

# Public Document Pack

## LEIGHTON-LINSLADE TOWN COUNCIL

### MINUTES OF PERSONNEL SUB COMMITTEE

MONDAY, 6 JULY 2020 AT 6.30 PM

Present: Councillors            A Dodwell (Chair)  
   D Bowater  
   R Goodchild  
   S Jones  
   D Scott  
   R Berry (substituting for K Cursons)

Also in attendance:            M Saccoccio, Town Clerk  
   S Sandiford, Head of Democratic and Central  
   Services  
   I Haynes, Head of Grounds and Environmental  
   Services

Members of the public:        0

#### **27/PR APPOINTMENT OF CHAIR**

It was proposed and seconded that Councillor A Dodwell be appointed Chair for the municipal year 2020-21. There were no further nominations.

**RESOLVED to appoint Councillor A Dodwell as Chair of the Personnel Sub-Committee for the municipal year 2020-21.**

Councillor Dodwell took the Chair.

#### **28/PR APPOINTMENT OF VICE CHAIR**

It was proposed and seconded that Councillor K Cursons be appointed Vice Chair for the municipal year 2020-21. There were no further nominations.

**RESOLVED to appoint Councillor K Cursons as Vice Chair of the Personnel Sub-Committee for the municipal year 2020-21.**

#### **29/PR APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillor K Cursons (substituted by Councillor R Berry).

#### **30/PR DECLARATIONS OF INTEREST**

Members were asked to declare any interests, including the nature of those interests, which they had in any of the items under consideration at this meeting. No declarations were made.

**31/PR QUESTIONS FROM THE PUBLIC (3 minutes per person; maximum 15 minutes)**

No members of the public were present.

**32/PR MINUTES OF PREVIOUS MEETING**

The minutes of the Personnel Sub-Committee meeting held on 6 January 2020 were received.

**RESOLVED that the minutes of the Personnel Sub-Committee meeting held on 6 January 2020 be approved as a correct record and would be signed at a later date when safe to do so.**

**33/PR SIX MONTHLY HR SERVICE LEVEL AGREEMENT REPORT (deferred from March)**

In accordance with the Service Level Agreement for Human Resources and Occupational Health support from Luton Borough Council, the Sub-Committee received a report for the period October 2019-March 2020. This had been due to be presented at the March meeting, which had been cancelled due to the lockdown restrictions introduced as a result of the COVID-19 pandemic.

**RESOLVED to note the report and to note that the Council's Compassionate and Special Leave Procedure must be updated to incorporate the legal entitlements to employees resulting from the Parental Bereavement and Pay Act 2018.**

**34/PR COMPASSIONATE AND SPECIAL LEAVE PROCEDURE**

Further to the recommendation in the previous agenda item, the Sub-Committee received a report and proposed amendments to the Compassionate and Special Leave Procedure. The amendments were to reflect the legal entitlements to employees resulting from the Parental Bereavement Leave and Pay Act 2018, which came into force in April 2020.

**RECOMMENDED to the Policy and Finance Committee to recommend to Council approval the revised Section 7 of the Council's Compassionate and Special Leave Procedure (see attached).**

**35/PR RECRUITMENT POLICY**

The Sub-Committee receive a report proposing the introduction of a formal Recruitment Policy, the purpose of which was to ensure adherence to relevant legislation whilst also ensuring consistency of process across the Council. One minor amendment was suggested and agreed.

**RECOMMENDED to the Policy and Finance Committee to recommend to Council approval of the Recruitment Policy (see attached).**

**36/PR TIMES OF FUTURE MEETINGS**

The Sub-Committee discussed the possibility of holding meetings during normal office hours to facilitate attendance, where appropriate, from the Council's retained HR support provider. It was agreed to continue with the schedule for evening meetings but to consider changing to a 10am meeting on an ad hoc basis, should the agenda content for a specific meeting suggest that attendance from an HR advisor would be advisable.

**37/PR EXCLUSION OF THE PUBLIC**

The Sub-Committee considered that any further discussion regarding staffing matters would be prejudicial to the public interests.

**RESOLVED that, under the Public Bodies (Admissions to Meetings) Act 1960, the public be excluded on the grounds of the confidential nature of the business about to be transacted which involves the likely disclosure of exempt information. The public and press to withdraw from the meeting during consideration of detailed discussion regarding staffing matters.**

**38/PR STAFFING MATTERS**

The Head of Democratic and Central Services gave an overview of team workload and capacity. Due to COVID-19, it was not currently practicable to recruit for maternity leave cover for the Administration Officer. It was proposed to outsource a limited amount of communications support for a short term period.

**RESOLVED to support the proposal to outsource a limited amount of communications support for a short term period.**

I Haynes and S Sandiford left the meeting at 1849 hours.

The Town Clerk raised a staffing matter and put forward a recommendation for consideration by the Sub-Committee.

**RESOLVED to support the recommendation proposed by the Town Clerk.**

The meeting closed at 7.00 pm.

I HEREBY CONFIRM THAT THE FOREGOING IS A CORRECT AND ACCURATE RECORD OF THE MEETING HELD ON MONDAY, 6 JULY 2020.

This page is intentionally left blank



**LEIGHTON-LINSLADE TOWN COUNCIL**

**COMPASSIONATE AND SPECIAL LEAVE PROCEDURE**

## **1. Our Policy**

- 1.1 Leighton Linlade Town Council recognises and values the welfare, skills and experience of employees and is committed to supporting employees with compassionate and special leave arrangements including approved absence for religious observance.
- 1.2 Managers have a responsibility to consider and respond reasonably and sensitively to all requests from an employee for compassionate and special leave or time off for religious observance. However, it must be appreciated that a manager's priority must always be to ensure effective service delivery.
- 1.3 This procedure sets out guidance surrounding granting time off for those employees who wish to undertake public duties (as defined within section 50 of the Employment Rights Act 1996).
- 1.4 The Town Council acknowledges the valuable contribution that many employees make to enhancing the community by performing volunteering activities (other than those public duties defined within section 50 of the Employment Relations Act 1996.) The Town Council will try to accommodate any member of staff who takes on volunteering activities by making available the ability to use flexitime, time off in lieu, unpaid leave or annual leave. When considering requests for time off to carry out these extra duties managers must consider the impact on colleagues and service provision.
- 1.5 Employees may make more than one type of special leave request in any one leave year; however a manager has the right to refuse requests if services are adversely affected.

## **2. Purpose of the Procedure**

- 2.1 The purpose of this document is to outline the procedure to be followed and is to ensure that all employees are treated fairly and equitably by the Town Council.
- 2.2 It is not the intention that part-time staff should have more favourable leave, paid or unpaid entitlement than full-time staff. Periods of leave are granted on a pro rata basis; determined by the number of hours or days worked in relation to the normal working week.
- 2.3 The entitlements in this policy include the statutory right to request reasonable time off.

## **3. Scope of the Procedure**

- 3.1 The following procedure applies to all employees. The position held by an employee within the Town Council does not affect their right to access this procedure.
- 3.2 Employees who hold specified public positions have a statutory right under the Employment Rights Act 1996 to reasonable time off work to carry out their duties. This statutory right is not for paid time off. Where the Town Council offers paid time off this will be clearly stated.
- 3.3 This procedure does not cover annual leave or flex leave as they are contained within 'The Employee Handbook'.

- 3.4 This procedure does not cover maternity leave, paternity leave, adoption leave or shared parental leave as they are contained within the 'Employee Handbook'.
- 3.5 Paid time off for any other reasons will only be granted in exceptional circumstances and with the approval of the Town Clerk.
- 3.6 Where qualifying service is required before accessing certain leave this will be stated, otherwise employees are entitled to access these provisions from the commencement of employment.
- 3.7 Where eligible leave amounts are quoted they, unless stated otherwise, relate to the maximum amount that may be taken in any single leave year. A leave year runs from 1<sup>st</sup> April until the 31<sup>st</sup> March.

#### **4. Responsibility of Employees**

- 4.1 It is the responsibility of every employee wishing to apply for leave covered by this procedure to apply for and where possible obtain authorisation for that leave in advance.
- 4.2 Before making a request for special leave employees must consider the impact of the request on their colleagues and the Town Councils ability to deliver its service priorities.
- 4.3 In all cases where unpaid leave is granted the employee has equal responsibility with Leighton Linlade Town Council to ensure that the appropriate deductions are made from salary.
- 4.4 Any employee making false or inaccurate claims for leave or time off under this Procedure may be subject to disciplinary action.

#### **5. Extended Annual Leave**

- 5.1 The scheme for extended leave would only apply to employees with at least one year's continuous service at the time of the request.
- 5.2 Extended leave applies where an employee wishes to take more than three working weeks away from the workplace on one occasion.
- 5.3 Extended leave should only be taken by prior agreement with the Head of Service; and except in cases of emergency or in exceptional circumstances requests for extended leave should be made in writing at least six months prior to the date of commencement of such leave.
- 5.4 The employee should take at least three weeks from their annual leave entitlement (it should be noted that some employees will have annual leave entitlement in excess of 4 weeks) and the remainder may be given as unpaid leave. Employees may be able, with the prior written agreement of their Head of Service, to "bank" annual leave from their previous annual leave year, or time-off in lieu from the preceding months for this purpose only.
- 5.5 Extended leave should only be allowed once in every three year period.
- 5.6 Extended leave should wherever possible be taken outside the main holiday periods e.g. July, August and Christmas.

- 5.7 The maximum period allowed for extended leave is six weeks.
- 5.8 If an employee who has taken extended leave is delayed in the country they have visited for any reason e.g. strikes (in either Country), natural disasters, mechanical faults in transport, sickness etc they are required to maintain regular communication with their manager.
- 5.9 If an employee fails to return to work on the expected date due to sickness please refer to the Town Council's Sickness Absence Procedure.
- 5.10 The employee should be advised in advance that failure to return to work on the expected date will be considered a serious matter and may affect consideration being given to any future requests.

## 6. **Bereavement Leave**

- 6.1 Heads of Service are authorised to grant up to 7 days paid leave of absence on the grounds of family bereavement in line with the following formula:
- 3 days paid leave on the death of a member of the **immediate family** (e.g. spouse, partner, parent, child, brother, sister or legal guardian)
  - 1 days paid leave for other members of the **family** (e.g. grandparent, grandchild, aunt, uncle, niece, nephew, in-laws and partners immediate family) to attend the funeral
  - A further 2 days paid leave for any employee who as **next of kin** is required to make arrangements for the funeral, estate, etc. (This does not need to be taken consecutively or in full days.)
  - When attending a funeral where there is **significant** travelling time sympathetic consideration should be given to granting a maximum of 2 additional days paid leave.
- 6.2 Employees wishing to attend family funerals abroad must ensure that they have been granted compassionate leave before leaving this country otherwise the time will be considered as annual leave or unpaid leave.

## 7. **Parental Bereavement Leave**

- 7.1 Employees are entitled to two weeks paid leave on the death of a child under the age of 18 or if they have suffered a still birth 24 weeks or more into pregnancy.
- 7.2 This entitlement also applies to employees with parental responsibilities for children who are not their birth parents, i.e for adoptive parents, those who are fostering to adopt, legal guardians and most foster parents (except those who are in short-term fostering arrangements).
- 7.3 The leave can be taken as a single block of two weeks, or two separate blocks of one week at different times. It can't be taken as individual days. The leave can be taken at any time up to 56 weeks from the date of the death of the child.
- 7.4 This leave can be taken straight away after the death of the child, and parents will not have to give notice to take the leave, within the first eight weeks. However an employee will need to inform the council of the reason for their absence, when their child died,

and when they want the leave to start, and how much time they want to take off (i.e. one or two weeks).

7.5 If this leave is not taken straight away, within the first eight weeks, (or all of it is not taken straight away), then the employee will be required to submit a leave of absence request to give one week's notice of their intention to take the leave.

## **8. Leave to Care for Sick Dependants who are Chronically Sick or Terminally Ill**

8.1 Heads of Service are authorised to grant up to 4 weeks paid leave of absence to an employee needing to care for a chronically sick or terminally ill member of their immediate family (i.e. spouse, partner, child or parent). Consideration will be given to the effect on the family of not granting the leave and the difficulties this would create for the individual.

8.2. A chronic disease is a long-lasting condition that can be controlled but not cured.

8.3. The following points should be considered when determining the best way to support the employee:

- The level of caring responsibilities required
- The likely duration of the caring responsibilities
- The prognosis of the chronically sick or terminally ill person
- Whether the family member is receiving hospice care
- The geographical location of the person requiring care in relation to the employee
- The level of support that can be offered by other family members.

8.4 A doctor's note outlining the circumstances will be required.

8.5 Consideration should be given to the use of any outstanding annual leave entitlement. Flexible working arrangements such as part-time working, working at home etc, which may assist continued employment, should also be considered where possible.

8.6 The Town Clerk will consider granting a further period of 3 months at half-pay following an examination of the circumstances.

## **9. Leave to Care for Dependent who is Unexpectedly Sick**

9.1 It is not the intention of this procedure to grant leave under this heading for routine doctor's appointments, clinic appointments or routine childhood vaccinations or illnesses e.g. Chickenpox - these should be accommodated either by flexible working arrangements or by the taking of annual leave, flex leave or unpaid leave. This section of the procedure is for example intended to assist parents whose children are unexpectedly admitted to hospital (not a pre-planned admittance).

9.2 Heads of Service are authorised to grant up to 1 week's leave of absence on full pay and 1 week's leave of absence on half-pay, following a full examination of the circumstances.

9.3 A doctor's note outlining the circumstances will be required. Consideration may need to be given to the use of any outstanding annual leave entitlement.

9.4 Flexible working arrangements will also be considered where possible.

## **10. Urgent Family Leave**

- 10.1 This is a provision allowing employees to take reasonable time off work (**unpaid**) to deal with certain unexpected or sudden emergencies and to make necessary longer-term arrangements relating to a dependant of the employee. Any employee wishing to access this part of the Procedure should first check that the circumstances are not covered elsewhere in this document.
- 10.2 A dependant for the purposes of this Procedure is defined as the husband, wife or partner, child (including child in foster care) or parent of the employee. It also includes someone who lives in the same household as a member of the family. In the case of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on the person for assistance e.g. elderly relative or elderly neighbour.
- 10.3 Reasonable unpaid time off will be granted to help the employee cope with the initial crisis and to make longer term care arrangements.
- 10.4 This provision is for unforeseen matters. If an employee knows in advance that they require time off, they should ask for annual leave or flex leave in the normal way. It cannot be used to provide ongoing regular care for a dependant.
- 10.5 Employees are expected to contact their manager as soon as is reasonably possible and advise them of the reason for their absence and how long they will be off work. For all periods of absence the appropriate Special and Compassionate Leave Form should be completed and passed to the Line Manager/Head of Service of the employing Directorate for approval.
- 10.6 Even in emergency situations employees should not leave their place of work without advising someone with managerial responsibility for that service and without ensuring that their workplace is safe.

## **11. Fertility Treatment**

- 11.1 The Town Council will allow female employees, with advance permission, up to a maximum of 10 days paid leave and up to 5 days paid leave for partners. Additional unpaid leave may also be requested.
- 11.2. All requests for leave for fertility treatment/investigation should be made in writing by completing the appropriate Request for Compassionate and Special Leave form. If any appointment cards are available, copies should be attached to this form.
- 11.3 Any sickness incurred because of fertility treatment will be recorded as normal sickness absence and will be recorded in accordance with the Town Council's Sickness Absence Procedure. Women who become sick during pregnancy should refer to the Town Councils Sickness Absence Procedure.

## **12. Maternity Support Leave**

- 12.1 Heads of Service are authorised to grant up to 10 days (2 working weeks) paid maternity support leave to employees who are the nominated carer of an expectant

mother at or around the time of the birth. (This amount to be pro-rated for part time employees.) This leave also applies if you are the partner of an individual who adopts.

- 12.2 A nominated carer is the person nominated by the mother as their **primary** provider of support at or around the time of the birth; this could be the baby's father, a relative or someone who has a caring relationship with the mother and/or the child. Before any leave is granted a copy of the mother's certificate of expected childbirth - Form MAT B1 will be required as will a letter from the mother outlining the reasons and circumstances why the employee is going to be the primary carer.

### **13. Leave for Attending Antenatal Appointments**

- 13.1 The Council will give paid time off to attend two antenatal appointments for the child's father or the partner or nominated carer of a pregnant woman. The paid time off is limited to six and a half hours for each appointment. If further antenatal appointments are required, paid time off will be granted upon production of a letter outlining the reason for additional antenatal appointments (See Section 12.2 below). This leave also applies if you are the partner of an individual who adopts.

- 13.2 Employees making this request must confirm:-

- that they are the expectant mothers spouse, civil partner or partner or
- the child's father or
- a surrogate parent of the child
- that the purpose for the time off is to accompany the expectant mother to an antenatal appointment
- that the appointment in question is made on the advice of a registered medical practitioner, registered midwife or registered nurse
- the date, time and location of the appointment.

- 13.3 Reasonable requests for paid time off should not be refused, however, the needs of the service must come first.

- 13.4 Note: The pregnant woman has the right to reasonable paid time off to attend antenatal care.

### **14. Parental Leave**

- 14.1 Employees must have one year's continuous service with Leighton Linlade Council by the time they wish to take parental leave to qualify.

- 14.2 The parents (or adoptive parents) of children who are under 18 years old have a statutory right to apply for parental leave.

- 14.3 All requests must be made in writing by completing the appropriate Compassionate and Special Leave Form and attaching any relevant documentation.

- 14.4 Both mothers and fathers can apply for parental leave providing they are named on the child's birth certificate or have parental or guardian responsibility under the law (as defined by Section 3 of the Children's Act 1989). The parents of a child do not have to be living with the child to qualify.

- 14.5 Parental leave can only be taken to care for the child or to make arrangements for the good of the child.
- 14.6 The entitlement to parental leave is 18 weeks (in total) **unpaid** leave for each child subject to;
- A maximum entitlement of 4 weeks unpaid leave per year minus any paid entitlement that may have been obtained for a similar purpose under other sections of this Procedure. (A year is a twelve-month period commencing when an employee first becomes entitled to take parental leave in respect of an individual child.) Managers will also consider requests from employees who may wish to extend their maternity leave for a period not exceeding 4 weeks. However, the granting of such requests will be dependant on the exigency of the service. (If parental leave is granted following a period of maternity leave, this period will not count towards the required return to work period of 3 months for occupational maternity pay purposes.)
  - To be normally taken in 1 week blocks at any 1 time (N.B. 1 week's parental leave is the equivalent to the length of time that an employee is normally required to work in a week. Where working patterns vary, the average working week will be calculated as a fraction for the period he/she is required to work in a year) with the exception for parents of disabled children who can take leave in days. However, in exceptional circumstances, and subject to managerial approval, consideration will be given to grant parental leave to be taken in half days at a time or in a pattern providing a reduced working week for a set period.
  - To be taken after the employee has given a minimum of 7-calendar days notice unless the employee is in an emergency situation, and it can be justified to the Head of Service. Even in these circumstances the employee should not commence a period of parental leave before obtaining consent, and ensuring that their work station/place is as safe as reasonably possible before leaving it.
  - Wherever possible requests for parental leave will be facilitated. However in exceptional circumstances and for operational reasons, Leighton Linlde Town Council may need to postpone approval for parental leave for a period not exceeding 6 calendar months. A postponement of parental leave may not happen where parental leave has been requested immediately after childbirth or immediately after placement for adoption.

## 15. **Disability Leave**

- 15.1 The Town Council will allow a reasonable amount of disability leave **both paid and unpaid** to employees who have a disability as defined under the Equality Act 2010.
- 15.2 Where the requirements of this policy are met the Town Council will consider up to 15 days disability leave as reasonable.
- 15.3 The ability to take disability leave follows a diagnosis of a condition that has been identified as a disability under the Equality Act 2010. Investigatory medical appointments are not covered.
- 15.4 All applications for disability leave should be booked in advance and agreed with the Head of Service, using the Compassionate and Special Leave request form. Requests for more than 20 days in a single leave year must be referred to the Town Clerk for decision. In exceptional circumstances, disability leave may be granted retrospectively.

- 15.5 Employees can only take disability leave **when they are well**. Disability leave is not a substitute for sick leave.
- 15.6 When considering what is reasonable the manager will take into account the needs of the service, the individual employee needs, the proposed duration of the treatment, the consequences to the employee of leave not being granted, the location of the appointment or treatment and the frequency of the appointment or treatment.
- 15.7 Disability leave is available for rehabilitation, ongoing assessment or treatment.
- 15.8 The following predictable absences would qualify:
- Physiotherapy;
  - Hydrotherapy;
  - Occupational therapy;
  - Hospital appointments with consultants;
  - Medical investigative procedures such as colonoscopy, endoscopy, x-ray, scans, MRIs;
  - Radiology;
  - Chemotherapy;
  - Cardiac and other rehabilitation;
  - Guide dog training;
  - Sign language training;
  - Individual counselling
  - Group therapy sessions; or
  - Cognitive behavioural therapy

This is not an exhaustive list.

- 15.9 Wherever possible, the employee should try to make appointments either early or late in the day or at the start or end of a shift to minimise disruption to the working day.
- 15.10 Some examples of disability leave are as follows:- appointments with psychiatrist, Cognitive Behavioural Therapy, group or individual counselling, art therapy. These types of sessions may be for 1 - 2 hours duration over a 12 week period. Regular assessments could be covered by disability leave e.g. someone who has been diagnosed with Cancer may be expected to have regular six monthly or annual checks. Time off to attend the appointment could be granted. Types of treatment that may be suitable for disability leave could be a course of chemotherapy or radiotherapy treatment. The time for the treatment could be recorded as disability leave.
- 15.11 Any sickness taken as a result of an individual's disability (or as a result of treatment) will be recorded as sickness absence and will be recorded in accordance with the Town Council's Sickness Absence Procedure in most cases as "Sickness (disability related)".
- 15.12. As with all reasonable adjustments disability leave should be regularly reviewed to ensure it is appropriate and relevant.

## **16. Cancer Screening**

16.1 Paid time off will be granted for the purpose of cancer screening. Requests for paid time off have to be made in advance using the appropriate Compassionate and Special Leave Form and proof of the medical appointment is required.

## **17. Blood and Bone Marrow Donation**

17.1 Paid special leave will be granted to volunteer bone marrow donors when they are called into hospital, for a period of up to one week in any one year.

17.2 The Town Council supports the principal of blood, plasma and platelet donation and where possible managers will facilitate employee's attendance in their own time e.g. lunchtime or flex time.

## **18. Religious Observance**

18.1 Managers have a responsibility to respond reasonably and sensitively to any requests from an employee regarding their cultural or religious needs in accordance with the Equality Act 2010.

18.2 It is the policy of the Town Council that managers will whenever possible enable employees to participate in their religious festivals and their regular religious observance including attending prayers. Managers should use the discretion available within the rules for granting annual leave, time off in lieu, flex time and unpaid leave to facilitate these requests. However, it must be appreciated that managers must always ensure the effective delivery of service.

18.3 Managers should as a matter of practice speak to their employees at the commencement of the leave year, or when an individual joins the department, to ascertain their religious leave requests, if any, for the coming year.

18.4 When employees seek approval for absence for a religious festival, the following must apply:

- Managers should give serious consideration to these requests.
- Managers must consider the flexible use of time off in lieu, e.g. by either allowing employees to build up time off for a religious festival by accruing and taking flex time. This to be in accordance with the flex time scheme.
- Where flex time arrangements are not available to employees, managers should ensure that employees are able to take their normal days off wherever possible in order to celebrate religious festivals through the adjustments of rotas.
- A further option is for the employee to be granted unpaid leave at the manager's discretion.

18.5 When employees seek approval for regular unpaid time off for religious observance e.g. attending prayers, the following must apply:

- Managers should give serious consideration to these requests. However, where an employee requests time off at a particularly busy time or at a time when the employee's absence would otherwise cause difficulties for the business or their department, or where the amount of time off requested is unreasonable or excessive (taking into account the needs of the business), the Council reserves the right to refuse to grant some or all of any of the time off requested.

- If the flexi system is in operation, the employee can flex in and out. They do not need to record the time as time off to pray and they do not need to document how this time will be made up. However, the rules of the flexi scheme will need to be complied with.
- Where flex time arrangements are not available to employees, managers should consider whether it is possible to adjust working patterns so that breaks can be granted at times that coincide with an employees need for religious observance or rotas could be adjusted.
- Employees may make an arrangement to take time off for religious observance and agree with their manager the arrangement for making up the lost time.
- It is the Town Councils policy to endeavour to grant employees reasonable time off during working hours for religious observance insofar as this is possible and practicable, taking into account the needs of the business and whether or not such arrangements might cause disturbance or disruption to other members of staff and/or their work or work patterns.

## **19. Fasting**

- 19.1 Management and colleagues should recognise the importance of fasting for the individual.
- 19.2 Managers should consider the following in order to support colleagues:
- Flexibility in relation to starting and or finishing time.
  - The opportunity to work reduced lunch hours in order to facilitate an amended start or finish time above. (A minimum break of 20 minutes has to be taken if the employee works for more than 6 hours.)

## **20. Study Leave**

- 20.1 Employees who have a training agreement paid for by the Town Council will be eligible for paid study leave. The entitlement for each learning year is as follows:
- All days required attending college and/or tutorials including examination days;
  - Up to 3 days study leave if matched by equivalent annual leave.
- 20.2 Employees must give their line manager at least 5 working days notice of any study leave they want to take. Managers should consider this request as they do any other leave requests.

## **21. Time Off for Interviews**

- 21.1 Internal candidates will be given paid time off to attend interviews within the Town Council. The time off allowed will include reasonable travelling time to the interview, the interview itself and any tests as prescribed by the interview process.
- 21.2 The employee must inform their line manager and request this time off before attending any interview or test so that the line manager can give permission and arrange cover as appropriate. The employee should also bear in mind that the demands of the service must be paramount. Time off is not allowed in retrospect.
- 21.3 Interviews with another Town Council or Local Authority – the Town Council will permit employees a maximum of two days paid leave for a selection process. The maximum

is two working days per annum. Any further days will have to be taken as annual leave, time off in lieu or flex leave where applicable. Proof of interview will be required before time off is granted.

- 21.4 Interviews with any other employer - Time off to attend interviews with any other employer including other public sector employers (e.g. the Civil Service, Health Service, will have to be taken as annual leave, time off in lieu (TOIL) or flex leave (if applicable). If the employee has insufficient leave left as set out above, then they can request unpaid leave to attend the interview. The line manager may agree to this if the demands of the service permit it and on condition that the employee provides evidence of interview.

## **22. Time Off for Public Duties – Member of a Local Authority, Governors and Magistrates**

- 22.1 The definition of public duties is contained in the Employment Rights Act 1996 Section (50)(1). It covers a number of duties including; member of a local authority, member of a statutory tribunal, monitoring board of a prison, member of a managing or governing body of an educational establishment maintained by a local authority and magistrates.
- 22.2 The Town Council will allow an employee, with their Head of Service's advance permission, to take paid leave, to carry out public duties according to the rules detailed below.
- 22.3 Member of a local authority. Up to 5 days paid leave will be granted to carry out the duties of a Member of a local authority. Any time requested over five days must be taken as flexi, annual leave, TOIL or unpaid leave.
- 22.4 Employees who are a member of a managing or governing body of an educational establishment maintained by a local authority (as defined in section 579(1) of the Education Act 1996) are able to take up to 3 days paid leave as time off for Public Duties. This is to undertake duties during the normal working day, e.g. panels, school visits, interviews etc. Any time requested over three days must be taken as flexi, annual leave, TOIL or unpaid leave.
- 22.5 Employees who are magistrates (Justices of the Peace) will be granted up to 5 days paid leave. Any additional time that is required will need to be taken as flexi leave, annual leave, TOIL or unpaid leave.
- 22.6 For any other public duty not specifically mentioned above (member of a local authority, governor or magistrate) a maximum of 5 days paid leave will be granted.
- 22.7 As with any request for time off from work the request for time off to undertake public duties should be made in advance and agreed by the Head of Service subject to the impact on service delivery.
- 22.8 When considering requests the Town Council should take into account whether the attendance is vital to the decision making ability of that authority or body.
- 22.9 NOTE: Individuals may through their own choice undertake more than one public duty; however, the Town Council will allow a maximum of 5 days paid leave to undertake all Public Duties. For example an employee who is a governor and a member of a

statutory tribunal may take 3 days to undertake governor duties and a further two days paid leave to carry out other additional public duties. Magistrates may take 5 days paid leave to perform their magistrate duties and are not allowed any further time off if they carry out additional public duties e.g. being a governor. Any requests for time off in excess of the allowed time has to be taken as flexi leave, annual leave, TOIL or unpaid leave.

**23. Probation Boards, Court Boards and Youth Offender Panels; Board Members of Registered Social Landlords and Tenant Management Organisations**

23.1 Employees who undertake or wish to undertake one of the above activities or similar are able to take unpaid leave. This is to undertake duties during the normal working day, i.e. panels, interviews etc.

**24. Attendance at Statutory Tribunals**

24.1 If attending a Statutory Tribunal on behalf of the Town Council this will be in normal working time and therefore paid.

**25. Election Duties**

25.1 Paid leave will be granted to allow employees to undertake official duties at Leighton Linlade Town Council elections or referenda subject to service requirements. (Unpaid leave will be granted where employees undertake this role for other Councils.)

**26. Jury Service**

26.1 Employees must inform their manager of the summons to serve on a jury as soon as they receive their notification. They will be granted paid leave to attend. The employee must claim the allowance payable under the Jurors Allowance Regulations and this amount will be deducted from pay.

**27. Attendance at Court as a Witness**

27.1 Employees attending Magistrates or Crown Court, on behalf of the Town Council, or who are cited as a witness on behalf of the Town Council will attend Court in working time. Witness fees paid to the employee (less travel and subsistence expenses) must be paid to the Town Council.

27.2 Employees attending under other circumstances (including a familiarisation visit) will be granted unpaid leave. Employees can claim the relevant amount in respect of any loss in earnings from the person citing them. In these circumstances, this amount does not have to be paid to the Town Council.

**28. Special Constables**

28.1 Employees wishing to undertake duties as a Special Constable and/or attend agreed training can take reasonable unpaid time off, annual leave or flex leave, as agreed with their line manager and subject to service requirements. It is anticipated that this will be

kept to a minimum as training and shifts are generally conducted at weekends and evenings.

## **29. Community Emergency Services**

29.1 Retained Fire Fighters will be granted unpaid leave to attend emergencies during working hours.

## **30. Reservists**

30.1 There are two different types of reservists; regular and volunteer.

30.2 Regular Reservists are former full-time members of the Armed Forces. They may still be liable for call out for a number of years after their military service has ended, depending on their age, length of original service and the skills they have.

30.3 Volunteer Reservists are called out to supplement the Regular Forces whenever Operational demands require it. If they're mobilised, they'll carry out the same roles as their Regular counterparts. They also receive the same training and develop the same skills.

30.4 There are three Reserve Forces consisting of

- the Maritime Reserve, made up of the Royal Naval Reserve (RNR) and the Royal Marines Reserve (RMR);
- the Royal Air Force Reserves and
- the largest of the Reserve Forces the Territorial Army (TA).

30.5 All Volunteer Reservists are required to commit to training. For the majority of them, this is around 30 days a year, made up of some midweek evenings, some weekends and one 15 day continuous training period (Annual Camp). They receive payment from the MOD for all time spent training and on exercise.

30.6 Subject to the needs of the service, unpaid leave will be allowed to attend the annual 15 continuous days training camp. Time off to attend other training or duties must be requested in the normal way using annual leave, flex leave or unpaid leave.

30.7 In the event that employees, who are reservists (either regular or volunteer reservists), are called up (mobilised) for a period of full time service, please contact HR for further advice and guidance.

## **31. Annual Camps / Youth Activities / Sporting Events**

31.1 An employee who wishes to attend an annual camp for organisations such as Guides, Scouts, Sea Scouts, and Army Cadets etc or to participate in a national or international sporting event may request and may be granted unpaid leave. (Employees may choose to use their annual leave, flexi leave or TOIL to take part in any of the above activities.)

## **32. Grievances/Appeals**

32.1 Where an employee feels that he/she has been unfairly treated in respect of this procedure, he/she will have a right of appeal under the Grievance Resolution Procedure.

Adopted by Council 30 January 2017

This page is intentionally left blank



## Recruitment Policy

### 1. Introduction

Leighton-Linslade Town Council is committed to delivering high quality services. The effectiveness of these services depends upon the quality of people the Council employs. Consequently, this Recruitment Policy has been drawn up to ensure recruitment procedures are fair, follow best practice principles, and conform to the Council's equal opportunities standards and practice.

### 2. Recruitment policy statement

#### **Aim:**

To recruit the most suitable candidate for a vacant post on the basis of their skills, experience and knowledge as set out in the person specification. No person seeking employment with the Council will be treated less favourably than any other person or group because of their: -

- Age
- Disability
- Race
- Religion or belief
- Gender reassignment
- Gender
- Sexual orientation
- Marriage and civil Partnership
- Pregnancy and Maternity

Under section 7 of the Local Government and Housing Act 1989, every appointment of a person to a paid office of employment with a local authority of any kind "shall be made on merit." For this to be achieved it is recognised and accepted that the Council's recruitment process must be carried out fairly and is seen to be so, both within the Council and throughout the community served by the Council.

### **3. Employment opportunities**

3.1 The process of appointing a person to a post within the Council's workforce, whether this be a permanent , temporary, part-time, job share, casual or sessional position, is subject to the Council meeting its statutory obligations as well as fulfilling the Council's commitment to equal opportunities. Council employment opportunities can emerge as a result of a number of circumstances, the main examples being: -

- new posts being created
- employees leaving existing posts
- restructuring/redesigning departments and posts
- additional posts created to meet fluctuations in service delivery or to cover initiatives and projects
- secondments
- temporary posts covering periods of absence
- providing career pathways in appropriate areas and to encourage young people into the workforce

When such circumstances occur the Council has to ensure its compliance with the Employment Rights Act (1996) and associated legislation whereby, for instance, unlawful or unnecessary redundancies of existing employees does not take place. A number of considerations need take place to ensure that the Council conforms to statute.

3.2 The Council recognises that there may be times where secondment or other differing arrangements may be appropriate. eg for career development purposes, hard to fill posts etc.

3.6 Under s.116 of the Local Government Act 1972, candidates are debarred from appointment if he or she has been a Councillor at this authority within the previous 12 months.

3.7 There are particular requirements and standards when recruiting employees who work with children, young people and vulnerable adults, please refer to the Safer Recruitment Procedures to be used in conjunction with this policy.

3.8 The Town Council has pledged support to the Armed Forces Covenant. As holders of the Bronze award, the Town Council is open to employing reservists, veterans or military spouses and aims to be supportive of any specific needs they might have, such as training and mobilisation commitments.

### **4. Recruiting to vacancies**

4.1 Vacancies cannot be advertised without the relevant authorisation from the Town Clerk (within existing structure) or the Personnel Sub Committee (new roles or changes to the existing structure).

- 4.2 Where managers are considering restructuring or there is a possibility of a post or posts being made redundant then the Council's Organisational Change Policy will apply rather than this policy.
- 4.3 Redeployees will be considered for jobs prior to release for general advertising.
- 4.4 All vacancies must be advertised internally prior to or as well as externally.

## **5. Person specifications/Job descriptions**

- 5.1 In every case, when a vacancy is to be filled an appropriate person specification and job description will first be drawn up. Where these are already in existence, they will be reviewed and, where necessary, updated by managers.
- 5.2 Where the post is new or has not been evaluated for some time, the revised job description and person specification should be externally evaluated by the Council's HR provider to ensure the salary scale is appropriate.

## **7. Recruitment publicity**

- 7.1 All posts classified as "vacant for recruitment" will be filled by the most appropriate method.

This will include one or more of the following ways:

- Advertising on the Council's website
- Press and other media where appropriate
- Using external agencies where appropriate

except that this may be deferred where the considerations given at Appendix A are deemed to apply.

- 7.2 All advertisements for posts should be created in accordance with Town Council branding guidelines and be checked and approved in advance by the Finance Officer and Town Clerk.
- 7.3 All recruitment publicity must positively encourage applications from all suitably skilled, experienced and qualified people and attempt to demonstrate that the Council offers opportunities at all levels to all people. There must be no bias as to gender, race, disability, sexuality, gender re-assignment, pregnancy and maternity, religious belief or age. Jobs should be described in such a way that no person with the necessary skills and experience will be deterred from applying.

## **8. Recruitment quality standard**

- 8.1 It is vital that the Council promotes its image as a good employer and deals with applicants promptly. The timescales for all stages of the recruitment process which should be met are as follows:

We aim to select and inform the preferred candidate within 21 days of the closing date.

We will shortlist suitable candidates for interview within 3 working days of the closing date.

We aim to give short listed candidates at least 3 working days notice of any interview and/or publish the interview date in the advert.

We will inform the preferred candidate following an interview within 5 working days.

We aim to inform unsuccessful interviewees within 5 working days of an interview.

We will offer the opportunity for all candidates to receive feedback on their interview performance.

If candidates have a disability and are invited to interview, facilities such as lip speakers, signers, and other assistance will be sought wherever possible.

## **9. Applications**

- 9.1 All applications must be made using the Town Council's job application form rather than by submission of a Curriculum Vitae (C.V.), to ensure that all candidates have equal opportunity to present the same information in the same format.

## **10. Selection criteria**

- 10.1 Only those skills, experience and qualification requirements, which are necessary for the post, are to be established and used as criteria for selection. All relevant experience should be taken into account, not just that attained over periods of time in paid employment.
- 10.2 All applications must be given equal consideration and ability or non-ability demonstrated through the recruitment process to do the work required in accordance with the job and person specification.
- 10.3 Shortlisting panels will be a minimum of two employees and will usually be the same employees that form the interview panel, unless there are special circumstances, eg panel member taken ill between shortlisting and interview.
- 10.4 Short-listing decisions must be based on the information contained in the application form (and any additional information supplied as part of that

application). The criteria for initial selection and other relevant available information must be consistently applied to all candidates.

- 10.5 It is highly recommended that short-listing is undertaken by way of a matrix which assesses applications against person specifications and that this be retained as evidence of how shortlisting decisions were made.

## **11. Interviews**

- 11.1 It is the Council's decision that interviews should be conducted by competent users/employees and that each interview panel comprises a minimum of two people.
- 11.2 Where an employee is related to, involved in a personal relationship with or is closely known to the candidate outside of work then that employee should not take part in either the shortlisting or interview process. In such circumstances further guidance may be sought from Human Resources and must be sought if the employee intends to participate in such circumstances.
- 11.3 The Council supports the use of competency based interviewing. All questions posed during interview must be relevant to the criteria in the person specification and to the post to which recruitment is being made. The interview panel should not make assumptions about a person's willingness or ability to meet certain requirements and should ensure in asking any questions that no discrimination occurs.
- 11.4 As with shortlisting, it is highly recommended that notes of interviews be retained as clear evidence as to how recruitment decisions have been made.
- 11.5 Feedback on all candidates' applications and interviews must be offered and given where requested. If requested, reasons for rejection should be given to the candidate. The reasons for rejection must be recorded at the time the decision was made.

## **12. Disabled applicants (disability confident)**

The Council operates a guaranteed interview scheme and all applicants with disability as defined under the Equality Act 2010 who advise the Council at their time of their application who meet the essential criteria of the post must be offered an interview. Disabled candidates may request a reasonable adjustment, either at the application, interview or testing stage of the process, or an adaptation to the job role or workplace. All requests must be considered and, where found to be reasonable, applied. Advice is available from Human Resources.

## **14. Selection testing**

14.1 Selection testing will only be included in recruitment processes where it can be shown to be justified by the duties and accountabilities of the post and the criteria set out in the person specification.

14.2 The outcomes of such tests will be maintained on a confidential basis to the Council and only utilised in the Council in respect of the appointment process, which gave rise to the selection test and for monitoring purposes.

## **15. Records and monitoring of recruitment**

15.1 Heads of Service will ensure that procedures within their department comply with the Council's Policies and procedures.

15.2 Employees involved in the recruitment process will not have access to the equal opportunities monitoring information at any time during the recruitment process.

15.3 All documentation relating to the recruitment and selection process, including questions asked, method of scoring, agreed criteria, notes of interview and reasons for rejection must be documented and kept for six months. All such records to be treated as confidential in accordance with the Council's Data Protection Policy.

## **16. Terms and conditions of appointment**

16.1 Once the interview panel has made a recruitment decision, the preferred candidate can be advised of the decision subject to certain conditions being met. These conditions are:

- Immigration status
- References suitable to the Council
- Verified qualifications where applicable
- Where applicable, Criminal Record Check (and other checks where appropriate) Refer to the Safer Recruitment Procedures if the post is working with children, young people or vulnerable adults.

16.2 To ensure consistency, fairness and to protect the council from equal pay claims, any salary offered should normally be at the base of the grade of the job. Only the Town Clerk can authorise deviation from this. The reasons for this should be recorded.

16.3 Care must be taken when making any verbal or written offers of employment to ensure that the terms and conditions attached to it are accurately presented. It is also important that any discussions during or after the interview cannot be misinterpreted by an applicant as offers of employment.

16.4 Under no circumstances can unconditional offers of employment be made.

- 16.5 Offer paperwork may only be issued by the Finance Officer, Deputy Town Clerk or Town Clerk and any offer of employment must be signed by the Town Clerk.
- 16.6 Advice should be sought from Human Resources before any offer of employment is withdrawn.

**17. Recruitment complaints**

- 17.1 Existing employees who wish to complain about the Council's recruitment procedures should raise the matter under the Council's Grievance Procedure.
- 17.2 External applicants for posts or other affected individuals or groups should raise any issues related to recruitment under the Council's Complaints Procedure.

**18 Member involvement**

- 18.1 As set out in the terms of reference for the Personnel Sub-Committee, elected Members will be responsible for recruitment of the Town Clerk and may be involved in the recruitment and succession planning for other senior members of staff.

**19. Communication of this policy**

- 19.1 All Council Members, managers, supervisors and employees must be made aware of this policy and in particular employees with responsibilities for recruitment must be competent and accountable for their involvement and participation within the recruitment process of the Council.

July 2020

This page is intentionally left blank