



## Seaford Town Council

### To the Members of the Personnel Committee

A meeting of the of the **Personnel Committee** will be held at **37 Church Street, Seaford** on **Thursday 9<sup>th</sup> March 2017** at **7.00pm** which you are summoned to attend.

James Corrigan  
Town Clerk  
2<sup>nd</sup> March 2017

### AGENDA

**1. Apologies for Absence**

**2. Disclosure of Interests**

To deal with any disclosure by Members of any discloseable pecuniary interests and interests other than pecuniary interests, as defined under the Seaford Town Council Code of Conduct and the Localism Act 2011, in relation to matters on the agenda.

**3. Personnel Policies**

To consider report 124/16 presenting new and amended personnel policies for recommendation to Full Council to adopt (pages 2 to 26).

**4. Exclusion of the Press and Public**

The Chairman will move that in accordance with the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting during the discussion on the next item on the agenda as the item concerns confidential personnel details.

**5. Pay Grading and Awards**

To consider exempt report 125/16 regarding pay grading for Council employees and the annual pay increase (exempt pages 27 to 30).

**For further information about items appearing on this Agenda please contact:**

James Corrigan, Town Clerk, 37 Church Street, Seaford, East Sussex, BN25 1HG

Email: [admin@seafordtowncouncil.gov.uk](mailto:admin@seafordtowncouncil.gov.uk)

Telephone: 01323 894 870

**Circulation:** Councillors S Adeniji, P Boorman, L Freeman, R Honeyman, A Latham and P Lower.

**For Information:** Councillors D Argent, M Brown, D Burchett, B Burfield, N Freeman, T Goodman, R Hayder, O Honeyman, P Lower, A McLean, L Wallraven, M Wearmouth, B Webb, C White and L Worcester.



## Seaford Town Council

### Report 124/16

<b>Agenda Item No:</b>	<b>3</b>
<b>Committee:</b>	<b>Personnel Committee</b>
<b>Date:</b>	<b>9<sup>th</sup> March 2017</b>
<b>Title:</b>	<b>Personnel Policies</b>
<b>By:</b>	<b>James Corrigan, Town Clerk</b>
<b>Purpose of Report:</b>	<b>To present new and amended personnel policies for recommendation to Full Council to adopt</b>

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#### Recommendations

##### You are recommended:

- 1. To recommend Full Council adopts the Maternity, Paternity and Adoption Leave Policy as presented;**
  - 2. To recommend Full Council adopts the Parental Leave Policy as presented;**
  - 3. To recommend Full Council adopts the Sickness Absence Policy as presented;**
  - 4. To recommend Full Council adopts the Equal Opportunities Policy as presented;**
  - 5. To recommend Full Council adopts the revised Training & Development Policy as presented;**
  - 6. To recommend to Full Council that the standard terms and conditions for current and new employees be amended to clarify that employees are employed under the Green Book save where amended by their terms and conditions of employment or Council policy.**
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#### 1. Personnel Policies

- 1.1** As per the Council's Policy Timetable, officers have been working on the Council's personnel policies and are now presenting these to the Personnel Committee, as instructed by the Council because of the specialist nature of personnel policies.
- 1.2** The Committee are asked to consider recommending the five policies, listed below, to Full Council for adoption at its meeting on 20<sup>th</sup> April 2017:
  - a.** Maternity, Paternity and Adoption Leave Policy (Appendix A, pages 5 to 19)
  - b.** Parental Leave Policy (Appendix B, page 20)
  - c.** Sickness Absence Policy (Appendix C, pages 21 to 22)
  - d.** Equal Opportunities Policy (Appendix D, page 23)
  - e.** Training & Development Policy (Appendix E, pages 24 to 26)
- 1.3** A to D are new policies where the Council did not have any formal policies in place. These have been written in accordance with the guidance on all topics

from ACAS (The Advisory, Conciliation and Arbitration Service) and current practice of the Council.

1.4 The Training & Development Policy has been revised at the Council's request. The policy includes training for members in greater detail but is less restrictive and detail laden in general than the previous version, which is available on the Council's website and in the Councillor Information Packs.

1.5 The Maternity, Paternity and Adoption Leave Policy includes two provisions over and above the statutory entitlement as set out by the Government;

- a. Full pay will be given for employees utilising 'KIT' days whilst on maternity or adoption leave. This is offset against any payment of SMP or SAP, so is in effect 'topped up' to the employee's usual salary.

An employee using a KIT day will be carrying out work, attending training or a meeting, so it is only felt fair that full payment be made for these days.

- b. Paid time off will be given for an expectant parent or partner of a mother taking paternity leave (not in the case of adoptions however) or surrogate parents, to attend antenatal appointments.

Legislation states that reasonable time off be given but not that it must all be paid. It is recommended that the Council agree to paid time off for these appointments, owing to their importance.

1.6 The Sickness Absence Policy includes a bonus scheme for those employees with low sickness records as a motivational perk and, whilst there is not a high level of sickness absence within the Council, discourages unnecessary absences from work.

1.7 At present, according to the current staff structure, the Council has 21 employees. The financial implication of the bonus scheme as recommended is therefore a maximum of £2,100 per annum, but is expected to be approximately £1,500.

1.8 At its meeting in December, the Personnel Committee approved the Staff Handbook (with amendments) which referred to each of these policies to be written as addendums to the Handbook.

1.9 The instruction from the Council meeting in November 2016, was that the Personnel Committee review and scrutinise any new or amended personnel policies, as the best forum for this to be done in, and then recommend an agreed policy to Council for adoption.

1.10 Members are therefore asked to review the policies as per the attached appendices and make comment.

## 2. The Green Book

2.1 The 'Green Book' is the National Agreement on Pay and Conditions of Service for public sector employees as agreed by the National Joint Council for local government services.

2.2 For the first time since 2005, the Green Book has been reviewed and updated accordingly. Due to being 228 pages long the document will not be circulated with the agenda, however is available to view on the Local Government Association's website at <http://www.local.gov.uk/workforce/>

[/journal\\_content/56/10180/3510601/ARTICLE](#) The password to access this will be sent separately to all Councillors.

2.3 The updated Green Book now includes pay scales and allowances from 1997 to 2017 inclusive, the revised maternity scheme, the revised annual leave entitlement and the updated job evaluation scheme. All references and external contact details have also been updated to ensure they are correct.

2.4 All employees of the Council are employed under the terms and conditions as set out in the Green Book. The exact wording of Council employee's contracts of employment is:

*'The National Agreement on Pay and Conditions of Service of the National Joint Council ("the NJC") for Local Government Services (the 'Green Book') applies to your employment save as amended by this contract.'*

2.5 Many local councils choose to vary certain employment terms of the Green Book, this is fairly standard practice. However, in order that Seaford Town Council's contracts of employment be adopting the belt and braces approach, additional wording needs to be included to read:

*'...as amended by this contract or Council policy.'*

2.6 This ensures that the Council is not in an awkward predicament where its own policy contradicts the employment contracts of its staff.

2.7 An example of this is the Green Book stating that employees who work on public holidays or weekend days receive enhancements to the time off in lieu (TOIL) accrued. The Council's TOIL Policy states that any additional hours worked, including weekend days or public holidays, entitle the employee to TOIL accrued at single time.

2.8 There are no implications to the Council as a result of the amended Green Book.

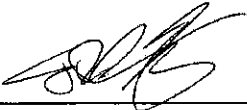
### 3. Financial Appraisal

The financial implications of this report are with the proposed sickness bonus scheme in the Sickness Absence Policy, the financial details of which are mentioned at 1.7 of this report.

### 4. Contact Officer

The Contact Officer for this report is James Corrigan, Town Clerk.

Town Clerk



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## Seaford Town Council

### Maternity, Paternity and Adoption Leave Policy

#### Introduction

This policy sets out the statutory rights and responsibilities of employees who are;

1. Pregnant or have recently given birth (Maternity Leave, below)
2. An expectant father or partner of the expectant mother (Paternity Leave, page 5)
3. Due to adopt a child (Adoption Leave, page 7)
4. Seeking to take share leave between parents (Shared Parental Leave, page 11)
5. The intended parent of a child through surrogacy (Surrogacy, page 15)

Where the policy refers to 'the Council' being notified or taking action, this should be read as the Town Clerk carrying out these responsibilities on behalf of the Council.

#### MATERNITY LEAVE

An employee who becomes pregnant may be entitled to up to 52 weeks' maternity leave and up to 39 weeks' maternity pay. The sections below set out the entitlements, notification requirements and other considerations for the Council and the employee.

##### 1. Notification

On becoming pregnant, an employee should notify the Town Clerk as soon as they feel able to do so. This is important because there are health and safety considerations for the Council.

By the end of the Qualifying Week (the 15<sup>th</sup> week before the Expected Week of Childbirth), or as soon as reasonably practicable afterwards, an employee is required to provide the following information in writing to the Council:

- a. That they are pregnant
- b. The Expected Week of Childbirth (EWC)
- c. The date on which they intend to start their maternity leave

In addition, the Council should be provided with a MATB1 certificate (issued by your doctor or midwife) stating when the baby is due.

If an employee fails to follow the above notification requirements, they may not be eligible for Statutory Maternity Pay.

The Council will respond in writing within 28 days of notification, setting out the employee's rights and entitlements and confirming the date on which they are expected to return to work if they take their full 52 week entitlement to maternity leave.

If an employee wishes to change their maternity leave start date, they should give the Council at least 28 days' notice where possible. Where a baby arrives early or an expectant mother is off with pregnancy-related illness within four weeks of the EWC, maternity leave will automatically begin.

##### 2. Antenatal Appointments

Once the Council has been advised that an employee is pregnant, the employee is entitled to take reasonable time off work with pay to attend antenatal clinic and other antenatal appointments made on the advice of their doctor, registered midwife or registered health visitor.

If required, the Council may ask for proof of appointments with exception of the first appointment.

### 3. Maternity Leave Entitlement

All pregnant employees are entitled to take 26 weeks' ordinary maternity leave and up to 26 weeks' additional maternity leave, making a total of 52 weeks.

This entitlement is for all pregnant employees regardless of hours of work or length of service. This does not however apply to casual workers, only employees.

Ordinary maternity leave can start at any time after the beginning of the 11<sup>th</sup> week before the EWC (unless the child is born prematurely before that date). Maternity leave will start on whichever date is earlier of;

- a. The chosen start date
- b. The day after the birth
- c. The day after any day on which the employee is absent for a pregnancy-related reason in the four weeks before the EWC

The law requires all employees to take a minimum of two weeks of compulsory maternity leave immediately after the birth of their child.

If an employee chooses to take additional maternity leave, this will begin the day after the 26 weeks' ordinary maternity leave has ended.

### 4. Maternity Pay

#### *Statutory Maternity Pay*

Statutory Maternity Pay (SMP) is payable for up to 39 weeks during maternity leave. An employee is entitled to SMP if;

- a. They have been continuously employed by the Council for at least 26 weeks at the end of the Qualifying Week
- b. Their average weekly earnings in the eight weeks up to and including the Qualifying Week are not less than the lower earnings limit for National Insurance contributions
- c. They are still pregnant eleven weeks before the start of their EWC (or have already given birth)
- d. They have provided a MATB1 certificate stating the EWC
- e. They have given the Council proper notification of the pregnancy in accordance with the rules at section 1 of this policy

For the first six weeks of maternity leave, SMP is paid at the rate of 90% of the average weekly earnings calculated over a period of eight weeks up to and including the Qualifying Week.

The standard rate of SMP is then paid for the remaining 33 weeks (or less if the employee decides to return to work sooner). The rate of SMP is reviewed every April by the Government. From April 2016 SMP is £139.58 per week and from April 2017, £140.98 per week. If, when calculated, 90% of an employee's average weekly earnings in the eight weeks leading up to Qualifying Week is less than the rate of SMP, the employee will receive the lower figure.

SMP is treated as earnings and is therefore subject to income tax and National Insurance contributions. If part of the pension scheme, contributions will be taken based on the amount of maternity pay received. The Council will continue to contribute for any time the employee is in receipt of SMP.

Payment of SMP cannot start before the 11<sup>th</sup> week before your EWC. SMP can start from any day of the week in accordance with the date an employee starts their maternity leave. SMP is payable whether or not they intend to return to work after their maternity leave.

SMP is still payable in the event of; a baby being born early, a stillbirth after the start of the 24<sup>th</sup> week of pregnancy, or the death of the baby after being born.

The Council is eligible to reclaim a percentage of SMP payments made (currently 92%).

If the employee has not been working for the Council for 26 weeks at the Qualifying Week they will not be eligible to receive SMP. They may however be able to apply to the Department for Work and Pensions for maternity allowance, see below.

## *Maternity Allowance*

If an expectant mother is not eligible to receive SMP they may be entitled to up to 39 weeks of maternity allowance from the Department for Work and Pensions.

To qualify they must have been in employment or self-employed for at least 26 of the previous 66 weeks before the EWC (not necessarily consecutive). From these 26 weeks, they must have earned on average at least £30 per week for 13 weeks.

An expectant mother can claim maternity allowance once they are 26 weeks pregnant and payment can start from the 11<sup>th</sup> week before the EWC.

### **5. Contact / KIT days**

An employee may decide they want to keep in touch during their maternity leave. Legally they are entitled to work up to 10 days without losing their entitlement to SMP. Any days worked are known as 'keep in touch' days (KIT days) and will be paid in full and will be subject to the usual tax, National Insurance and pension deductions.

There is no obligation for an employee to work during their maternity leave. Maternity leave or pay will not be extended due to the fact that work has been carried out during the leave period.

Legislation allows for the Council and the employee to make reasonable contact during the leave period to discuss such issues as the return to work. This contact does not count towards the 10 KIT days and does not bring the maternity leave to an end.

The Council will ensure that the employee is kept informed of relevant matters such as job vacancies, significant workplace developments and training opportunities.

### **6. Health & Safety**

Upon notification of an employee's pregnancy, the Council will seek to do a risk assessment with the employee in their role. This assessment will consider any heavy lifting or carrying, sitting/standing for long periods of time with no breaks, exposure to toxic substances and long working hours (this is not an exclusive list).

If a risk is identified that cannot be avoided, the Council must take steps to remove the risk or offer different suitable work with no less favourable terms and conditions. If no alternative work is available, the employee will be suspended on full pay for as long as possible to protect the health and safety of the mother and baby.

If an employee is suspended on maternity grounds, this will not in any way affect their statutory or contractual employment and maternity rights.

If a pregnant employee has any concerns about any aspects of health and safety, as with any employee, these should be raised immediately with their line manager.

### **7. Sickness**

If a pregnant employee is absent from work during their pregnancy due to sickness, they will receive sick pay in the same manner as any other sickness absence provided they have not yet begun maternity leave.

If, however a pregnant employee is absent from work due to a pregnancy-related illness within four weeks of their EWC, maternity leave will automatically commence from the day after their first day of absence.

### **8. Annual Leave**

An employee will continue to accrue annual leave during maternity leave (ordinary and additional) and substitute days for Bank Holiday leave. The employee should discuss with their manager the options for using leave before or after maternity leave if they wish to. It is not possible to use annual leave entitlement during maternity leave.

### **9. Return to Work**

On resuming work after maternity leave, the employee is entitled to return to the same job on the same terms and conditions of employment as if they had not been absent. They also have the right to receive any pay rises or improvements to terms and conditions for the job as if they had not been on leave.

If however there is a reason why it is not reasonably practicable for the Council to take them back in their original job, they will be offered suitable alternative work of equivalent status and responsibility and on terms and conditions that are no less favourable than would have applied if they had not been absent.

#### *Date of Return*

Unless the Council is notified otherwise, the employee will be expected to return to work on the date in which the 52 week maternity leave period ends.

If the employee intends to bring forward their return to work date, they should notify the Council in writing providing at least eight weeks' notice where possible. If they fail to do so, the Council has the right to postpone their return to such a date as will give the Council eight weeks' notice, provided this is not later than their expected return date.

If the employee is unable to return to work due to sickness or injury, the Council's normal arrangements for sickness absence will apply.

#### *Breastfeeding / expressing*

Where an employee is seeking to return to work and will require time or a suitable location to breastfeed or express, she should notify the Council of this so that suitable arrangements can be discussed.

#### *Part time / changed hours*

If they decide to return to work after maternity leave, an employee has a right to request changed hours if they wish, either on a temporary or permanent basis. The Council will consider this request and to look at whether this can be accommodated.

In order to allow the Council time to give full consideration to the request, such a request should be put in writing as far in advance of the return to work date as possible, with a minimum of six weeks' notice. The Council will respond in writing as soon as practically possible, within 14 days at the latest. The Council will always consider such requests in line with the operational requirements of the Council's business.

#### *Resignation*

If an employee decides not to return to work after maternity leave they should submit their resignation in the normal manner, providing adequate notice as per their terms and conditions of employment.



## PATERNITY LEAVE

An expectant parent or partner of a mother may be entitled to up to two weeks' paternity leave and up to two weeks' paternity pay. The sections below set out the entitlements, notification requirements and other considerations for the Council and the employee.

For paternity leave entitlements where a child is adopted please see 'Adoption Leave' below.

### 10. Notification

On becoming an expectant parent, an employee should notify the Town Clerk as soon as they feel able to do so.

By the end of the Qualifying Week (the 15<sup>th</sup> week before the Expected Week of Childbirth), or as soon as reasonably practicable afterwards, an employee is required to notify the Council when the baby is due, whether or not they are seeking to take one or two weeks' paternity leave and when they expect the leave to begin.

If an employee fails to follow the above notification requirements, they may not be eligible for Statutory Paternity Pay.

The Council will respond in writing within 28 days of notification, setting out the employee's rights and entitlements to and during paternity leave.

If an employee wishes to change their paternity leave start date, they should give the Council at least 28 days' notice where possible. The employee does not need to give a specific date for the leave to start, for example they may wish to say the day after the birth or one week after the birth.

### 11. Antenatal Appointments

While there is no legal right for to paid time off for expectant fathers or partners of expectant mothers, the Council understands the importance of attendance at antenatal classes and appointments and will therefore allow paid time off for these appointments, provided adequate notice is given to the employee's line manager of such a request for time off work.

If required, the Council may ask for proof of appointments.

### 12. Paternity Leave Entitlement

Paternity leave is available for a period of one or two weeks. The leave must be consecutive and not taken as ad hoc days.

To be eligible for paternity leave, an employee must:

- a. Have or expect to have responsibility for the child's upbringing
- b. Be the biological father of the child or the mother's husband or partner
- c. Have worked continuously for the Council for 26 weeks leading in to the 15<sup>th</sup> week before the baby is due and be employed continuously during the pregnancy up to the actual date the baby is born

Casual workers will not be entitled to paternity leave, only employees of the Council.

Paternity leave must be taken within 56 days of the child being born and may only start after the actual birth.

### 13. Paternity Pay

Statutory Paternity Pay (SPP) is payable for up to two weeks. An employee is entitled to SPP if;

- a. They have been continuously employed by the Council for at least 26 weeks at the end of the Qualifying Week
- b. They are employed up to the actual date of birth
- c. Their average weekly earnings in the eight weeks up to and including the Qualifying Week are not less than the lower earnings limit for National Insurance contributions
- d. They have given the correct notice as per section 10

The rate of SPP is reviewed every April by the Government. From April 2016 SPP is £139.58 per week and from April 2017, £140.98 per week. If, when calculated, 90% of an employee's average weekly earnings in the

eight weeks leading up to Qualifying Week is less than the rate of SPP, the employee will receive the lower figure.

SPP is treated as earnings and is therefore subject to income tax and National Insurance contributions. If part of the pension scheme, contributions will be taken based on the amount of paternity pay received. The Council will continue to contribute for any time the employee is in receipt of SPP.

SPP is still payable in the event of; a stillbirth after the start of the 24<sup>th</sup> week of pregnancy or the baby being born alive at any point of pregnancy.

The Council is eligible to reclaim a percentage of SPP payments made (currently 92%).

#### **14. Annual Leave**

An employee will continue to accrue annual leave during paternity leave and substitute days for Bank Holiday leave. The employee should discuss with their manager the options for using leave before or after paternity leave if they wish to. It is not possible to use annual leave entitlement during paternity leave.

#### **15. Employment Rights**

All employment rights are protected and the employee shall suffer no detriment from taking paternity leave. An employee is entitled to return to the same job after up to two weeks' paternity leave.

## ADOPTION LEAVE

Qualifying employees who have been matched with a child for adoption may take up to 52 weeks' adoption leave and may be entitled to 39 weeks of Statutory Adoption Pay. If a couple jointly adopt a child, one may take adoption leave and the other parent may be able to take paternity leave or shared parental leave.

### 16. Notification

Within seven days of being matched with a child, the employee should tell the Council (in writing preferably):

- a. How much leave they want
- b. Their leave start date
- c. The 'date of placement' – the expected or actual date the child is placed with them

Within 28 days the Council will write to the employee confirming their leave start and end date and the employee's rights and entitlements.

Employees wishing to change their leave dates must inform the Council at least 28 days before their original start date or the new start date, whichever is earlier.

The rules are different if it is an overseas adoption. An employee must tell the Council:

- a. The date of their 'official notification' and the expected date the child arrives in the UK – within 28 days of getting the notification
- b. The actual date the child arrives in the UK – within 28 days of this date
- c. How much leave they want and when they want it to start

The Council will respond in writing within 28 days confirming their leave start and end dates.

### 17. Adoption Leave Entitlement

An employee can take up to 52 weeks' statutory adoption leave. The first 26 weeks are known as 'ordinary adoption leave' and the last 26 weeks as 'additional adoption leave'.

Adoption leave can start:

- a. On the date the child starts living with the employee or up to 14 days before expected placement date (UK adoptions)
- b. When an employee has been matched with a child to be placed with them by a UK adoption agency
- c. When the child arrives in the UK or within 28 days of this date (overseas adoptions)

An employee is entitled to adoption leave from day one of employment; there is no service requirement for entitlement.

If jointly adopting, the main adopter will be entitled to adoption leave; the secondary adopter may be entitled to paternity or shared parental leave.

### 18. Adoption Pay

Statutory Adoption Pay (SAP) is payable for up to 39 weeks during adoption leave. An employee is entitled to SAP if;

- a. They have been continuously employed by the Council for at least 26 weeks by the week they were matched with the child
- b. Their average weekly earnings in the eight weeks up to and including the point they were matched with the child are not less than the lower earnings limit for National Insurance contributions
- c. They have given the Council proper notification of the pregnancy in accordance with the rules at section 16 of this policy
- d. They have given the Council proof of the adoption (see section 19 below)

For overseas adoptions, the conditions are the same as above except they;

- d. Must have 'official notification' (permission for a UK authority) that they can adopt from abroad
- e. Must fill in the declaration on online form SC6 if they are adopting with their partner (this form confirms they are not taking paternity leave or pay)

For the first six weeks of adoption leave, SAP is paid at the rate of 90% of the average weekly earnings calculated over a period of eight weeks up to and including the week they were matched with a child.

The standard rate of SAP is then paid for the remaining 33 weeks (or less if the employee decides to return to work sooner). The rate of SAP is reviewed every April by the Government. From April 2016 SAP is £139.58 per week and from April 2017, £140.98 per week. If, when calculated, 90% of an employee's average weekly earnings in the eight weeks leading up to the week they were matched with a child is less than the rate of SAP, the employee will receive the lower figure.

SAP is treated as earnings and is therefore subject to income tax and National Insurance contributions. If part of the pension scheme, contributions will be taken based on the amount of adoption pay received. The Council will continue to contribute for any time the employee is in receipt of SAP.

The Council is eligible to reclaim a percentage of SAP payments made (currently 92%).

### **19. Proof of Adoption**

In order to qualify for SAP the employee must give the Council proof of adoption. Proof is not needed for entitlement to adoption leave unless the Council wishes to request it.

For adoption, the proof must show the:

- a. Name and address of the agency and employee
- b. Date the child was matched e.g. the matching certificate
- c. The expected or actual date of placement e.g. a letter from the agency
- d. The relevant UK authority's 'official notification' confirming the parent is allowed to adopt (overseas adoptions only)
- e. The date the child arrived in the UK e.g. a plane ticket (overseas adoptions only)

### **20. Exemptions**

An employee will not qualify for either adoption leave or pay if they;

- a. Become a special guardian or kinship carer
- b. Adopt a stepchild
- c. Adopt a family member or stepchild
- d. Adopt privately e.g. within permission from a UK authority or adoption agency

### **21. Contact / KIT Days**

An employee may decide they want to keep in touch during their adoption leave. Legally they are entitled to work up to 10 days without losing their entitlement to SAP. Any days worked are known as 'keep in touch' days (KIT days) and will be paid in full and will be subject to the usual tax, National Insurance and pension deductions.

There is no obligation for an employee to work during their adoption leave. Adoption leave or pay will not be extended due to the fact that work has been carried out during the leave period.

Legislation allows for the Council and the employee to make reasonable contact during the leave period to discuss such issues as the return to work. This contact does not count towards the 10 KIT days and does not bring the adoption leave to an end.

The Council will ensure that the employee is kept informed of relevant matters such as job vacancies, significant workplace developments and training opportunities.

### **22. Adoption Appointments**

An employee is entitled to paid time off to attend adoption appointments.

Single adopters are entitled to paid time off to attend up to five adoption appointments. These must be taken in the period between the employee being notified of a match with a child and the date that the child joins the family.

In the case of joint adoptions, one of the adopters will be entitled to paid time off to attend up to five adoption appointments. The other adopter will be entitled to unpaid time off to attend up to two adoption appointments.

Where there are joint adopters, the adopter who took paid time off to attend adoption appointments may not then claim paternity leave and pay. It is usually therefore the main adopter (who is entitled to adoption leave and pay) that would take paid time off.

### **23. Paternity Leave with Adoption**

If an employee is a secondary adopter and is seeking to take paternity leave sections 10 to 15 above apply with the amendments below.

#### *Notification*

An employee adopting a child must give the Council an SC4 form (the Council can provide this) for:

- a. Leave – no later than seven days of their co-adopter or partner being matched with a child
- b. Pay – 28 days before they want their pay to start

For overseas adoptions the form and notice period are different. Information on these can be found online on the [www.gov.uk](http://www.gov.uk) website.

#### *Eligibility*

An employee adopting a child must;

- a. Have worked for the Council continuously for at least 26 weeks by the end of the week they were matched with the child (UK adoptions)
- b. Have worked for the Council continuously for at least 26 weeks by either the date the child arrives in the UK or when they want their pay to start (overseas adoptions)
- c. Confirm that their partner is getting statutory adoption pay in writing
- d. Meet the other eligibility conditions for paternity leave and pay (as detailed in the above 'Paternity Leave' section of this policy)

An employee will not be entitled to paternity leave and pay when adopting a child if they have had paid time off for adoption appointments (see section 22 above).

#### *Leave Start Date*

An employee taking paternity leave because they are adopting can start their leave;

- a. On the date of placement
- b. An agreed number of days after the placement
- c. On the date the child arrives in the UK or an agreed number of days after this (overseas adoptions)

For overseas adoptions, the leave must be taken within 56 days of the placement or the child's arrival in the UK.

#### *Proof of Adoption*

An employee must give the Council proof of adoption to qualify for paternity pay (but not paternity leave). Proof can be a letter from their adoption agency or their matching certificate.

### **24. Annual Leave**

An employee will continue to accrue annual leave during adoption leave (ordinary and additional) and substitute days for Bank Holiday leave. The employee should discuss with their manager the options for using leave before or after adoption leave if they wish to. It is not possible to use annual leave entitlement during adoption leave.

### **25. Return to Work**

On resuming work after adoption leave, the employee is entitled to return to the same job on the same terms and conditions of employment as if they had not been absent. They also have the right to receive any pay rises or improvements to terms and conditions for the job as if they had not been on leave.

If however there is a reason why it is not reasonably practicable for the Council to take them back in their original job, they will be offered suitable alternative work of equivalent status and responsibility and on terms and conditions that are no less favourable than would have applied if they had not been absent.

### *Date of Return*

Unless the Council is notified otherwise, the employee will be expected to return to work on the date in which the 52 week adoption leave period ends.

If the employee intends to bring forward their return to work date, they should notify the Council in writing providing at least eight weeks' notice where possible. If they fail to do so, the Council has the right to postpone their return to such a date as will give the Council eight weeks' notice, provided this is not later than their expected return date.

If the employee is unable to return to work due to sickness or injury, the Council's normal arrangements for sickness absence will apply.

### *Part time / changed hours*

If they decide to return to work after adoption leave, an employee has a right to request changed hours if they wish, either on a temporary or permanent basis. The Council will consider this request and to look at whether this can be accommodated.

In order to allow the Council time to give full consideration to the request, such a request should be put in writing as far in advance of the return to work date as possible, with a minimum of six weeks' notice. The Council will respond in writing as soon as practically possible, within 14 days at the latest. The Council will always consider such requests in line with the operational requirements of the Council's business.

### *Resignation*

If an employee decides not to return to work after adoption leave they should submit their resignation in the normal manner, providing adequate notice as per their terms and conditions of employment.

## **26. Record Keeping**

For a period of three years after the tax year that it relates to, the Council must keep records of;

- a. Proof of adoption
- b. The date SAP started
- c. The payments of SAP made including dates
- d. The payments the Council has reclaimed
- e. Any weeks not paid and the reason

## SHARED PARENTAL LEAVE

Shared Parental Leave enables eligible mothers, fathers, partners and adopters to choose how to share time off work during the first year after a child is born or placed for adoption. Parents will be able to share a pot of leave and decide to be off work at the same time and/or take it in turns to have periods of leave to look after the child.

Eligible employees may take up to 50 weeks shared parental leave during the child's first year in their family.

The number of weeks available is calculated using the mother's/adopter's entitlement to maternity/adoption leave. If they decide not to take all 52 weeks' maternity/adoption leave, the remaining leave can be taken as shared parental leave.

### 27. Notification

An employee must give the Council at least eight weeks' notice of their entitlement/request for shared parental leave to start.

The employee will need to inform the Council;

- a. The name of the other parent
- b. The start and end dates of any maternity/adoption leave or pay, or maternity allowance, taken in respect of the child and the total amount of shared parental leave available
- c. The date on which the child is expected to be born/the actual date of birth or in the case of adoption, the date on which the employee was notified of having been matched with the child and the date of placement for adoption
- d. The amount of shared parental leave the employee and their partner each intend to take
- e. A non-bonding indication of when the employee expects to take the leave

The employee will also need to provide the Council with a signed declaration stating;

- a. That they meet, or will meet, the eligibility conditions and are entitled to take shared parental leave
- b. That the information they have given is accurate
- c. If they are not the mother/adopter they must confirm that they are either the father of the child or the spouse, civil partner or partner of the mother/adopter
- d. That should they cease to be eligible that they will immediately inform the Council

In addition to the above, the employee will also need to provide the Council with a signed declaration from their partner confirming;

- a. Their name, address and National Insurance number
- b. That they are the mother/adopter of the child or they are the father of the child or spouse, civil partner or partner of the mother/adopter
- c. That they satisfy the 'employment and earnings test' and had at the date of the child's birth or placement for adoption the main responsibility for the child, along with the employee
- d. That they consent to the amount of shared parental leave that the employee intends to take
- e. That they consent to the Council processing the information contained in the declaration form
- f. (in the case whether the partner is the mother/adopter) that they will immediately inform their partner should they cease to satisfy the eligibility conditions

The Council may, within 14 days of the above notification, request;

- a. The name and business address of the partner's employer (if the partner is no longer employed or is self-employed, their contact details should be given instead)
- b. In the case of biological parents, a copy of the child's birth certificate
- c. In the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date of which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption

The employee must, in order to be eligible for shared parental leave, respond to the above request within 14 days.

The Council will respond in writing no later than 14 days after the initial request has been received (or in the case of further information being requested by the Council, 14 days after the employee has provided this information).

## 28. Eligibility

In order to be eligible for shared parental leave the employee must be:

- a. The mother/adopter, and
- b. Either the father of the child or the spouse/civil partner/partner of the child's mother/adopter

In addition to this, the employee will need to satisfy all of the following criteria:

- a. The mother/adopter of the child must be/must have been entitled to statutory maternity/adoption leave or if not entitled to statutory maternity/adoption leave they must be/must have been entitled to SMP/SAP or maternity allowance and must have ended or given notice to reduce any maternity/adoption entitlements
- b. The employee must still be working for the Council at the start of each period of shared parental leave
- c. The employee must pass the 'continuity test' requiring them to have a minimum of 26 weeks' service at the end of the 15<sup>th</sup> week for the child's expected due date/matching date
- d. The employee's partner must meet the 'employment and earnings test' requiring them in the 66 weeks leading up to the child's expected due date/matching date have worked for at least 26 weeks and earned an average of at least £30 a week in any 13 of those weeks
- e. The employee must correctly notify the Council of their entitlement and provide evidence as required

## 29. Leave Entitlement

The amount of leave available is calculated on the date of which the mother/adopter returns to work and the amount of maternity/adoption leave they have left remaining of the initial 52 weeks' entitlement.

Providing all eligibility and notification requirements are met by both parents, they may choose whether or not to share the remaining leave. There are various ways in which the leave can be shared and each request would have to be considered on its own merit and circumstances.

All shared parental leave must be taken with the first year of the child being born/being matched with the child.

### *Continuous Leave*

Continuous leave is a number of weeks taken in a single unbroken period of leave e.g. if the mother/adopter returns to work after 22 weeks, a block booking of up to 30 weeks could be chosen.

An employee has the right to take a continuous block of leave notified in a single notification, so long as it does not exceed the total number of weeks of shared parental leave available to them and the Council has been given at least eight weeks' notice.

An employee may submit up to three separate notifications for continuous periods of leave.

### *Discontinuous Leave*

A single notification may also contain a request for two or more periods of discontinuous leave, which means asking for a set number of weeks of leave over a period of time, with breaks between the leave where the employee returns to work. An example is an arrangement where an employee will take six weeks of shared parental leave and work every other week over a period of three months.

The Council will consider a discontinuous leave notification but does have the right to refuse it. Upon receipt of a notification for discontinuous leave the Council will arrange a meeting to discuss this with the employee. All requests will be carefully considered, weighing up the potential benefits to the employee and the Council against any adverse impact on the Council's activities.

Where a request is refused the employee can either withdraw the request within 15 days of giving it or can take the leave in a single continuous block, providing the correct notification requirements are met.

### *Shared leave*

Shared parental leave may be taken at the same time so both parents are taking leave together, providing they do not exceed the total amount of leave entitlement.



## Variation

The employee is permitted to vary or cancel an agreed and booked period of shared parental leave, provided that they advise the Council in writing at least eight weeks before the date of variation. Any variation will be confirmed in writing by the Council within 14 days of receiving notification of the variation.

### 30. Statutory Shared Parental Pay

Eligible employees may be entitled to up to 37 weeks Statutory Shared Parental Pay (ShPP) while taking shared parental leave. The amount of weeks available will depend on the amount by which the mother/adopter reduces their maternity/adoption pay period or maternity allowance period.

ShPP may be payable during some or all of shared parental leave, depending on the length and timing of the leave.

In addition to meeting the eligibility requirements for shared parental leave (section 28 above), an employee seeking to receive ShPP must also meet each of the following criteria;

- a. The mother/adopter must be/have been entitled to SMP/SAP or maternity allowance and must have reduced their maternity/adoption pay period or maternity allowance period
- b. The employee must intend to care for the child during the week in which ShPP is payable
- c. The employee must have average weekly earnings for the period of eight weeks leading up to and including the 15<sup>th</sup> week before the child's expected due date/matching date are not less than the lower earnings limit in force for National Insurance contributions
- d. The employee must remain in continuous employment until the first week of ShPP has begun
- e. The employee must give proper notification in accordance with the rules set out below

An employee entitled to ShPP should usually include this notification to the Council in the same notification as the leave itself.

The notification from the employee must include;

- a. The start and end dates of any SMP/SAP or maternity allowance
- b. The total amount of ShPP available and the amount of ShPP the employee and their partner each intend to claim
- c. A signed declaration from the employee confirming that the information they have given is correct, that they meet, or will meet, the criteria for ShPP and that they will immediately inform the organisation should they cease to be eligible

It must also be accompanied by a signed declaration from the employee's partner confirming;

- a. Their agreement to the employee claiming ShPP and for the Council to process any ShPP payments to the employee
- b. (in the case where the partner is the mother/adopter) that they have reduced their SMP/SAP or maternity allowance
- c. (in the case where the partner is the mother/adopter) that they will immediately inform their partner should they cease to satisfy the eligibility conditions

The standard rate of ShPP is reviewed every April by the Government. From April 2016 ShPP is £139.58 per week and from April 2017, £140.98 per week. If, when calculated, 90% of an employee's average weekly earnings in the eight weeks leading up to the child's expected week of birth/week they were matched with a child is less than the rate of ShPP, the employee will receive the lower figure.

ShPP is treated as earnings and is therefore subject to income tax and National Insurance contributions. If part of the pension scheme, contributions will be taken based on the amount of shared parental pay received. The Council will continue to contribute for any time the employee is in receipt of ShPP.

The Council is eligible to reclaim a percentage of ShPP payments made (currently 92%).

### 31. Contact / SPLIT Days

An employee may decide they want to keep in touch during their shared parental leave. Legally they are entitled to work up to 20 days without losing their entitlement to ShPP. Any days worked are known as 'shared parental leave in touch' days (SPLIT days) and will be paid in full and will be subject to the usual tax, National Insurance and pension deductions.

There is no obligation for an employee to work during their shared parental leave. Shared parental leave or pay will not be extended due to the fact that work has been carried out during the leave period.

Legislation allows for the Council and the employee to make reasonable contact during the leave period to discuss such issues as the return to work. This contact does not count towards the 20 SPLIT days and does not bring the leave to an end.

The Council will ensure that the employee is kept informed of relevant matters such as job vacancies, significant workplace developments and training opportunities.

### **32. Annual Leave**

An employee will continue to accrue annual leave during shared parental leave and substitute days for Bank Holiday leave. The employee should discuss with their manager the options for using leave before or after shared parental leave if they wish to. It is not possible to use annual leave entitlement during adoption leave.

### **33. Return to Work**

The employee will have been formally advised in writing by the Council of the end date of any period of shared parental leave. The employee is expected to return to work the next working day after this date, unless they notify the Council otherwise.

If they are unable to attend work due to illness or injury, the Council's normal arrangements for sickness absence will apply.

If the employee wishes to return to work earlier than planned, they must provide the Council at least eight weeks' notice of their early return where possible.

On returning to work after shared parental leave, the employee is entitled to return to the same job if the employee's aggregate total statutory maternity/paternity/adoption leave and shared parental leave amounts to less than 26 weeks. This must be on the same terms and conditions of employment as if they had not been absent.

If the employee's maternity/paternity/adoption leave and shared parental leave combined amounts to 26 weeks or more, the employee is entitled to return to the same job they held before commencing the leave or, if this is not reasonably practicable, to another job which is both suitable and appropriate on terms and conditions no less favourable.

## SURROGACY

Surrogacy is when another woman carries and gives birth to a baby for the intended parents. The woman who gives birth to the child will be treated as the mother, however, parental responsibility can be transferred by either an adoption or parental order.

### *Surrogate Mothers*

Pregnant employees have the right to 52 weeks' maternity leave and to return to their job after maternity leave. Whatever the birth mother does with the child in a surrogacy arrangement following the birth it has no impact on her right to maternity leave.

### *Intended Parents*

Adoption leave and pay is available to eligible employees who become legal parents following an application for adoption or parental order. Paternity leave and pay, and shared parental leave and pay may also be available to eligible employees. See the previous sections in this policy for further details.

While there is no legal right for to paid time off for intended parents, the Council understands the importance of attendance at antenatal classes and appointments and will therefore allow paid time off for these appointments alongside a birth mother, provided adequate notice is given to the employee's line manager of such a request for time off work.

If required, the Council may ask for proof of appointments.

Adopted: April 2017

Review: April 2020 (or if legislation changes)



Seaford Town Council

## Parental Leave Policy

Appendix B

Legally, parents of young children are entitled to take up to 18 weeks' unpaid leave to care for the child.

18 weeks can be taken in respect of each child and can be taken by each parent so if the Council has both parents in its employment, both employees will be potentially entitled to take 18 weeks' parental leave.

Parental leave can be taken at any time up to child's 5<sup>th</sup> birthday or, in the case of a child who suffers from a disability, any time up to their 18<sup>th</sup> birthday.

In the case of an adopted child, leave can be taken at any time in the first five years after the child is placed with the adoptive parents however, it must be taken before the child reaches 18 years of age, even if that is before the five years are up.

Leave can only be taken in blocks of weeks unless the child has a disability, in which case shorter periods are permissible. No more than 4 weeks' parental leave in respect of each qualifying child can be taken in any one year.

### 1. Entitlement

In order to be eligible to take parental leave, an employee must meet the following requirements:

- a. Be an employee
- b. Have continuous service with the Council for at least one year
- c. Either, have parental responsibility for the child or is registered as the child's father / mother on its birth certificate

### 2. Notification

An employee must give 21 days' notice of the start and finish dates of the leave.

Unless the request is for days commencing with the date the child is born, the Council can refuse to grant a request for parental leave for up to six months if it considers that taking leave at the employee's requested time would unduly disrupt its business.

The Council is entitled to request proof of an employee's entitlement to parental leave and failure to provide such evidence entitles the Council to refuse to grant the leave.

### 3. Postponement

The Council will make every attempt to avoid postponement. In any event postponement will not be for longer than six months from the requested start date.

The Council will discuss with the employee a suitable alternative date for the leave to start; the leave will be of the same duration as requested by the employee.

The Council will confirm all arrangements in writing within 7 days of the initial request.

### 4. Employment Rights

All employment rights are protected and the employee shall suffer no detriment from taking parental leave.

Where an employee has taken four weeks or less parental leave, they are entitled to return to the same job on the same terms and conditions had they not taken the leave.

If the parental leave is taken in a consecutive period with additional maternity or additional adoption leave, the employee is entitled to return to the job that they were employed in before their absence or if that is not reasonably practicable, to another job that is suitable and appropriate in the circumstances.

Adopted: April 2017

Review: April 2020 (or if legislation changes)



Seaford Town Council

Appendix C

## Sickness Absence Policy

Seaford Town Council is committed to maintaining the health, well-being and attendance of all its employees.

The Council's absence policy is based on the following principles:

- It undertakes to provide reasonable payments to employees who are unable to work due to sickness.
- It will support employees who have genuine grounds for absence for whatever reason. This support includes a flexible approach to the taking of annual leave and returning to work after long term sickness.
- It will respect the confidentiality of all information relating to an employee's sickness and information will be held in line with all data protection legislation.

Regular, punctual attendance is an implied term of every employee's contract of employment and the Council asks each employee to take responsibility for maintaining good attendance and reporting absence according to the procedures set out in this policy.

### 1. Absence reporting

An employee must report their absence from work owing to illness to their line manager by telephone as early as possible and no later than one hour after they are due to commence their working day on which the absence first occurs. When possible notification of absence should be given the previous evening to allow staff cover to be arranged. When reporting their absence, the employee should give a clear indication of the nature of their illness and the likely date of their return to work.

In the case of the Town Clerk being absent, they should inform key department managers so they are aware of the absence. If the Town Clerk's absence is to be over one week an email should be sent by the Town Clerk (if practical) to all Councillors advising them accordingly as well as advising of contingencies that are in place.

### 2. Certification

Sickness certificates are required for all absences and should cover all calendar days, including work days, weekends, public holidays and any days not normally worked.

A self-certification may be made for the first seven calendar days of absence. From the 8<sup>th</sup> day onwards a medical certificate is required. A final Doctor's statement giving the date on which the employee will be fit to resume work must be given to their line manager prior to their return to work of absences where a medical certificate has been obtained.

The Council reserves the right to require an employee to attend an Occupational Health Doctor / professional where it is deemed appropriate.

If the absence is not continuously covered by a self certificate, Doctor's statement or in-patient certificate, it may be treated as unauthorised absence and dealt with using the disciplinary procedures.

### 3. Return to Work

On return to work the employee should complete and give to their line manager a Self-Certification Form.

A 'fit for work' certificate is required should the employee wish to return to work before their medical certificate runs out.

On return to work the line manager will have an informal discussion with the employee in order to establish: the reason for and cause of absence, the employee's fitness to return to work and whether they need any support to return to work.

### 4. Sent Home

If while an employee is at work they decide that they are unwell and need to go home, for health and safety purposes they must inform their line manager before they leave the building. The employee will need to discuss with their line manager how this absence is to be treated i.e. sickness absence or time off in lieu.

### 5. Medical, Dental or Optician Appointments

Where possible medical appointments should be made outside of working hours. If this cannot be arranged they should disrupt the working schedule as little as possible, e.g. made early or late in the day. Employees will be required to use TOIL to cover such absences.

Where attendance for a medical or hospital appointment necessitates a complete day's absence from work, this will be treated as sick leave (unless annual leave is utilised) and the procedure for self-certification should be followed.

## 6. Use of Leave

The Council recognises that some employees choose to take annual leave or allocate time off in lieu on days or periods where they are ill. This should be discussed with the employee's line manager, who will consider the request for alternative leave instead of sickness absence.

There may be occasions where it is possible for an employee to work from home despite not being fit enough to attend work, an example may be post-operation/ injury recovery or in the circumstances of contagious illnesses, that physically means they cannot attend the workplace but may still be able to carry out work functions from home.

The Town Clerk will have to consider and approve any requests to work from home and the employee will have to evidence the work done afterwards. The principle consideration when making this decision will be the employee's wellbeing.

## 7. Absence during pregnancy

Pregnancy related absence will be dealt with separately from sickness absence in accordance with the Council's Maternity Policy.

## 8. Sick Pay

An employee will be paid their agreed basic remuneration in line with the scale of payment for any one year that runs from 1<sup>st</sup> April to 31<sup>st</sup> March.

Entitlement to payment is subject to notification of absence and production of medical certificates as required above.

The Council operates the Statutory Sick Pay scheme and the employee is required to co-operate in the maintenance of necessary records. For the purposes of calculating entitlement to Statutory Sick Pay 'qualifying days' are those days on which an employee is normally required to work. Payments made to an employee by the Council under its sick pay provisions in satisfaction of any other contractual entitlement will go towards discharging the Council's liability to make payment to an employee under the Statutory Sick Pay scheme.

The Council reserves the right to require an employee at any time to submit to a medical examination by a medical practitioner nominated by the Council, subject to the provisions of the Access to Medical Reports Act 1988 where applicable. Any costs associated with the examination will be met by the Council.

Whilst on absence due to sickness or incapacity, the employee is not permitted to undertake any paid work for another employer or for any business established by the employee without express permission from the Council.

The scale of payment is set out in all employee's contracts of employment, subject to meeting the conditions of the scheme.

## 9. Sickness Levels

Where an employee's levels of sickness absence are causing concern, the Town Clerk will investigate the matter; checking for any patterns in absence or recurring reasons for absence, and looking at whether any adaptations may be needed within the workplace to assist an improvement in absence levels.

Where there is belief that absence levels are at an unacceptable level or unjustified, this may be dealt with initially through informal meetings with the employee or if felt necessary, through the Council's Disciplinary Procedure.

The Council will reward employees with a small annual bonus within the December pay for those employees with low sickness records for prior 12 months (1<sup>st</sup> December to 30<sup>th</sup> November) on the following basis;

Zero day's sickness absence	=	£100
Up to one day's sickness absence	=	£75
Up to two day's sickness absence	=	£50
Up to three day's sickness absence	=	£25
More than three day's absence	=	£0

Adopted: April 2017

Review: April 2020 (or if legislation changes)



## Seaford Town Council

### Equal Opportunities Policy

Seaford Town Council's aim is to ensure that all its employees, councillors, job applicants and individuals and organisations worked with, are treated equally. The Town Council will ensure that every aspect of its governance and operation promotes equality of opportunity.

#### 1. Legislation

Under the Equality Act 2010 it is unlawful to discriminate against an individual on the following grounds, which are known as 'protected characteristics':

- ∂ Age
- ∂ Disability
- ∂ Gender reassignment
- ∂ Marriage and civil partnership
- ∂ Pregnancy and maternity
- ∂ Race
- ∂ Religion or belief
- ∂ Sex
- ∂ Sexual Orientation

In addition, the Council will not discriminate on the grounds of:

- ∂ Ethnic or national origin
- ∂ Political views and/or trade union membership
- ∂ HIV/AIDS status or other chronic illnesses
- ∂ Personal family circumstances
- ∂ Socio-economic status

This list is not intended to be exhaustive but reflects the intention of this policy.

#### 2. Responsibilities

The Council, its councillors and employees all have a duty both morally and legally not to unfairly discriminate against individuals. They all hold a personal responsibility for the practical application of the equality of opportunity across the Council.

The Equal Opportunities Policy is a key element of all aspects of the Council including recruitment, recruitment advertising, training, promotion, benefits, facilities, procedures, terms and conditions of employment and services to users.

The Council recognises that training and development are crucial to ensure that councillors and officers have the knowledge and appropriate behaviour to implement its Equal Opportunities Policy.

#### 3. Employees

All employees, whether full-time, part-time, fixed term contract, agency workers or temporary staff, will be treated fairly and equally.

#### 4. Breaches

If there is any doubt about appropriate treatment under the Council's Equal Opportunities Policy, employees should consult their line manager or the Town Clerk. Members of public should refer to the Council's Complaint Procedure.

Breaches by an employee of the Council's Equal Opportunities Policy will be regarded as serious misconduct and could lead to disciplinary proceedings.

Adopted: April 2017

Review: April 2020 (or if legislation changes)



## Seaford Town Council

Appendix E

### Training & Development Policy

Seaford Town Council is committed to the ongoing training and development of all councillors and employees. From this the Council helps them to make the most effective contribution to the Council's Strategic Objectives in providing the highest quality representation and services for the people of the town.

The purpose of this policy is to encourage councillors and staff to undertake appropriate training, ensure necessary training is undertaken, allocate training in a fair manner and ensure that all training is evaluated to assess its value.

Training and development will be achieved by including a realistic financial allocation for training and development within the annual budget, as well as taking advantage of any relevant partnership or in-house provision available.

#### 1. Identification of Training Needs

There are various circumstances in which training needs may arise, such as:

- ∅ Legislative requirements e.g. first aid, fire safety, manual handling etc.
- ∅ Changes in legislation
- ∅ Changes in systems
- ∅ New or revised qualifications become available
- ∅ Accidents
- ∅ Professional error
- ∅ Introduction of new equipment
- ∅ New working methods and practices
- ∅ Complaints to the Council
- ∅ A request from a member of staff or councillor
- ∅ Devolved services / delivery of new services

#### *Officers*

An employee that feels they have a training need should in the first instance discuss this with their line manager. Similarly, if it is felt that an employee is in need of training, the line manager will discuss this with the employee.

Training needs should not be left to be identified during the annual appraisal process; they may arise at any point of the year and should be addressed as soon as possible. That said, as per the Council's Annual Appraisal Policy, individual training needs will be considered at each appraisal meeting.

The training need will be reviewed and assessed against the objectives of the Council, the responsibilities of the role and the development of the employee.

#### *Councillors*

If a councillor feels they have a training need they should discuss this in the first instance with the Town Clerk.

The Town Clerk will be able to assess the request and ascertain whether this is something all councillors may be interested in/benefit from undertaking.

The Council will undertake an annual training needs analysis with councillors soon after each Annual Meeting of the Council in May. This will encourage councillors to look at any personal development areas or knowledge gaps as a councillor that they wish to address and importantly, consider any training needs they feel they may have with regards to Committees they are members of following the Annual Meeting. This is particularly important with regards to the Personnel, Appeals and Finance & General Purposes Committees and Disciplinary/Grievance Sub-Committee.

On completing the training needs analyses, the results will be collated and reviewed by the Town Clerk. The Town Clerk will then take steps, to arrange any training required.



Below is a list of examples of internal training councillors may wish to seek:

- ∂ Code of conduct
- ∂ Chairmanship
- ∂ Conduct at meetings
- ∂ Standing Orders
- ∂ Mayor / Deputy Mayor role and responsibilities
- ∂ Council's Strategic Objectives
- ∂ Specific Council projects
- ∂ Budget setting
- ∂ Finances and cost centres
- ∂ Disciplinary and Grievance procedures
- ∂ Appeals procedures
- ∂ Social media

## 2. Training Methods

There are different ways in which training and development can be achieved.

- Internally -* If training can be given utilising the in-house expertise and knowledge, this possibility will be explored. This often includes the likes of general computer training, training on specific work procedures or Council specific practices and legislation.
- Partnership -* The Council has links with other partners where training can be sourced, such as through the Sussex Association of Local Councils and East Sussex County Council.
- Day Workshops/Seminars -* When Council Officers receive information on workshops and seminars this is shared with employees and councillors, where relevant.
- Conferences -* Details of conferences are shared with employees and councillors, again where relevant. Occasionally the Council has nominated representatives that are invited to attend, such as with the Lewes District Association of Local Council's annual conference.
- Professional Qualifications -* Training towards a professional qualification will often be sourced through the professional body and completed at a local University or College.
- External Training Providers -* There are countless training providers available. When sourcing training from an external provider, the Council will always seek to obtain the best price and where possible, from a nearby location.

Upon identifying a training need, the employee/councillor and their line manager/Town Clerk should consider the most effective way in which the training can be sourced and whether or not others may benefit from the training.

## 3. Financial Implications

Each year as part of the annual budget setting process, the Council will include a training budget for employees and councillors. When calculating this, any training needs identified as part of the annual appraisal process and councillors training needs analyses will be taken in to consideration.

All sponsored training must be appropriate to the needs of the Council and is subject to the availability of financial resources.

For approved courses the Council will cover the course fee, examination fees, associated membership fees and one payment to re-take a failed examination.

### *Recouping Costs*

It is standard practice of the Council that where the Council is covering the costs of an employee's training course or qualification (this being a course or qualification, rather than one day course or workshop) a written agreement will be made that if the employee leaves the Council's employ within a set period of time during or having completed the course, the employee will be expected to reimburse the Council as per the agreement.

This does not apply to employees in apprenticeship positions.

## *Travel Expenses*

Employees or councillors attending training outside of Seaford may submit an expense claim to cover travel costs to and from the venue. Where practical and possible, if there is more than one attendee from the Council, car pooling or shared travel arrangements should be made.

### **4. Time Off Work**

The Council will grant paid time off work for one-off training courses lasting one day or less, providing these are approved with the line manager.

Where a training course or workshop falls on an employee's non-working day, time off in lieu (TOIL) may be accrued for hours in attendance at the training.

An employee undertaking a longer training course or qualification will be required to use TOIL to cover these absences. The only exception here is with NVQ qualifications for trainees sponsored by the Council for which paid leave from work will be granted, providing this is approved in advance by the Town Clerk.

Where an employee requires time off work for an exam or study leave prior to an exam, the Council will be flexible to ensure this time off can be granted using either TOIL or annual leave, providing adequate notice is given by the employee.

### **5. Evaluation**

It is vital that any training undertaken is evaluated for effectiveness. With the exception of internal/on the job training, upon completing a training session/course/workshop, the employee or councillor should complete a Training Report Form and return this to the Town Clerk.

Report forms will be reviewed and collated annually as part of a report to the Personnel Committee.

The completion of these forms will also help assess whether or not the training is suitable for another individual at a future date and helps ensure any key points taken from the training are learned and/or acted on.

### **6. Recordkeeping**

Each employee and councillor has a Training Log which is held securely by the Town Clerk. This log should be updated with any training undertaken. Copies of any attendance or qualification certificates should also be given to the Town Clerk to be held with these records.

Adopted: April 2017

Review: April 2020 (or if legislation changes)