

Membership from June 2020

Councillor Bowen
 Councillor Caesar – Vice Chair
 Councillor Drummond
 Councillor Hood
 Councillor Hulbert
 Councillor Jefferys
 Councillor Kerby
 Councillor O'Neill - Chairman
 Councillor Yarrow



Newmarket

TOWN COUNCIL

The Memorial Hall, High Street, Newmarket Suffolk CB8 8JP

You are hereby summoned to attend a meeting of the
HUMAN RESOURCES COMMITTEE to be held virtually
Monday 10th August 2020 at 7pm

The meeting is held in public and the public are encouraged to attend and participate. Just occasionally matters such as contractual or staffing matters do have to be held in the confidential part of the meeting.

Members of the public and press may not orally report or comment about a meeting as it takes place if present at a meeting of the Council, but otherwise may:

a: film, photograph or make an audio recording of the meeting;

b: use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; c: report or comment on the proceedings in writing, during or after a meeting or orally after the meeting.

This meeting is being held on the online Zoom platform and is being recorded. Any member of the public in attendance who does not wish to be included in the recording can disable their video although this would prohibit their ability to participate in the meeting at the appropriate time.

AGENDA

1. **CHAIR TO ANNOUNCE** that proceedings are being recorded and to advise that all participants will be muted by the host of the meeting who will unmute the individual the Chairman has invited to speak
2. **APOLOGIES** To receive and accept apologies for absence
3. **REGISTER OF INTERESTS** Declaration of Members' Interests & to remind Councillors of the need to keep up to date their Register of Members' Interests and to consider any requests received for Members' Dispensations.
4. **MINUTES OF PREVIOUS MEETING** To receive and confirm the minutes of the meeting held on 13th July 2020 and any matters arising.
5. **PUBLIC PARTICIPATION** An invitation to members of the public to put questions or statements of not more than 3 minutes duration. Resolutions can only be made on items that are on the agenda, but Councillors are very happy for matters relating to the Town to be brought to their attention.
6. **ACCOUNTS** - To receive the financial accounts for Human Resources for Month 4: July 2020.
7. **HELPLINE COVER** – To receive an update regarding staff coverage of helpline calls.
8. **MEMBER/OFFICER PROTOCOL** – To receive and consider amended protocol (to follow).
9. **TERMS & CONDITIONS OF EMPLOYMENT** – To receive reports and authorise any actions concerning employee terms and conditions (herewith).
10. **EXCLUSION OF THE PRESS & PUBLIC**
 To resolve that under the Public Bodies (Admissions to Meetings) Act 1960, the public and press be excluded for the remainder of the meeting because of the likely disclosure of private and confidential information relating to individuals.
11. **NATIONAL JOINT COUNCIL SCALES** – To receive a report outlining proposed alignment of staff roles to current NJC salary scales authorise any actions (herewith).
12. **STAFF UPDATE** – To receive an update on current staff matters and consider any issues.
13. **STAFF TRAINING** – To consider requests for training.
14. **DATE OF NEXT MEETING** – Monday 14th September 2020.
15. Items for inclusion on next Agenda.

Signed

Debbie Baines, Town Clerk

4th August 2020



Newmarket

TOWN COUNCIL

Minutes of a Meeting of the Human Resources Committee Held on Monday 13th July 2020 at 7:00pm via Zoom

Attendance:

Councillor C O'Neill (Chairman)
Councillor O Bowen
Councillor A Drummond
Councillor R Hood

Councillor P Hulbert
Councillor M Jefferys
Councillor K Yarrow

Also Present: Debbie Baines – Town Clerk, Cathy Whitaker - RFO, Julie Ashton – Minute Assistant and 1 Member of the Public.

	Minute	Action by
H/20/07/1	<u>CHAIRMAN TO ANNOUNCE THAT PROCEEDINGS ARE BEING RECORDED AND TO ADVISE THAT ALL PARTICIPANTS WILL BE MUTED BY THE HOST OF THE MEETING WHO WILL UNMUTE THE INDIVIDUAL THE CHAIRMAN HAS INVITED TO SPEAK</u> The Chairman opened the meeting and announced that proceedings were being recorded. All participants would be muted and would be unmuted when the Chairman invited individuals to speak. There were no other requests to record the meeting.	
H/20/07/2	<u>APOLOGIES FOR ABSENCE</u> Apologies were received from Cllrs Caesar and Kerby.	
H/20/07/3	<u>DECLARATION OF MEMBER'S INTERESTS AND TO REMIND COUNCILLORS OF THE NEED TO KEEP UP TO DATE THEIR REGISTER OF MEMBER'S INTERESTS AND TO CONSIDER ANY REQUESTS RECEIVED FOR MEMBER'S DISPENSATION</u> None noted.	
H/20/07/4	<u>TO RECEIVE AND CONFIRM FOR ACCURACY THE MINUTES OF THE MEETING HELD ON MONDAY 8TH JUNE 2020 AND ANY MATTERS ARISING</u> Members received the minutes of the Human Resources Committee Meeting held on Monday 8th June 2020 and the following was agreed: <u>H/20/07/4.01 Resolved</u> That the minutes of the Human Resources Committee meeting held on Monday 8th June 2020 be adopted and would be signed as a true record by the Chairman of the Human Resources Committee after the meeting. There were no matters arising.	
H/20/07/5	<u>PUBLIC PARTICIPATION AN INVITATION TO MEMBERS OF THE PUBLIC TO PUT QUESTIONS/STATEMENTS OF NOT MORE</u>	

**THAN 3 MINUTES DURATION. NO RESOLUTIONS CAN BE
MADE BUT COUNCILLORS ARE VERY HAPPY FOR MATTERS
TO BE BROUGHT TO THEIR ATTENTION**

None noted.

**H/20/07/6 TO RECEIVE THE FINANCIAL ACCOUNTS FOR HUMAN
RESOURCES**

The HR accounts for June 2020 were received and noted.

H/20/07/7 HELPLINE COVER

Town Clerk advised that the office was now covering 9 - 5 during the week and that this would continue. It was noted that calls had dropped off and people were using the helpline number to contact the office. The helpline number would be used until it is handed over to the Voluntary Network group. It was suggested that the helpline number should be changed to a free 0800 number and this would be passed on to the Voluntary Network group to consider.

H/20/07/8 MEMBER/ OFFICER PROTOCOL

It was reported that some Members were not in receipt of the latest document for Member/Officer conduct and it was suggested that the Social Media Policy should be added as an addendum. It was also suggested that any amendments/additions should be highlighted in bold and the following was agreed:

H/20/07/8.01 Resolved

That the Member/Officer Protocol item be deferred to the next meeting to allow for any amendments/additions to the document to be highlighted in bold and to include the Social Media Policy as an addendum.

H/20/07/9 EXCLUSION OF THE PRESS & PUBLIC

With the vote being unanimous, it was:

H/20/07/9.01 Resolved

To resolve that under the Public Bodies (Admissions to Meetings) Act 1960, the public and press be excluded for the remainder of the meeting because of the likely disclosure of private and confidential information or staff matters.

The public and Minute Assistant left the meeting

H/20/07/10 *ELLIS WHITTAM*****

The current Ellis Whittam contact list was reviewed and the following was agreed:

H/20/07/10.01 Recommendation

That the authorised contacts going forward would be Town Clerk, RFO, Town Keeper, Events Manager, Mayor, Deputy Mayor, Chair of HR Committee.

H/20/07/11 *TERMS & CONDITIONS*****

A report outlining the options to improve employee terms and conditions was considered and the following was agreed:

H/20/07/11.01 Recommendation

That a Working Group consisting of the Chairman and Vice Chairman of the Human Resources Committee and the Town Clerk will meet to discuss and provide a recommendation for the next HR agenda.

H/20/07/12 *RECOVERY PLAN*****

The recovery plan was discussed. The Town Clerk informed council that all staff except one were working back in the office, observing correct protocols around social distancing and hygiene procedures.

H/20/07/13 *STAFF APPRAISALS*****

Town Clerk advised that all staff appraisals had be conducted by the Acting TCM and Town Clerk. There will be monthly reviews at 4/5 monthly periods.

H/20/07/14 *TO CONSIDER REQUESTS FOR STAFF TRAINING*****

The requests for staff training were considered and the following was agreed:

H/20/07/14.01 Recommendation

That the requests for staff training be approved.

H/20/07/15 DATE OF NEXT MEETING

Monday 10th August 2020 via Zoom.

H/20/07/16 ITEMS FOR INCLUSION ON NEXT AGENDA

- HELPLINE COVER
- TERMS & CONDITIONS OF EMPLOYMENT
- MEMBER/OFFICER PROTOCOL
- STAFF TRAINING

Meeting closed at 8pm

Signed _____ Date _____

Detailed Income & Expenditure by Budget Heading AS AT 31/07/2020

Month No: 4

Committee Report HUMAN RESOURCES M4

	Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
Human Resources								
102 Staff Costs								
4010 Staff Uniform/Workwear	0	0	400	400		400	0.0%	
4020 Misc. Staff Costs	3	3	1,400	1,397		1,397	0.2%	
4501 Staff Salaries	13,439	48,588	163,500	114,912		114,912	29.7%	
4503 Employers National Insurance	787	2,625	11,200	8,575		8,575	23.4%	
4504 Employers Pension	210	817	7,500	6,683		6,683	10.9%	
Staff Costs :- Indirect Expenditure	14,440	52,034	184,000	131,966	0	131,966	28.3%	0
Net Expenditure	(14,440)	(52,034)	(184,000)	(131,966)				
Human Resources :- Income	0	0	0	0			0.0%	
Expenditure	14,440	52,034	184,000	131,966	0	131,966	28.3%	
Movement to/(from) Gen Reserve	(14,440)	(52,034)						
Grand Totals:- Income	0	0	0	0			0.0%	
Expenditure	14,440	52,034	184,000	131,966	0	131,966	28.3%	
Net Income over Expenditure	(14,440)	(52,034)	(184,000)	(131,966)				
Movement to/(from) Gen Reserve	(14,440)	(52,034)						



Report to	Human Resources Committee
Subject	Terms and Conditions – Report 1 Staff Sickness Scheme
Purpose	Decision (recommendation to Full Council)
Classification	Unrestricted
Meeting date	Monday 10th August, 2020
Item number	9
Written By	Town Clerk

Summary: This report outlines proposals to amend sickness leave allowance to Town Council employees.

Councillors are asked to **CONSIDER** and **APPROVE** the **RECOMMENDATIONS** outlined in this report:

1. To adopt the National Joint Council Staff Sickness Scheme
2. To approve and implement Sickness Absence Policy
3. To issue a variation of contract letter to employees

1.	Introduction
a.	At Human Resources Committee Meeting 13/07/2020, it was agreed that a report would be prepared with proposals to review terms of employment in respect of sickness, for all staff.
2.	Context
a.	Current sickness provision as detailed in the Staff Handbook “is to provide Statutory Sick Pay (SSP), if you are eligible. Further details of this are contained within your contract of employment”.
b.	An employee becomes eligible for Statutory Sick Pay if they are sick for 4 days or more in a row. No pay is awarded for the first 3 days of absence.
3.	Proposal/Options
a.	The majority of councils employ staff on the National Joint Council (NJC) agreed terms of service covering local government employees. The NJC sickness absence scheme is contained in Part 2 of the agreement – “key national provisions” and is intended to provide “normal” levels of pay during periods of absence due to illness: “Provided that you comply with the Council’s sickness absence policy, you will receive sick pay when you are absent from work because of sickness, as follows: during 1st year of service: one month’s full pay and (after completing 4 months’ service) 2 months’ half pay during 2nd year of service: 2 months’ full pay and 2 months’ half pay during 3rd year of service: 4 months’ full pay and 4 months’ half pay during 4th & 5th year of service: 5 months’ full pay and 5 months’ half pay after 5 years’ service: 6 months’ full pay and 6 months’ half pay”

b.	Advice from Ellis Whittam (HR advisors to the Town Council): (i) “It is common for certain benefits, such as holiday and sickness, to increase with service as it rewards loyalty. It is permitted under the Equality Act up to 5 years, after which the policy would need to be objectively justified due to indirect age discrimination factors”. (ii) That the Town Council maintain a robust attendance management process, in order to ensure that staff are treated fairly and equally and to counteract any potential for abuse to the system. A draft Sickness Absence Policy which has been reviewed by Ellis Whittam is attached at Appendix One. (iii) That a variation of contract letter be issued to employees.
4.	Financial/Resource Implications
a.	For long periods of absence, some form of temporary cover may be needed in the form of agency staff or by existing staff working additional hours. Whilst this may be necessary under existing arrangements, the cost implication of the new arrangement is that the Town Council would continue to pay the employee’s salary during the period outlined in 3a.
5.	Next Steps/Recommendations
a.	To adopt the NJC Staff Sickness Scheme
b.	To approve and implement Sickness Absence Policy
c.	To issue a variation of contract letter to employees
	Additional papers: Appendix 1, Sickness Absence Scheme



Newmarket

TOWN COUNCIL

Sickness and Absence Policy v1

Date of review: Human Resources Committee 10th August 2020
Considered by Ellis Whittam 09/07/20

Date of next review: tbc

1. Introduction

- 1.1 Council employees are expected to maintain acceptable levels of attendance and performance. While it is recognised that employees have genuine reasons to be absent from work, the Council has a responsibility for 'duty of care' for all its employees & expects all employees to adopt a responsible attitude towards their own health and well-being.
- 1.2 The aim of this policy is to provide clear guidelines regarding sickness absence from work and to keep unnecessary absence to a minimum. It also aims to ensure that all employees are treated fairly and consistently.

2. Principles

Should any employee be unable to attend work due to illness, injury, personal or domestic reasons, they must comply with the following sickness absence reporting procedure:

2.1 During Absence

- a) On the first morning of sickness absence, all employees must contact their Line Manager, by telephone, within the first hour of the working day and on each subsequent day after that unless otherwise agreed. If the Line Manager is unavailable, the employee **must** contact the office.
- b) The employee should give details of the nature of the illness and, if the illness is of a minor nature, they should indicate when they believe they will be fit to return to work.
- c) Details should be provided of deadlines and tasks which will be affected by the employees' absence.
- d) The employee must inform the Council as soon as possible of any change in the date of their anticipated return to work.
- e) Contacting the Council by text message or e-mail is not acceptable, other than in exceptional circumstances.
- f) Whilst off sick the employee should do nothing which is likely to make their illness worse and to do all they can to aid recovery.
- g) If the employee has been diagnosed with an infectious or contagious disease, they must inform their Line Manager as soon as possible after diagnosis.

- h) Any employee absent through sickness is prohibited from undertaking any form of paid alternative employment, self-employment or voluntary work. Any breach of this rule will be regarded as gross misconduct, which may result in the employee's dismissal.

2.2 Returning to Work

- a) When resuming work, employees must report to their Line Manager.
- b) If the sickness is for a duration of seven days or less, they must complete a Self-Certification Form on their first day back. Self-Certification Forms are available from the office.
- c) If the sickness is for a duration of more than seven days a Medical Certificate (Fit Note) must be produced.
- d) A Return to Work interview will be conducted by the Line Manager.

2.3 Fitness to Work

- a) Where a doctor's certificate indicates that an employee may be fit for work and the doctor has suggested ways of helping them get back to work, such as a phased return to work, altered hours, amended duties or workplace adaptations, their Line Manager will discuss the advice on the doctor's certificate with the employee.
- b) The Line Manager will consider any functional comments made by the doctor and any other action that could help the employee return to work despite their illness.
- c) The various options will be discussed with the employee and if a return to work is possible, the Line Manager will agree a return-to-work date with the employee, any temporary adaptations or adjustments that are to be made, for how long and will set a date for review. If the Council is not able to make any adaptations or adjustments to help their return to work, the Line Manager will explain the reasons for this and will set a date for review. The doctor's certificate may then be used by the employee as if the doctor had advised "not fit for work".
- d) If the employee disagrees with the Council's proposals to support their return to work, they will be asked to confirm why they believe they cannot return to work despite their doctor's suggestions.
- e) The Council reserves the right to obtain further medical evidence, as necessary.

3. Return to Work Interviews

- 3.1. For all periods of sickness absence, the employee will be required to attend a "return-to-work" interview on their first day back (or as soon as possible thereafter) to discuss the reasons for the absence and whether it was work-related.

- 3.2. The employee will be asked to explain the reasons for their absence and whether they consulted a doctor or attended hospital and will be required to produce a Medical Certificate (Fit Note) for the period of their absence.
- 3.3. During the interview, the employee will be advised of their absence record, and be asked to identify any contributory factors to their overall absence. The Council will also explore whether there is any support they can offer to assist in improving the employee's attendance.
- 3.4. The Line Manager will explore with the employee whether there is any apparent pattern of absence and discuss whether the absences are in any way related to their work.
- 3.5. The Line Manager may also set reasonable targets and time limits for improvement in attendance and be warned that a failure to improve may result in disciplinary action.
- 3.6. The aims of a return to work interview are to:
 - a) identify and resolve the cause of the absence.
 - b) make sure employees are fit to return to their normal duties.
 - c) offer employees assistance if required.
 - d) give employees an opportunity to discuss any particular problems.
- 3.7. The interview with the employee's Line Manager must be carried out as soon as practical, following their return to work. It must be private and on a one to one basis. The outcome will be recorded on the Return to Work form. This will document the precise reasons for the absence and any relevant comments made by either party. If a course of action is required, this will be recommended. The completed form will be placed in the employee's personnel file.
- 3.8. If appropriate, the employee may be asked to consult a doctor to establish whether medical treatment is necessary and the underlying reason for the absence.

4. Medical Examination

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.

5. Sick Pay

- 5.1. If an employee is entitled to the Council's Sick Pay Scheme this will be detailed in their Contract of Employment.
- 5.2. Employees on a short fixed-term contract may be entitled to SSP, subject to meeting the eligibility requirements.

- 5.3. Someone who also undertakes work for the Council via an agency is entitled to be paid SSP by the Council, subject to meeting the eligibility requirements. For the purposes of SSP, agency workers are classed as employees.
- 5.4. The limit of entitlement to SSP is 28 weeks.
- 5.5. If an employee is off for two periods which are separated by 8 weeks (56 days) or less for the same ailment, then the employee does not need to be absent for 4 consecutive days in the second period of absence in order to receive SSP.
- 5.6. Payments made to employees by the Council under its sick pay provisions will go towards discharging the Council's liability to make payment to employees under the Statutory Sick Pay scheme.
- 5.7. Any payment of sick pay is conditional upon: -
- a) the production of a Self-Certification Form signed by the employee giving the reasons for any absences of up to a calendar week;
 - b) the production of a Medical Certificate (Fit Note) covering any absences of more than a calendar week or an absence of any length before or after a public holiday;
- 5.8 Any payment of sick pay may be withheld if the employee: -
- a) has knowingly provided false information;
 - b) has failed to follow the set procedure;
 - c) is subject to a disciplinary warning;
 - d) is suspected of abusing the system;
 - e) is ill due to drug, alcohol or substance abuse or a self-inflicted injury; or
 - f) is injured as a result of their involvement in dangerous sports
- 5.9 Employees failing to comply with their obligations under this scheme will invoke disciplinary action, which may lead to their dismissal.
- 5.10 It is The Council's policy that any employee in receipt of sick pay (including Statutory Sick Pay) is prohibited from undertaking any form of paid alternative employment, self-employment or voluntary work. Any breach of this rule will be regarded as gross misconduct, which may result in the employee's dismissal.
- 5.11 If the incapacity is, or may have been, caused by negligence of a third party on account of which damages are or may be recoverable, the employee must immediately notify the Council of that fact and of any claim, compromise, settlement or judgment made or awarded in connection with it. They must also provide the Council with all details it may reasonably require. If required by the Council, the employee shall refund to the Council such of the damages recovered as related to loss of earnings, less any costs borne by the employee in recovering those damages.
- 5.12 The Council reserves the right to require any prospective or current employee to undergo a medical examination at the expense of the Council, at any time before or during employment, and allow the findings to be made known to the Council in

confidence, if there are reasonable grounds as to their capability to carry out duties required and/or on return from any absence due to sickness.

6. Persistent Short-Term Absence Procedure

- 6.1. Should an employee's level of absence give cause for concern, it is responsible and appropriate for the Council to investigate the reasons for the absence.
- 6.2. Persistent short-term absence is defined as one of the following: -
 - a) 2 separate spells of absence or a total of 7 days in a rolling 3-month period, or
 - b) 5 separate spells of absence in a rolling 12-month period, or
 - c) More than 10 day's absence in a rolling 12-month period, or
 - d) Unacceptable patterns of absence, for example regular absence on a Monday or a Friday or absence which appears to form a pattern against the procedure e.g. repeatedly completing a review period only to lapse again a few months later.
- 6.3. If one of these occurs, the Council will adopt the following procedure:
 - a) The Line Manager will conduct a Return to Work Interview on the employee's return to work, (see clause 3) to investigate the situation and give employees an opportunity to explain their reasons for the absence.
 - b) If the Line Manager still has cause for concern following the Return to Work Interview, the Disciplinary Procedure may be invoked.

7. Long-Term Sickness Absence Procedure

- 7.1. The Council will do what it can to provide support and assistance where long-term absence arises through sickness, or the inability to attend regularly and consistently because of ill health.
- 7.2. Contact will be maintained with the employee or their family throughout the absence. The Council maintains the right to visit the employee at home in order to discuss their condition and what adjustments may be necessary to facilitate a return to work. This will take place no earlier than the fourth week of absence and will be notified in writing. The employee will be asked to give consent for a GP report to be obtained (under the Access to Medical Reports Act 1988).
- 7.3. Upon receipt of the GP report, a further meeting/home visit will be arranged to discuss the content and future options.
- 7.4. The Council may request further information from the employee's GP or Consultant or seek a second medical opinion where appropriate.
- 7.5. A Return to Work interview will be conducted upon their return to make sure that the employee is fully recovered and to help them return to their normal duties.

- 7.6. In a case of permanent or long-term sickness or disability, where appropriate, the Council will do all it can to identify alternative employment or adjustments to terms and conditions, which may facilitate a return to work.
- 7.7. Where there is little or no prospect of recovery, or where the period before return is unreasonable in terms of the needs of the Council, the Council may decide to terminate employment on the grounds of incapacity. Before such a decision is taken, however, all the possibilities will be discussed with the employee, taking into account any reasonable adjustments and all the relevant circumstances. Each case will be considered on its own merits.
- 7.8. If the decision is made that there is no option but to dismiss an employee following a period of long-term sickness absence, the required contractual entitlement to notice and pay during the notice period will apply, even though the employee will be unable to work the notice period.
- 7.9. Early retirement on medical grounds may be considered.

8. Sickness at Work

The Council reserves the right to send an employee home if, for any reason, they appear to be unfit for work or appear to present a risk to themselves, the workplace, other staff members or third parties. These are precautionary measures designed to prevent the spread of disease in the workplace and/or further harm to the employee or others.

9. Safety at Work

- 9.1. Should an employee have any worries or concerns about tasks which are likely to affect their health, it is important that they bring them to the attention of their Line Manager or the Town Clerk/Deputy Town Clerk at an early stage. The Council is always prepared to discuss any problems or difficulties staff may be experiencing and will endeavour to assist wherever possible.

10. Medical Appointments

- 10.1 Appointments with doctors, dentists and other medical practitioners should, wherever possible, be made outside of normal hours of work or with the minimum of disruption to the working day (i.e. at the beginning or end of the working day).
- 10.2 When this is not possible, time off work to attend medical appointments must be authorised by the Line Manager in advance. The employee may be asked to provide proof of appointment. Time off for this purpose should be made up, as agreed with the Line Manager.
- 10.3. There is no contractual or statutory right for employees to be paid for absences relating to attendance at medical appointments, unless these are ante-natal appointments, and any payment of salary is made at the absolute discretion of the Council, bearing in mind the Equal Opportunities Policy.

- 10.4 Where a medical appointment is expected to take half a day or more, the employee should complete the Employee Self-Certification form and submit to their Line Manager. In this instance the time off will be recorded as sickness absence. Alternatively, staff can opt to use their annual leave for this absence.

11. Occupational Health referrals

- 11.1 Where appropriate, an employee may be referred to an Occupational Health Specialist, to understand any support required, regardless of whether this need is identified by the employee or as part of the absence review process.

12. Pregnancy Related Absence

- 12.1 Where a period of absence is attributable to pregnancy, sickness absence will not contribute towards the trigger points however, any such sickness will be managed in accordance with this policy to facilitate a return to work as soon as possible with any necessary support or adjustment to duties during the pregnancy. This may lead to formal review meetings being held in line with this policy as a supportive measure. Employees who are absent due to pregnancy related illness are still required to comply with the requirements of this policy in terms of reporting their absence to their line manager and submitting evidence of their incapacity (self-certification or Fit Note issued by their GP) as appropriate.

- 12.2 If a staff member is absent due to pregnancy related illness on or after the fourth week before the expected week of confinement, their ordinary maternity leave will commence the day after their first completed day of sickness absence. Where a staff member who is pregnant suffers from non-pregnancy related sickness absence, these absences will be counted as a trigger in the normal way in accordance with this procedure.

13. Disability Related Absence

Sickness absence may sometimes result from a disability. At each stage of the policy, consideration will be given to understanding the nature and day to day effects of any disability and whether reasonable adjustments could be made to the requirements of a job or other aspects of working arrangements that will provide support at work and/or assist a return to work, in accordance with the disability provisions of the Equality Act (2010). If an employee considers themselves to be affected by a disability or any medical condition affecting their ability to undertake their work, their line manager must be informed. Employees should not wait for the sickness absence procedure to be used before doing so. However, the Council will work with the employee to identify a phased return to work plan, including alternative duties, additional training and support required to facilitate return to work on a timely basis, where available.

13. Elective Surgery

- 13.1 Elective surgery is surgery that is not considered to be medically necessary, for example because it is concerned with the enhancement of appearance through surgical and medical techniques.
- 13.2 If an employee wishes to take time off for elective surgery, they may use their existing paid annual leave entitlement, provided they comply with the provisions relating to annual leave set out in employees Contract of Employment and the leave has been approved by the Line Manager.

14 Gender Reassignment

- 14.1 Gender reassignment is a process which is undertaken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex, and it includes any part of such a process.
- 14.2 Medical appointments and absence in connection with the gender reassignment process will be treated no less favourably than any other medical appointments or absence. The employee should try to arrange medical appointments and surgery at times that will cause the minimum amount of inconvenience to the Council.

15. Fertility Treatment

Medical appointments in connection with the early stages of the fertility treatment process will be treated no less favourably than any other medical appointments. The employee should try to arrange fertility treatment at a time that will cause the minimum amount of inconvenience to the Council. If time off is required, it is permitted to use existing paid annual leave entitlement, provided the employee complies with the provisions relating to annual leave set out in employees Contract of Employment and in the leave has been approved by the Line Manager. If the employee, as a result of fertility treatment, becomes pregnant, the normal statutory pregnancy and maternity entitlements will apply.



Report to	Town Council
Subject	Terms and Conditions – Report 2 Staff Pension Scheme
Purpose	Decision (recommendation to Full Council)
Classification	Unrestricted
Meeting date	Monday 10th August, 2020
Item number	Item 9
Written By	Town Clerk

Summary: This report outlines proposals to review Town Council level of contributions to the Staff Pension scheme.

Councillors are asked to **CONSIDER** and **APPROVE** the **RECOMMENDATIONS** outlined in this report:

1. To increase the level of employer contribution from current 5% to 10%, with a review in six months' time.
2. To write to employees, to make them aware of the option to make additional payments to their pension pots.

1.	Introduction
a.	At Human Resources Committee Meeting 13/07/2020, it was agreed that a report be prepared outlining proposals for a review of Town Council level of contributions to the Staff Pension scheme.
2.	Context
a.	Newmarket Town Council has chosen not to join the Local Government Pension Scheme (LGPS) because of its high cost to the Council, currently set at 24% employee contribution and have instead decided on an alternative pension scheme (the People's Pension). The employee contribution for the People's Pension is currently set at 5%.
b.	The LGPS is the pension provider to the following sizeable councils in the East Anglian region: Swaffham, Thetford, Costessey, Diss, Wymondham, St Ives, Saffron Walden. These councils will - under LGPS regulations, pay a 24% contribution for eligible staff members.
c.	The Town Council currently meets the statutory minimum total amount required (8% of earnings), in line with Workplace Pensions regulations.
3.	Proposal/Options
a.	Although the desire to avoid the high employer contributions required by the LGPS is understood, as an alternative the Council could consider increasing the employer contribution element in order to offer a more generous pension to its employees. Example figures are shown in point 4.
b.	Employees should be encouraged to consider the long-term prospects for their pension and consider making additional payments in to the scheme, in their own right.

4.	Financial/Resource Implications
a.	The table below, provides figures showing council contribution varying from 5 – 24%

<i>Council Contribution %</i>	5% Current offering	7.5%	10% Proposed offering	12.5%	15%	20%	24%
<i>Staff Contribution %</i>	3%	3%	3%	3%	3%	3%	3%
Total Annual Cost to Council	£ 4,419	£ 6,629	£ 8,838	£ 11,048	£ 13,258	£17,676	£21,211

	The calculations have been made based on the number of employees who are currently eligible for auto-enrolment in the People's Pension WPP Scheme for 2020/21 at current rates. A rise in employer contribution does not have to have employee consent unless the council wishes to increase the employee contribution also. Current Budgeted Amount in Employers Pension (4504) Account - £7,500 Current Amount in Human Resources Ear Marked Reserve - £13,646
5.	Next Steps/Recommendations
a.	To increase the level of employer contribution from current 5% to 10%, with a review in six months' time.
b.	To write to employees, to make them aware of the option to make additional payments to their pension pots.
	Additional documents: n/a