt to forge email messages.
- Disguise or attempt to disguise identity when sending email.
- Send email messages using another person's email account.

- Send unnecessary attachments, use document links as an alternative when possible. The IT Solution Centre will provide assistance if required.
- Distribute information regarding items for sale, public events, and general site specific council news. The email system may be used to inform colleagues of specific employee news items e.g. colleagues leaving or giving birth.
- Reply to emails requesting information such as, bank account details, PIN numbers, passwords or personal information.

3.4 When using the council's email system you should:

- Ensure other council email users can view your calendar at all times and where work patterns allow, set your standard working hours within your calendar.
- Set your 'out of office' message when absent from work.
- Delete any suspicious emails in your inbox and report them immediately to the IT Solution Centre.
- Ensure that calendar entries do not disclose information relating to third parties and are marked as private as appropriate.

3.5 All generic email accounts must be accessed via an employee's individual email account as part of the Public Services Network (PSN) Code of Connection (CoCo) compliance. If you are emailing confidential information outside the council you must encrypt your messages to make them and any attachments secure.

3.6 MoveIT should be used to send confidential information to other councils and government departments.

3.7 When an email has been sent in error and a request to delete the email is made, the request must come from your manager via the IT Solution Centre. Deleted

emails can only usually be restored if, an investigation takes place, FOI requests are made or at the discretion of IT Services.

3.8 Personal email accounts (e.g. Google mail, Yahoo mail etc.) must not be used for council business.

3.9 When an email user leaves the council, their entry in the North Lincolnshire address book will be deleted, the mail file for that person will be saved for a period of 30 days. Access to the user's mailbox or the forwarding of the user's mail can only be gained through manager authorisation.

4.0 Internet and Intralinc guidance

4.1 The council provides Internet and Intralinc access to employees for use in connection with their work.

4.2 You may use the council's Internet provision and Intralinc for personal reasons but you should not use it:

- During working hours, unless during breaks.
- When members of the public are (or could be) present.
- To run a private business.
- To access any of the following types of website: Adult material, dating, hacking, download sites (including software, or audio/video), illegal websites, storage, peer to peer sharing, online gaming or malicious websites (e.g. spyware, phishing or fraud sites).

4.3 If a website is currently blocked under one of the above categories and access is required for business use, it is possible for access to be granted to a user or groups

of users. A request should be logged with the IT Solution Centre, which sets out the business need.

- 4.4 The council is not responsible for any personal transactions you enter into (e.g. in respect of the quality, delivery or loss of items ordered). You must accept responsibility for, and keep the council protected against, any claims, damages or losses which might arise from your transaction (e.g. in relation to payments for the items or any personal injury or damage to property they might cause).
- 4.5 The council is committed to keeping children safe and as part of this commitment it promotes the ethos that safeguarding children is everybody's business. The Internet is another tool by which a child could be harmed. The council is committed to ensuring that within the organisation the Internet is used to enhance working practice and not to be misused in a way that can harm children and young people.
- 4.6 The council operates Managing Allegations against People who work with Children procedures and this policy should be read in conjunction with these procedures. These procedures outline the action that will be taken when there are concerns raised regarding someone's suitability to work with children, with regard to this policy it will specifically relate to concerns regarding contact, conduct or content on the Internet by people who work with children.
- 4.7 The use of personal mobile devices logged onto the council's guest wireless network are also subject to this policy e.g. smart phones, tablet devices etc.

5.0 Social media guidance

- 5.1 The council's Communications team operates a number of corporate social media accounts (e.g. Facebook, Twitter etc.)

- 5.2 The council provides business units, service areas and individuals with access to additional social media accounts to promote their services, engage with the public or businesses and to generate local discussion..
- 5.3 Managers should contact the IT Solution Centre in order to gain access to the appropriate social media tools (i.e. Twitter). The Head of Economy and Growth will consider these requests and grant authorisation for group or individual access to the appropriate social media platforms.
- 5.4 Council social media accounts must have strong passwords, which are changed regularly in accordance with the council's Information Security policy. At least two employees must have access to each account.
- 5.5 All employees using social media are reminded that they are personally responsible for anything they say online. They must also ensure that their use remains within legislation.
- 5.6 All employees using social media should be aware that what they say can be accessed around the world within seconds; it may be shared or re-published elsewhere and will continue to be available indefinitely. They should also be mindful that even if information is restricted to your 'friends'/'followers' it is in effect public as you cannot control what they do with any information you post.
- 5.7 Employees that make personal use of social media outside of work are advised that whilst views and opinions they express are their own, as an employee you are still a representative of the council and you should be aware that any information you post about the council cannot be entirely separate from your working life.
- 5.8 Employees that make personal use of social media outside of work are advised not to identify their employer or role in order to avoid any confusion as to whether they are speaking as an employee or individual.
- 5.9 You should follow these guiding principles when using social media in your own time:

- You should not identify the council when using social media in a personal capacity if doing so would bring discredit to the council. This is a breach of the council's Disciplinary procedure and may result in action being taken against you.
- Respect the privacy of others and make sure you don't publish any information that is confidential.
- Stay within the law and be aware that defamation, copyright and privacy laws, amongst others, apply.
- Be aware that participating online in a personal capacity may attract media interest in you as an individual, so proceed with care.
- Make sure you avoid any misunderstanding about whether you are speaking as a representative of the council or in a personal capacity.
- Add a disclaimer to your blog or social media profile to make it clear that your accounts and views are personal, e.g. 'these views are my own and do not necessarily represent the views of North Lincolnshire Council', if you have identified the council as your employer.

5.10 The council's facilities (e.g. smartphones, Internet etc.) must not be used to access social media accounts other than in a work capacity. Where accessing social media accounts in a work capacity, live streaming functions such as Facebook Live, Twitter Live and Instagram Stories should not be used.

6.0 Mobile device guidance

6.1 IT Services, on behalf of the council, is responsible for minimising the expenditure on mobile devices. Requests for a mobile device must be submitted via the online

e-form. IT Services must be satisfied that at least one of the following business criteria is met, before authorising the issue of a mobile device:

- The employee is a remote worker and requires a mobile device to enable them to undertake their job effectively.
- Issuing the employee with a mobile device will enable them to provide a more efficient service to their customers.
- There is a requirement for the employee to be contactable whilst working away from their normal place of work and where other methods of communication (e.g. email) are unsatisfactory.
- The employee's role involves out of hours support (e.g. on call), which necessitates an alternative means of contact.
- The employee is a lone worker and their personal safety could be compromised if they are not in possession of a mobile device. A mobile device should not be relied upon as the sole means of ensuring an employee's personal safety. A Health and Safety risk assessment should be carried out to assess this requirement.
- The employee travels and visits areas where summoning help (if they break down, for example) may be difficult.
- There is a statutory/corporate requirement for a mobile device (e.g. Emergency Planning).

6.2 IT Services will review the business case, submitted via an online form via TOPdesk to ensure that there is sufficient evidence to support the request.

6.3 Pool mobile devices are available from IT Services upon request for temporary arrangements and avoid the need for the council to take out additional contracts.

- 6.4 Any employee who is allocated a council mobile device must adhere to the content of this policy.
- 6.5 All council issued mobile devices with internet access (e.g. smart phones and tablets) are centrally managed. This includes the ability to remotely wipe lost or stolen devices and anti virus software where required.
- 6.6 When using a council mobile device you must not:
- Call directory enquiries, that is any number which commences with 118 e.g. 118 118,118 247 etc. Phones which have access to the Internet should be used to obtain numbers or where necessary a colleague with Internet access in the office should be contacted.
 - Call any number other than UK landlines or UK mobile numbers.
 - Remove any software that has been installed by IT Services (e.g. remote management, anti virus etc.)
 - Install any software applications including the use of vendor 'app' stores (e.g. use of Google play store or Apple store etc.)
- 6.7 The council may withdraw mobile devices at any time if it is found that the criteria for issue are no longer met, health and safety concerns arise or where there has been recognised misuse of the phone.
- 6.8 Use of council mobile devices for personal use is at managers' discretion. However, using a council mobile device for personal use should be kept to a minimum.
- 6.9 You must not use a hand held mobile device whilst driving. It is an offence to use a mobile device, which is not fitted with a manufacturer installed, loud speaker hands free system. Any other hands-free equipment, including those that require the use of a headset are not acceptable. You should be aware that use of a mobile device

whilst driving even with manufacturer installed loud speaker hands free systems should be avoided wherever possible because of their effect on concentration whilst driving.

- 6.10 Mobile devices provided by the council remain the property of the council. When an employee leaves the council it is the responsibility of the employee's manager and the employee to ensure that the mobile device is returned or earlier if requested to do so.
- 6.11 In the event that the employee fails to return the mobile device, the employee's manager must inform the IT Solutions Centre as soon as possible, in order to ensure the connection is suspended.
- 6.12 Should an employee fail to return the mobile device to the council they will be held responsible for any usage and line rental incurred until the mobile device is either returned to the council or disconnected. An invoice will be issued and sent to the employee to recover the full replacement cost of the equivalent handset, call charges and rental costs plus VAT.
- 6.13 Personal mobile devices must not be used in connection with council business other than in accordance with section 7.0 of this policy.
- 6.14 Use of personal mobile devices in the workplace is subject to managers' discretion although, where use is permitted; this should be kept to a minimum and ideally restricted to breaks.
- 6.15 Personal mobile devices can be used to make business calls. The council will not refund any business calls made unless they are authorised by the relevant Director.

7.0 Use of personal devices

- 7.1 Personal devices of employees may be used to access council applications such as email. This is only possible when the device is configured with the council Mobile Device Management (MDM) software. When this is acceptable to both the council and the employee, the employee's personal device will have a secure workspace installed and integrated with the council's MDM.
- 7.2 The council's MDM has the capability to control personal devices. This includes wiping all data from them, both corporate and personal. The council respects the privacy of its employees and as such will only control the corporate workspace installed on employee's personal devices.
- 7.3 Without the permission of the employee the council will carry out the following functions:
- View a device report. This includes details such as the device name, operating system and serial number.
 - Delete corporate data from the device.
 - Lock the corporate workspace.
 - Disable the corporate workspace.
 - Review and interrogate the communications log. This will only be done for trouble shooting, support purposes or for event/incident investigations.
- 7.4 Only with the express permission of the employee (and on each occasion) will the council carry out the following functions:
- Specify the device password and lock.
 - Lock the device.
 - Unlock and clear the device password.

- Delete all device data.

7.5 If the employee's personal device is lost or stolen they must report this to IT Services as soon as possible. In such cases, or if the employee leaves the organisation, the council will remotely delete the corporate workspace.

7.6 Employees must use the corporate workspace in the same way as they would on any corporate device and fully comply with this policy.

7.7 The council does not provide any support for employees' devices, only the corporate workspace installed on them.

7.8 The use of an employee's device for business use, accessing the council's system and the installation of the corporate workspace is solely at the employee's risk and discretion. The council does not accept any liability for any loss or damage resulting from the use of the device in any capacity nor as a consequence of the installation or use of the corporate workspace.

8.0 Access or removal of access to digital technologies

8.1 Managers should contact the IT Solution Centre in order to request access to any digital technology for their employees. They will need to provide details of what is required along with details of the business need.

8.2 If access to any digital technology is no longer required the employee's manager should contact the IT Solution Centre.

1.0 Introduction

- 1.1 The council is committed to providing a healthy and supportive working environment, not only through its obligations to comply with health and safety legislation, but also through a collaborative approach towards attendance management. Illness and injury resulting in absence from work, not only have a significant effect on employees, but also has an impact on the council's ability to deliver services.
- 1.2 This policy is designed to support employees who are absent from work. It describes the steps a manager must take to secure the attendance of all employees during their working week and to properly manage sickness absence. It consists of a series of stages at which employees will be encouraged through advice, guidance and support to maintain their acceptable level of attendance.
- 1.3 Employees have a personal responsibility to maintain their own wellbeing and a contractual obligation to attend work. There is no preferable level of sickness absence; however employees should not attend work whilst unfit to do so.
- 1.4 This policy applies to all employees of the council other than those appointed directly by schools with delegated powers.
- 1.5 Increasing levels of attendance is a high priority for the council and therefore managers have a responsibility to manage the absence of all employees through the diligent and consistent application of this policy.
- 1.6 Sickness absence relating to musculoskeletal and stress related problems are of particular concern and **may** be subject to referral to Occupational Health from the first day of absence as these conditions are likely to recur or develop into long term health problems.
- 1.7 Managers must be aware that work may impact negatively on an employee's health and should be alert to the signs of this. It is therefore important to promote a supportive and open workplace culture where employees feel able to discuss any

concerns or issues affecting their health and wellbeing. This will allow support to be implemented as soon as possible and help prevent employee absence.

- 1.8 It is an employee's responsibility to alert their manager to any issues that may be contributing to their ill health, absence or ability to attend work at the earliest opportunity.
- 1.9 The council's confidential Staff Welfare and Counselling service and Human Resources (HR) are available at all times to employees and managers seeking advice and guidance.
- 1.10 Managers must apply this policy fairly and consistently to all employees. It is recognised that from time to time that there may be exceptional circumstances that merit actions being deferred. All such exceptions must be agreed in advance by the appropriate Director and the Strategic HR Lead. All such decisions must be notified to HR for recording purposes.
- 1.11 All aspects of the implementation of this policy, especially the actions taken in response to trigger points being met or exceeded will be subject to regular audit. A checklist for management action (see Appendix 3) must be completed in all cases and returned to HR.
- 1.12 Pay during periods of sickness absence is in accordance with the various national negotiating bodies. The current arrangements associated with sick pay can be found in Appendix 1.

2.0 Absence Recording and Reporting

- 2.1 For any period of sickness absence the employee should call their manager normally within one hour of the usual start time or in advance where operationally required on the first day of absence and provide the following information:

- The reason for the absence (having regard to sensitivity and confidentiality);

- its likely duration;
- agreement for future communications if the absence is likely to last more than one day.

Once notified of the absence the manager should ensure that any work commitments are rearranged or cancelled.

2.2 The submission of an email or text message is not acceptable, except where a service has agreed, in advance, that this is operationally required. If so, managers will also telephone the employee at the earliest opportunity to establish contact and offer support.

2.3 Employees should maintain contact with their manager if the absence extends beyond the original estimate and provide updates on their condition throughout their period of absence. The employee should also notify their manager when they are fit to return.

Note 1: *Employees requesting the use of annual leave or flexitime, rather than sickness absence, at the manager's discretion, should be allowed this where service requirements would have allowed for leave to be granted in normal circumstances.*

Note 2: *Depending upon the nature of the illness/injury, employees may wish to discuss with their manager whether a form of flexible or agile working (e.g. working from home) may support them to remain in work. This will be dependent upon their role, the operational needs of the service and there being clear and measurable outputs.*

2.4 All employees must complete a self-certification form for all periods of sickness absence up to and including seven calendar days. A form will be provided upon return to work..

2.4 Where sickness lasts longer than seven calendar days, employees must obtain a fit note from a registered medical practitioner. This should cover all the remaining period of absence with no gaps. Fit notes must be submitted to their manager, where they will be scanned and the originals returned to the employee at the earliest opportunity. On receipt of a fit note managers should consider an early

referral to occupational health, particularly if the duration of the fit note is in excess of 20 days. Guidance for managers and employees in respect of fit notes can be found at <https://www.gov.uk/government/collections/fit-note>.

- 2.5 Employees who fail to comply with the above reporting requirements without good reason will have their pay suspended and disciplinary action may be taken. Pay will only be reinstated upon receipt of a self-certification and/or fit note for the period in question.
- 2.6 Where a doctor has indicated that an employee 'may be fit for work' a discussion between the employee and their manager should take account of the medical advice provided and the manager should give reasonable consideration to any suggested changes or more detailed comments which may facilitate an earlier return to work. This will include:
- A phased return to work;
 - altered hours;
 - amended duties; and/or
 - workplace adaptations.
- 2.7 Managers should determine whether adjustments are reasonably practicable but, where it is not possible to accommodate recommendations they should obtain advice and guidance from HR. Managers should contact the council's Safety Solutions team for any advice regarding undertaking a risk assessment.
- 2.8 If the recommendations cannot reasonably be accommodated or either party wishes to discuss the above in person, a meeting will be arranged as soon as possible at a mutually convenient location. The meeting should follow the process outlined at paragraphs 5.2 and 5.3. HR will be available to support if required.
- 2.9 Where it is not possible for the suggested changes to be made or support to be provided, the fit note should be used as if the doctor had advised 'not fit for work' for the remaining duration of the note. Employees will not be required to visit their doctor again until the original note expires.

- 2.10 Employees will be informed that where the absence is related to musculoskeletal or stress related problems they **may** be referred to occupational health from the first day of absence. This is a positive measure to identify and implement any support required to assist the employee back to work at the earliest opportunity.
- 2.11 Managers must record the sickness via the HRinfo system as soon as possible and update the system with any subsequent returns to work. Managers should also ensure copies of any related paperwork are forwarded to the HR Advisory Service via TOPdesk as soon as received.

Other leave

- 2.12 Employees who become sick during a period of annual leave will not lose their allocation of annual leave during that leave year (subject to the provisions of the Annual Leave procedure B.3), provided that they comply with the council's Attendance Management policy at all times.
- 2.13 If a manager believes an employee's health represents a risk to the employee, colleagues or clients and decides to send the employee home from work, the day will be considered as authorised absence with full pay.
- 2.14 If food hygiene or other workplace regulations require the absence of the employee for at least 48 hours after their symptoms have stopped, this 48 hour period will be considered as authorised absence with full pay. Any period where the employee is still experiencing symptoms should be recorded as sickness absence and reported in accordance with the Attendance Management policy at all times.
- 2.15 Employees who are required to attend outpatients appointments (supported by evidence of the appointment) will be granted paid leave for this purpose if the length of absence required is less than 50% of their normal working day. Where a longer absence is required, either this should be recorded as sickness absence or annual leave, flexi-leave or unpaid leave should be requested. The appropriate special leave form must be completed.

- 2.16 For time off for elective surgery (not prescribed by a doctor) or consultation associated with such procedures, employees must use annual leave or flexitime, but may be unpaid leave if the other two options are not available to them.
- 2.17 With reference to 2.13, 2.15 and 2.16 above, if the employee subsequently remains absent because of sickness, normal reporting arrangements **must** apply and ensuing days will be recorded as sickness absence.

3.0 Return to Work Discussion

- 3.1 A return to work discussion must take place, ideally between the immediate line manager and employee, after any period of sickness absence, even if this is for a single day. Preferably it should be held on the day the employee returns to work. The discussion should be on a face-to-face basis wherever possible. Failing this, a telephone conversation is an acceptable alternative. Whichever approach is adopted the discussion must be supportive in nature, be confidential and be conducted with the purpose of:

1. Acknowledging the employee's return to work and showing that it is valued.
2. Confirming that the employee is fit to return.
3. Allowing the employee to voice any concerns they may have.
4. Providing advice and support.
5. Checking if any help or workplace adjustments are needed.
6. Arranging an appointment with occupational health if additional advice is needed.
7. Ensuring that the absence is properly certified.
8. Alerting the employee if they have exceeded or is in danger of reaching an absence trigger point.

- 3.2 The information obtained must be recorded on the appropriate form (see Appendix 2) and utilised where appropriate as a basis for future actions. The employee must be provided with a copy of the return to work form at the earliest opportunity.

Completed forms must be forwarded to the HR Advisory Service or the appropriate location to be filed securely in the employee's personal file.

4.0 Short-Term Absence

4.1 There are three potential phases in the management of short-term sickness absence:

- Attendance review meeting.
- Referral to occupational health.
- Capability hearing.

4.2 An employee's 3rd absence or 6th working day of absence in any six month period will trigger an attendance review meeting.

4.3 The number of days (although not the number of absences) will be calculated on a pro-rata basis for employees working more or less than the standard five days per week.

4.4 When calculating what counts towards the short-term absence trigger points for:

- Absences which are disability related or maternity related, the number of days and the occasions of absence should be halved.
- Absences that are due to reportable industrial injury (as per RIDDOR), the number of days (although not the occasion of absence) should be halved.
- Absences which are pregnancy related or related to gender reassignment will be discounted.

If necessary, the council's occupational health provider should be consulted for clarification on whether or not an absence may be related to any of the above.

Note 3: Under the Equality Act 2010 a person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day

activities. People with HIV, cancer and multiple sclerosis are covered from the point of diagnosis rather than from the stage when the condition has an adverse effect on their ability to carry out day-to-day activities. For more information about the duty to make reasonable adjustments please contact the HR Advisory Service.

Note 4: *Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave. An employee's absence due to pregnancy related illness should be recorded separately and should not be taken into account when making decisions about employment.*

- 4.5 Normal support mechanisms will remain available to all employees regardless of the reason for absence.

Attendance review meeting

- 4.6 When an employee reaches an absence trigger point (i.e. on the 3rd absence or 6th working day of absence within any six month period) the manager will inform the employee during the return to work discussion that they have reached/exceeded the absence trigger point and an attendance review meeting will be arranged as soon as possible.
- 4.7 The manager will write to the employee to request their attendance at the meeting, enclosing the employee's record of sickness absence. The manager should emphasise the supportive nature of the meeting and remind the employee that they may be represented/accompanied by a trade union representative or fellow worker of the council. HR will assist in the process if required.
- 4.8 The review meeting is an opportunity for the manager and employee to confirm the periods of and the reasons for absence and discuss any other issues or concerns. The manager should offer any advice or guidance where appropriate and encourage the employee to access any additional support through their own GP or for mental health issues, the council's Staff Welfare and Counselling Service. The employee should also be advised of their responsibility to regularly attend work and maintain their own wellbeing. To support this, the employee should formulate an action plan to demonstrate how they intend to improve their attendance. The plan must be agreed with the manager who will consider any reasonable adjustments

requested. The manager will explain that further action will be taken on the 2nd period of absence or 4th working day (subject to paragraph 4.4) during the six months following the meeting and a referral to occupational health will be made if one has not already been requested.

Note 5: *The number of days (although not the number of absences) will be calculated on a pro-rata basis for employees working more or less than the standard five days per week.*

- 4.9 The manager will confirm the outcomes of the meeting and the action plan in writing.
- 4.10 If at the end of the review period the employee has achieved and maintained the required standard this should be acknowledged. No further action will be taken provided the required standard is maintained.

Referral to occupational health

- 4.11 If the required standard is not achieved the employee must be referred to the council's occupational health provider. The employee should have been informed of this at the preceding return to work discussion.
- 4.12 If it is clear from the medical advice received that there is an underlying medical reason for the absences that should respond to treatment a meeting will be held with the employee to discuss this.
- 4.13 It should be made clear that a further attendance review meeting (in accordance with paragraph 4.7) will take place at the end of the course of treatment or in three months' time (whichever is the sooner). It should be noted that any unrelated sickness absence during this time will count towards a further trigger point and the matter will be referred to a capability hearing.
- 4.14 If the occupational health report advises that there is no underlying medical reason for the absence(s), or there is an underlying medical reason but no realistic prospect of recovery and achievement of the required standard within three months,

the matter will be referred to a capability hearing and the employee will be advised accordingly.

Note 6: *Following receipt of an occupational health report at any stage in the policy, the employee should be requested in writing to attend a meeting and be reminded that they may be accompanied by a trade union representative or fellow worker of the council. A copy of the medical report will be provided to the employee in advance of the meeting. The outcome of the meeting should be confirmed to the employee in writing.*

5.0 Long-Term Absence

5.1 Any absence of 20 working days or four calendar weeks or more is considered long-term and will fall into one of the following categories:

- Absence to cover health conditions where length of absence may be reasonably predicted e.g. broken bones, in patient operative procedures that require rehabilitation; or
- absence where it is more difficult to predict the likely duration of the sickness absence period e.g. glandular fever, musculoskeletal, stress or mental health related etc.

5.2 It is important that managers maintain regular contact with the employee during the period of absence, especially if the absence is stress or mental health related. The purpose of the contact will be to:

- Enquire after the employee's health;
- consider possible support strategies;
- establish the likely length of absence;
- consider the advice provided in any 'fit note';
- consider if a temporary change in duties might facilitate an early return to work;
- identify any possible long-term effect on their employment;

- bring the employee up to date with developments at work and remind the employee of the availability of confidential counselling.

Note 7: Where a 'fit note' with recommendations which may facilitate an early return to work is obtained by an employee the above matters should be discussed immediately.

Note 8: The council's confidential Staff Welfare and Counselling service will be advised of any employee whose period of sickness absence exceeds 20 days or four calendar weeks.

5.3 Discussions at 5.2 should reflect the individual case but the primary objective should be the employee's return to work. The contact may establish a prospective return to work date or a 'fit note' may recommend a phased return to work which in the particular circumstances can simply be agreed.

5.4 However, if the recommendations in a 'fit note' cannot reasonably be accommodated or either party wishes to discuss the above in person a meeting will be arranged as soon as possible at a mutually convenient location. HR will be available to support if required.

5.5 If the discussions conclude:

- There is no likelihood of an imminent return to work after the initial 20 working days or four calendar weeks (three months for disability related absence or maternity related absence - see notes 2 and 3 above); or
- medical advice is required in order to assist the employee's return to work; or
- there is a need to establish the employee's capability for returning to work at any time.

The employee must be referred to occupational health. (A referral may only be deferred in exceptional circumstances with approval from the Director and Strategic HR Lead). Monthly reviews must take place for deferred referrals in order to determine the employee's ongoing state of health and whether a referral to occupational health would be beneficial or to request a further deferment.

5.6 The employee will be advised of their rights under the Access to Medical Reports Act 1988.

6.0 Receipt of Occupational Health Advice

6.1 Following the receipt of occupational health advice a meeting will be arranged at a mutually convenient location. The employee will be given at least five working days' notice in writing of the time and place of the meeting. The employee should be advised that the purpose of the meeting is to discuss the medical advice and its implications. The employee should also be advised of the right to be represented/accompanied in accordance with paragraph 4.7.

Prospect of return within a reasonable period

6.2 The medical opinion will be discussed with the employee and depending upon the circumstances and the medical advice, outcomes could include:

- Phased return to work; (see Note 7 below)
- reasonable adjustments of either a temporary or permanent nature;
- homeworking;
- continued sick leave.

In each case all practical steps will be taken to assist the employee to return to work (see Note 8 below).

6.3 If having considered the options at 6.2 above, there is a reasonable prospect of the employee returning to work within three months of the medical advice (four months for disability related absence or maternity related absence) then contact should be maintained and support should continue to be given up to the point of return and beyond as necessary.

Note 9: *A phased return to work may be agreed at the manager's discretion, giving full consideration to any occupational health advice that may have been received. The phasing will normally be over a period of up to one month. The employee will receive full pay during the first month of phased return. This*

can be extended in exceptional circumstances if recommended by occupational health or the welfare officers. Any extended period will be covered by the use of the employee's annual leave, flexitime or unpaid leave.

Note 8: *The above list of options in 6.2 above may not be exhaustive and they need not be mutually exclusive. Two or more of the options may be used either in sequence or in tandem. Managers are encouraged to be constructive and creative in finding solutions. Advice will be available from HR throughout.*

No prospect of return or return within a reasonable period

6.4 Where medical advice indicates there is no prospect of the employee returning to their substantive post at all or within three months of that advice (four months for disability related absence or maternity related absence) the matter will be referred to a capability hearing where the following options will be considered:

- Attempted redeployment under the council's Redeployment procedure A.9.
- Early retirement on the grounds of ill health.
- Career break.
- Dismissal.

6.5 The outcome of the meeting in all circumstances will be confirmed in writing to the employee.

Six months absence

6.6 If none of the options outlined in 6.2 above will facilitate an imminent return to work all employees who remain absent from work for six months (eight months for disability related absence or maternity related absence), will be referred to a capability hearing.

6.7 If the medical situation has changed since the last referral or is likely to prior to a capability hearing taking place a further referral must be made and the subsequent medical opinion should be made available for consideration at the capability hearing.

7.0 Return to Work Following Long-Term Absence

- 7.1 Where an employee returns to work following a period of long-term absence the support and assistance given should be similar to that provided to a new employee during induction. Every effort should be made to allay the potential fears and anxiety of a return. The opportunity for an informal pre-return visit to the workplace may be offered to the employee if considered beneficial.
- 7.2 The manager should hold a return to work discussion with the employee on the first day of return to work to ensure that any adjustments to duties, equipment or hours of work are in place and are suitable. The opportunity should also be taken to sympathetically reintroduce the employee to their team and in particular to any new colleagues.
- 7.3 Any changes to domestic arrangements and/or health and safety issues should be clearly explained and highlighted to the employee.
- 7.4 Where service specific policies, procedures and or working practices have changed these should be communicated to the returning employee at the earliest opportunity. Where necessary, appropriate training should be organised to supplement and reinforce the employee's understanding. Returning employees should also be provided with copies of relevant new or revised councilwide policies and associated documentation.
- 7.5 Where the nature of the job allows, a realistic work plan should be devised in conjunction with the employee. The plan should identify any areas of outstanding work, timescales for completion of tasks and should also gently introduce the broad range of the job description. The manager should schedule regular one to one meetings to establish the employee's progress and to assess whether any further support is required.

- 7.6 In all cases the employee should be reminded of the availability of the confidential Staff Welfare and Counselling service. Where required, further advice and guidance should be obtained from occupational health.
- 7.7 Where the employee returns to work following a period of long-term absence they will also have exceeded the trigger points under the short-term absence procedure and will need to be clearly advised at the return to work discussion that further absence will be managed accordingly and reminded of the need for a satisfactory level of attendance to be maintained.
- 7.8 Whilst managers will need to ensure that this is handled with particular sensitivity to avoid being counter-productive it should be made clear to the employee that further action (in accordance with paragraph 4.8) will be taken on the 2nd period of absence or 4th working day of absence during the six months following the return to work discussion.

8.0 Capability Hearing

- 8.1 Where a capability hearing is required at any stage, the hearing will be arranged and conducted in accordance with the Capability Hearing procedure C.8.

9.0 Additional Support and Guidance

- 9.1 The council has a range of policies to support the work life balance of employees including where appropriate the provision of paid special leave. Employees should consider the various policies available to them and make a request in accordance with these schemes where appropriate, rather than take sick leave inappropriately.
- 9.2 In addition there are a number of tools to assist employees and managers alike in the prevention and management of stress. Information can be found on TOPdesk or by contacting the council's Safety Solutions team.