

Kettering Town Council

Sickness Management and Pay Policy

Introduction

This policy sets out the Council's approach when an employee is sick and unable to fulfil their terms of employment.

The Council employs two categories of employee:-

- Permanent members of staff on a full time or part time contract who are expected to work all or part of every week in the year, except when on leave.
- Casual members of staff, who are called upon from time to time to carry out duties usually on an hourly or daily basis.

Because the nature of the employment between the two varies significantly, this policy on sick pay is broken into two parts.

An employee may be unable to work because of sickness, disease, accident or assault, whether or not that has arisen out of or in the course of employment with the Town Council. Slightly different provisions apply to an employee's sick pay entitlement depending on whether the sickness has been generated by their employment.

Managing sickness

An employee who is unable to work due to sickness should advise their manager as soon as possible and not later than the time they would normally commence work on the day in question. The recommended course of action is by telephone rather than by email or social media or messaging services.

The employee should confirm their continuing absence after three working days, where applicable.

A fit note drawn up by a qualified medical practitioner (as defined in the statutory sick pay regulations) should be provided after seven working days of sickness absence indicating the cause of absence and the duration of absence before medical review is necessary.

The employee, on return to work should, as soon as practicable, complete a review with their manager, to establish the likely cause of the sickness, to identify any underlying conditions which might affect their ability to fulfil their duties and agree any actions which would help manage their well being in future. The review should be minuted and signed by employee and manager.

Where an employee disregards any of the agreed measures arising from the review above, so as to increase the likelihood of future periods of sickness or absence, then the Council will be entitled to consider what disciplinary action is appropriate.

Where a manager disregards any of the agreed measures arising from the review above, so as to increase the likelihood of future periods of sickness or absence, then the employee will be entitled to raise a grievance for consideration by the Staffing Committee.

An employee's period of incapacity for work is not interrupted if they take annual leave during that time.

Sick pay -permanent Staff

In respect of its permanent staff, the Council will apply the local government national agreement on Pay and Conditions of Service (the 'Green Book' Provisions), which means that an employee will be entitled to sick pay which is greater than statutory sick pay provisions.

Employees are entitled to receive sick pay for the following periods

During 1st year of service	1 month's full pay and (after completing 4 months service)) 2 months half pay
During 2nd year of service	2 months' full pay and 2 months' half pay
During 3rd year of service	4 months' full pay and 4 months' half pay
During 4th and 5th year of service	5 months' full pay and 5 months' half pay
After 5 years service	6 months' full pay and 6 months' half pay

For employees with continuous local government service prior to their employment with the Council, the qualifying period will include their previous service.

The Council has discretion to extend the period of sick pay in exceptional circumstances.

Any entitlement to sick pay under this scheme will be on a rolling twelve month period. If an employee is entitled to full pay, then this will be inclusive of Statutory sick pay. However, if an employee is entitled to a period of half pay, then this half

pay will be in addition to SSP, provided the total payable to the employee does not exceed normal pay.

If an employee is absent due to contact with an infectious disease, assault or injury arising out of or in the course of employment, he or she is entitled to receive normal pay and any absence due to this should not be taken into account under the scheme. Further information is available on this matter on www.acas.org.uk

Sick pay -casual Staff

Casual employees will be entitled to statutory sick pay (SSP) in the following circumstances

- They have an employment contract
- They have done some work under their contract
- They have been sick for 4 or more days in a row (including non-working days) - known as a 'period of incapacity for work'
- They earn an average of at least £123 per week
- They have given notice and proof of illness when required

Statutory sick pay is set by government (and is currently £99.35 per week for up to 28 weeks).

The number of working days for which sick pay will apply will be determined by the numbers of days or hours that that employee has already agreed to work before they became sick. For example, if someone was due to work for 7.5 hours in the week that they were sick, then they would be entitled to 1/5th of the weekly SSP.

Employees do not qualify for SSP if they:

- have received the maximum amount of SSP (28 weeks)
- are getting Statutory Maternity Pay or Maternity Allowance - there are specific rules for pregnant women and new mothers who do not get these payments
- are off work for a pregnancy-related illness in the 4 weeks before the week (Sunday to Saturday) that their baby is due
- were in custody or on strike on the first day of sickness (including any linked periods)
- received Employment and Support Allowance within 12 weeks of starting or returning to work