

Kettering Town Council

MINUTES OF THE STAFFING COMMITTEE OF KETTERING TOWN COUNCIL
HELD AT KETTERING CONFERENCE CENTRE AT 5PM ON 13TH APRIL 2023

Councillors Present: Cllr Lloyd Bunday (Chair)
Cllrs Clark Mitchell and Sarah Tubbs

Officers present:- Martin Hammond, Town Clerk

No members of the public/press attended.

| Item Number | Description |
|----------------|---|
| SC22/07 | Apologies for absence None |
| SC22/08 | Declarations of interest Cllr Bunday declared an interest in item SC22/10 as CDR client of CDR who employ market staff at present on the Council's behalf were one of his clients. |
| SC22/09 | Minutes of the last meeting The minutes of the meeting on 5 TH October 2022 were confirmed as a correct record and signed. |
| SC22/10 | Experimental Market Superintendent Role A report was presented recommending the approval of a job description and person specification for an experimental role of market superintendent. This position had been agreed by the market and events committee to better manage the market in the light of complaints received about traders' layout, vehicle parking and overall interaction with building owners. The Market and Events Committee had agreed a financial ceiling for the role, which equated to 1.5 hours per market day on Fridays and Saturdays . The experiment would run for three months, to see if it had a positive impact on the way the market was managed and looked and to see if it reduced complaints. It was proposed that during the experimental period, the role be filled by the two people employed through CDR to erect stalls, and that, assuming the roles continued thereafter, that the Council would take their employment in house and go through a formal recruitment process. |

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| | <p>RESOLVED that</p> <ul style="list-style-type: none"> a) the job description be approved, b) the person specification be amended to remove reference to office based skills and c) that the roles be filled by extending the contract with CDR for the three months experimental period. |
| <p>SC22/11</p> | <p>Employment Policies</p> <p>Three draft policies were submitted for consideration. These policies had been generated after a request by Finance and Governance Committee that HR policies be reviewed and, in some cases created, to reflect the fact that the Town Council was now employing more staff .</p> <p>The polices were considered in turn</p> <p>Lone working policy – this had largely been drafted to recognise that events supervisors would mostly be working on their own, out of doors, when on duty. Members additionally asked if guidance on lone working for members was available.</p> <p>RESOLVED that the attached policy be adopted subject to item 6 being expanded to signpost staff to following the dashboard and policy.</p> <p>Health and Safety policy – to fill a gap in the Council’s suite of policies</p> <p>RESOLVED that the attached policy be adopted subject to separating out the lone working elements of it.</p> <p>Sickness management and pay policy – to fill a gap in the Council’s suite of policies and to deal appropriately with the different statutory rights applying to permanent and to casual staff</p> <p>RESOLVED that the attached policy be adopted</p> |
| | |
| | <p>Meeting closed at 5.30pm</p> |

Signed.....

Date.....

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KETTERING TOWN COUNCIL LONE WORKING POLICY

Who are lone workers and what do they do?

1. Lone workers are those who work by themselves without close or direct supervision. They include
 - a. People in fixed establishments where:
 - Only one person works on the premises, e.g. home workers
 - People work separately from others
 - People who work outside normal hours, e.g. event staff
 - b. Mobile workers working away from a fixed base for example on construction, installation, maintenance, repair or cleaning work
2. Working alone can introduce or enhance hazards for example – lack of assistance if needed, first aid cover, emergency situations, violent attack etc. There are inevitably tasks within the Council where staff work by themselves, including daily home working and frequently lone working may occur in the evenings and at weekends.

The Law

3. Lone working is not illegal but certain requirements must be satisfied before such an arrangement is operated. The Health and Safety at Work Act 1974 places a statutory duty on employers to provide a safe and healthy environment to staff and others affected by their undertakings. This includes lone workers. The Management of Health and Safety at Work Regulations 1999 places a duty on employers to undertake risk assessments for all work activities. This includes assessments of the particular risks associated with lone working.

Policy statement

4. The Council acknowledges there may be an increase in potential risks associated with lone working, and requires all such work to be subjected to risk assessments and adequate controls to minimise the risk. The policy applies to all sites and all staff who are recognised as lone workers.

Responsibilities

Managers

5. Managers should:-
 - a. Ensure a risk assessment has been completed.
 - b. Ensure appropriate control measures are in place,
 - c. Ensure staff are aware of this policy and follow it
 - d. Ensure staff have received appropriate training
 - e. Report any incidents using the incident reporting procedure.

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Employees

6. Employees should

- Familiarise themselves with the checklist and flowchart set out below, and follow this policy
- Report to their manager or supervisor any problems or difficulties that they are aware of caused by working alone
- Report any incidents using the incident reporting procedure

Further guidance

- HSE document INDG69L: violence to staff
- INDG73L: Working Alone in safety
- The Suzy Lamplugh Trust, www.suzylamplugh.org.uk
- Health and Safety Manager

Risk assessment

7. The Council carries out Risk Assessments for its activities and should ensure that any additional risks to lone workers are identified. Safe working arrangements should be devised and implemented to ensure that the risks are either eliminated or adequately controlled. The assessment should consider the following factors:

- a) Is it safe for the individual to work alone?
- b) Foreseeable emergencies. It must be recognised that a lone worker is more vulnerable when the unexpected occurs, for example: fire, illness, accidents and violence
- c) The fitness and suitability of the person to work alone. Will working alone require additional physical or mental stamina? Is there a medical condition that makes the individual unsuitable for working alone? Is that person competent?
- d) Has the necessary equipment been provided to make lone working and home working safe?
- e) When considering the workplace, the following questions should be considered:
 - Does the workplace present a special risk to the lone worker?
 - Is there a safe means of entry and exit into the workplace?
 - Is there a risk of violence?
 - Will cash or valuables be handled?
 - Is the worker vulnerable to sexual harassment or assault?
- f) Ensure that:
 - Lone workers have full knowledge of the hazards and risks to which they are being exposed
 - The lone workers know what to do if something goes wrong
 - Someone else knows the whereabouts of the lone workers and what they are doing

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8. The level of supervision for lone workers should be determined to ensure that it is consistent with the possible risks and that there is a system for maintaining contact.
9. The remoteness of the workplace should also be considered when assessing the risk to lone workers, for example:
 - Will the emergency services be able to approach close enough if necessary?
 - Is the length of time to do the job defined?
 - Is there adequate access to first aid?
10. Arrangements should be in place to protect or assist lone workers in the event of fire, accident, illness or an incident of violence
11. Lone workers should receive appropriate training to ensure that they are competent and able to deal with foreseeable problems
12. Staff should appreciate their responsibility for their own safety.
13. Lone workers should receive training in the use of any necessary tools and equipment, any increased risk to the lone worker from the use of such items should be identified in the Risk Assessment.

Control measures

14. The following practical guidelines should be applied :
 - a) Authorisation for lone working is required from their manager
 - b) Lone workers should provide their working hours and location to their line manager. This can be done by sharing team calendars to inform others of their whereabouts and duration at that location
 - c) Special arrangements should be considered to ensure the safety of pregnant workers working alone
 - d) Ensure a working telephone is available
 - e) Lone workers should not undertake dangerous work, for example using dangerous chemicals or operating dangerous machinery
 - f) When undertaking off site visits, the checklist below must be considered prior to the visit.

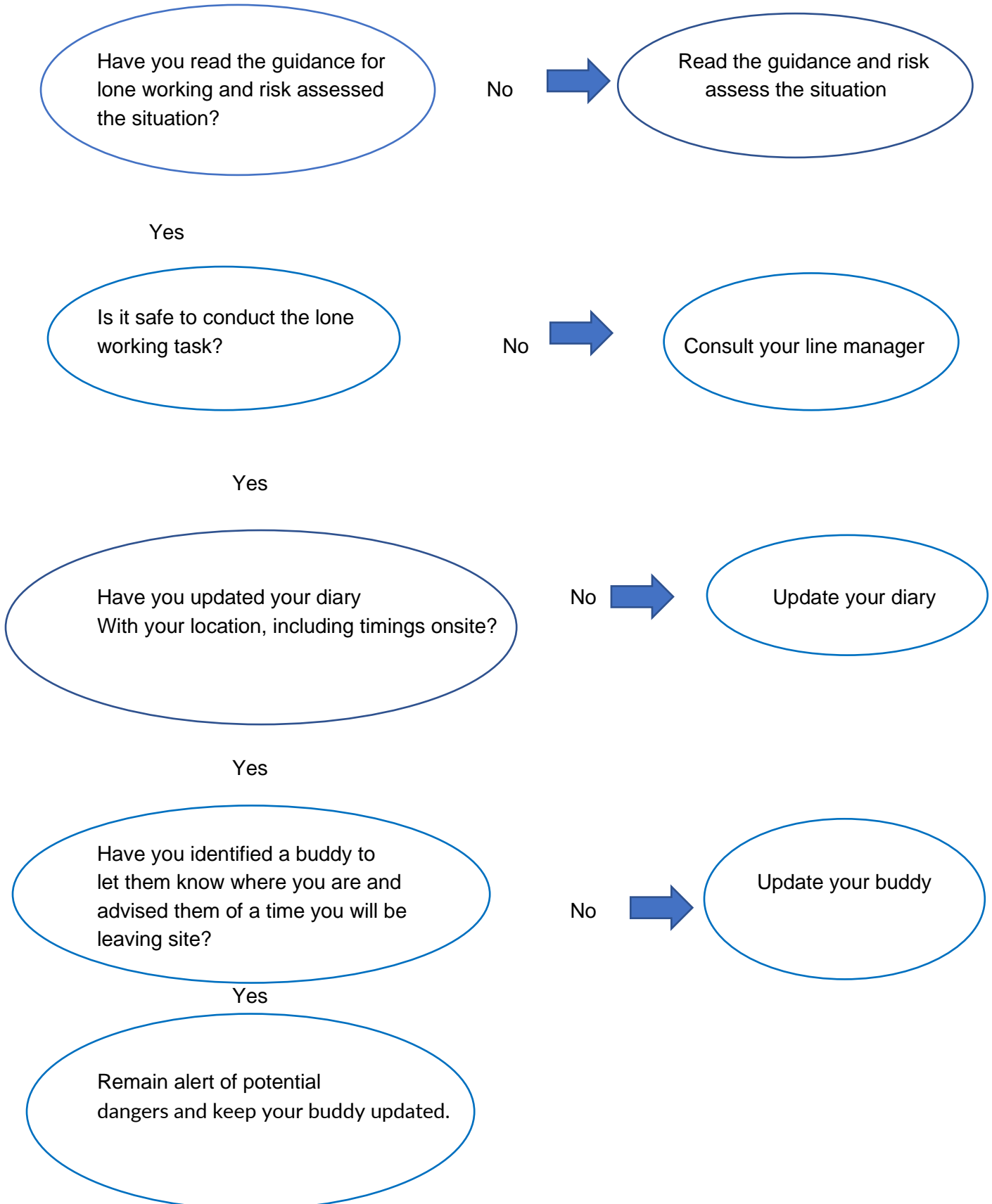
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Offsite checklist for lone workers

| | YES | NO |
|--|-----|----|
| Is there a risk of violence? | | |
| Is there safe access and exit for one person? | | |
| Is manual handling undertaken? | | |
| Is the employee medically fit to carry out the lone working tasks? | | |
| Is there first aid provision? | | |
| Can an emergency service approach close enough if necessary? | | |
| Is there a clear understanding on how long the work will take? | | |
| Are transport arrangements to and from the workplace adequate? | | |
| Is there a system for maintaining contact with the lone worker? | | |
| Is there cctv on the site being visited? | | |
| Are staff trained to deal with violence and aggression? | | |
| Are staff briefed about the areas they visit? | | |
| Do staff have all available information on those being visited? | | |
| Has an itinerary been left? | | |
| Have plans been made to keep in contact with colleagues? | | |
| Have staff the means to contact their manager? | | |
| Do staff know how to diffuse potentially violent situations? | | |
| Do staff know how to complete an incident form? | | |

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Lone worker-Employee flowchart



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KETTERING TOWN COUNCIL HEALTH AND SAFETY POLICY

Under the Health and Safety at Work Act 1974 an employer is required 'to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all its employees'.

This health and safety policy is designed to protect all of its employees, visitors, contractors, and to encourage safe working practices. This document explains the policy and the systems that have been set up, within the organisation, to make sure that the policy is working.

The Council has a separate policy on Lone Working.

POLICY

Statement

Kettering Town Council accepts its responsibility as an employer to pursue a policy which ensures, so far as is reasonably practicable, the health, safety and welfare of all employees, contractors, visitors and users of premises, and others who may be affected by the council's activities, and declare their intention to meet the requirements of the Health and Safety at Work etc. Act 1974, The Management of Health and Safety at Work Regulations 1999 and all other relevant statutory provisions.

The Town Council will continue to ensure that its policy, legal obligations and experience are applied effectively throughout the council where it has legal obligations.

The Council recognises that accident prevention is an essential element of good work practice and that its pursuit benefits the efficiency of the council's operations, as well as the welfare of its employees. It is recognised that effective prevention of injury and damage requires commitment at every level.

Objectives

The Town Council's objectives in this respect are to:

- 1.4.1. Provide and maintain workplaces which are without risk to the health and safety of any employee, contractor, visitor, or user of premises.
- 1.4.2. Provide a working environment of a standard which will ensure the health and safety of its employees and other persons who are likely to be affected by the council's activities.
- 1.4.3. Assess the risks to the health and safety of employees and of anyone else who could be affected by its work activities, record the significant findings of such assessments and make them available to employees, contractors and users of premises. The compilation and implementation of practical codes of safety and health practice and conduct will be based on these risk assessments.

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- 1.4.4. Provide, where appropriate, equipment, tools and plant which are safe and without undue risk to health.
- 1.4.5 Institute procedures for the reporting of defective equipment or other hazardous conditions, and for the rectification of such defects.
- 1.4.6. Make proper arrangements for the safe use, handling and storage of all articles and substances used by the Council.
- 1.4.7 Promote the instruction and training of employees in matters of health and safety, so as to enable them to recognise and avoid hazards at work.
- 1.4.8 Inform employees, contractors, visitors and users of premises of the risks associated with its work activities by means of notices and instructions, and to clearly describe the work methods necessary to minimise the likelihood of injury or of adverse effects on health.
- 1.4.9 Provide and maintain, where appropriate, safety equipment and protective clothing and ensure that employees are informed of their obligations in respect of its use.
- 1.4.10 Provide first aid equipment, facilities and training, and to make such other emergency provisions as are necessary to ensure the Health and Safety of all employees, visitors and others allowed access to the council's premises.
- 1.4.11 Institute a procedure for the recording of all accidents and instances of ill health occurring as a result of the Council's activities and ensure that such incidents are investigated.
- 1.4.12 Provide satisfactory welfare and amenity facilities and make such arrangements as may be necessary to ensure the welfare of employees whilst at work.
- 1.4.13 Advise all employees, contractors and users of premises of their obligations in health and safety matters, and of the penalties for acting in such a way as to endanger the safety or health of themselves or others.
- 1.4.14 Allocate responsibility for oversight of health and safety matters to the Council's Staffing Committee
- 1.4.15 Ensure that accident prevention within is an integral part of operational management and is supported by a competent advisory service.
- 1.4.16 Ensure the proper direction and control of all persons other than employees allowed access to the council's workplaces and premises and ensure they are not put at risk by the council's activities.
- 1.4.17 Control the use of contractors, and ensure that contractors work to safety rules at least of the same standard as those laid down through this policy;
- 1.4.18 Arrange for health and safety inspections of all premises and other areas at regular intervals, with reporting of findings and recommendations to the Council.

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1.4.19 Maintain arrangements with employees for consultation and participation in matters relating to their health and safety.

1.4.20 Keep the health and safety policy statement under review

Organisation and responsibilities

The Council will:

- a) Consider any trends and issues likely to affect the council.
- b) Monitor the health and safety performance of the council and compliance with legislation.
- c) Promote a positive health and safety culture within the council.
- d) Ensure that adequate resources are available to discharge the council's health and safety commitments.
- e) Where necessary, give assistance to the Town Clerk in carrying out inspections in the interests of effective Health and Safety management;
- f) Undertake safety inspections, investigation of accidents, incidents, near misses, and other dangerous occurrences and forward reports of legally notifiable cases of disease to the appropriate authority.

The Town Clerk, on behalf of the Council, is to co-ordinate the implementation of the health, safety and welfare policy. The Town Clerk will:

- a) Advise on planning and development of health and safety training to meet the council's requirements.
- b) Advise on prevention of injury or ill health to the Staffing Committee .
- c) Advise on legal requirements affecting health, safety and welfare, and implementation of the council health, safety and welfare policy.
- d) Maintain a central record containing relevant Statutes, Approved Codes of Practice (ACOPs), guidance notes, certificates, risk assessment reports, terms of reference, accident reports and investigations.
- e) Foster at the work place an understanding that injury prevention and damage control are an integral part of council business and operational efficiency.
- f) Make arrangements for carrying out suitable and sufficient risk assessments in relation to work activities to eliminate control risk to the health and safety of employees.
- g) Ensure that all employees are fully aware of, and instructed in their responsibilities as imposed by regulations, codes of practice and council procedures, and take steps so far as is reasonably practicable to ensure that they are properly implemented.

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- h) Ensure that all works carried out on council premises and all plant, machinery and equipment complies with statutory requirements and approved or agreed standards.
- i) Ensure that where the council has supplied or commissioned labour to erect or install equipment of any nature, the erection or installation is of a high standard and complies with the codes of practice and current regulations.
- j) Ensure that employees are conversant with the council's accident or damage reporting procedures and the Reporting of Injuries, Diseases and Dangerous Occurrences as specified by regulations. Also ensure that the cause of any accident and or, dangerous occurrence is thoroughly investigated and that effective follow up action ensues.
- k) Provide adequate first aid supplies and facilities in accordance with current regulations, and ensure that a responsible person is appointed to take control of the situation.
- l) Ensure that statutory notices as required are displayed and that all statutory registers are provided and used.
- m) Ensure that periodic statutory tests, inspections and where applicable maintenance of premises are carried out and the appropriate records kept.
- n) Make available and enforce the use where necessary of safety equipment and protective clothing, in accordance with current regulations.
- o) Ensure that all employees are competent to carry out their duties safely having received adequate information, instruction and training and where necessary that they hold a valid certificate of competence.
- p) Ensure that all employees are properly supervised and have been instructed and trained with regards to specific regulations and the relevant system of work and adequate training records kept.
- q) Ensure that regular consultation with the workforce takes place.

All **employees** are to take reasonable care of their own safety and that of any one else who may be affected by their work activities and are required to cooperate with Wellingborough Town Council in the fulfilment of its duties with regard to health, safety and welfare at Work. Each employee, therefore, will be responsible for:

- a) Making themselves familiar with and conforming to relevant health and safety instructions at all times.
- b) Not interfering with or misusing anything provided in the interest of health, safety and welfare.
- c) Reporting to the Town Clerk incidents that have led to, or may lead to, injury or damage.
- d) Assisting as required in the investigation of accidents or incidents.

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e) Wearing the appropriate protective equipment where required.

Arrangements

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| Risk assessment |
| Contract workers |
| Accident reporting |
| First aid |
| Fire safety |
| Control of substances hazardous to health (COSHH) |
| Electricity at work |
| Workplace welfare |
| Display screen equipment |
| Personal protective equipment |
| Manual handling operations |
| Provision and use of work equipment |
| Lone working |
| Stress |
| Young and older employee health and safety |
| Work at height |

This is an example list of arrangements and is not exhaustive.

Risk assessment

The Management of Health and Safety at Work Regulations impose wide ranging responsibilities on the Town Council including the requirement to assess the risk to health and safety to employees and others

The Town Council will carry out risk assessments in accordance with the Approved Code of Practice (ACOP) and published guidance.

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General risk assessments will be carried out on all Council workplaces and on all activities and events organised by the Council. Risk Assessments will be carried out involving employees who are familiar with the work areas.

Risk Assessments will be used to determine where action is required to achieve or maintain adequate control of risks. Any action taken will be in accordance with the principles of prevention detailed in the Management of Health and Safety at Work Regulations.

Namely by;

- Avoiding the risk.
- Evaluating and reducing the risk as far as reasonable practicable.
- Combating the risks at source.
- Adapting the work to the individual.
- Adapting to technical progress.
- Replacing the dangerous with none or less dangerous.
- Implementing safe systems of work.
- Providing adequate personal protective equipment.
- Providing appropriate information, instruction & training.

The Town Clerk and Deputy Town Clerk are responsible for:

- a) Ensuring that all appropriate risk assessments are carried out, recorded and reviewed periodically.
- b) Ensuring that risk assessments are suitable and sufficient and accessing competent health & safety advice where required.
- c) Ensuring that action is taken to adequately control risks to health & safety identified by the assessment.
- d) Implementing, monitoring and reviewing preventative and protective measures such as safe systems of work.
- e) Ensuring that employees are kept adequately informed of risks to health & safety and control measures provided.
- f) Ensuring that contractors or visitors who may be exposed to risks are adequately informed of the risks and any precautions or preventative measures.
- g) Holding copies of Risk Assessment documents.
- h) Ensuring that emergency procedures are in place and are formally recorded.
- i) Ensuring that appropriate information, instruction and training is provided.

All employees have a duty to:

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- a) Take reasonable care for their own and others Health and Safety.
- b) Use all work items in accordance with training and advice.
- c) Co-operate with their employer with regard to Health and Safety matters.
- d) Report accidents and dangerous incidents.
- e) Notify their employer of any shortcomings in Health and Safety arrangements.

This section can cross reference with other risk assessment documentation. For example;

The Town Council's Risk Assessments are held centrally by the Town Clerk. Copies of Risk Assessments and safe systems of work are provided to relevant employees, volunteers and contractors.

Contract workers

It is the Town Council's policy that when contractors are used, they will represent the Council in the same way as direct labour and are required to work to the Council's Policy.

The Town Clerk is responsible for the appointment of competent contractors. Competence is assessed by checking relevant insurance policy cover, qualification and experience, contractor references and establishing safe methods of work before work commences. Records of competency checks are retained as per record keeping policies.

Arrangements are made to ensure that they are acquainted with, and adhere to, the council's safety policy, and any other procedure or special instructions which may be in force relevant to specific operations. In particular, work is monitored periodically for safety and quality. Where appropriate a formal record of checks carried out is retained.

A copy of the safety policy and other relevant information is given to the sub-contractor upon acceptance of terms and conditions of the contract agreement.

Adequate supervision will be necessary to complement the provision of information, instruction and training if required ensuring that the council's policy is strictly adhered to.

The council's approved accident reporting form shall be used for the reporting of all accidents whether to property, employee or general public there to be no exceptions.

Further to the above it is a requirement to report all accidents, however minor. Serious accidents or major incidents should be reported immediately to the Town Clerk by telephone.

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Should a contractor use a sub-contractor for any works it is a requirement under the Health and Safety at Work etc. Act 1974 for sub-contractors to conduct their work activities in such a way as to ensure that other persons are not exposed to risks to their health and/or safety.

Market Traders

1.21. Any person hiring a stall or pitch from the Council in order to trade on a general or specialist market shall supply the Council with evidence that they hold current public liability insurance to a sum of at least £5m.

1.22. Any market trader should conduct themselves in such a manner as not to damage the Council's equipment or to put the public or their own personnel at risk from their activities. Failure to do so shall potentially lead to their being banned from markets in the future.

Accident reporting

1.23 When an accident/incident occurs, injuries must receive prompt attention, and any immediate danger should be alleviated. The Council's accident book and or the RIDDOR accident report form will be completed by the Town Clerk.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) and the Social Security Act 1975 require organisations to record accidents/incidents and also to investigate and report to the nearest office of the Health and Safety Executive (HSE) accidents which result in the following:

- Fatalities.
- Specified major injuries (see RIDDOR leaflet).
- Employees being absent from work for more than 3 days.
- Reportable industrial diseases (see RIDDOR leaflet).

All accidents are investigated, and preventative measures implemented where appropriate. Any relevant risk assessments are also reviewed by the Town Clerk.

Employees' responsibilities

All employees are instructed at induction, of the requirements to report all accidents/near misses occurring to themselves, members of the public, volunteers or contractors in the nearest accident book and to bring the accident to the attention of Town Clerk. Employees must also ensure that everything possible is done to minimise damage, particularly injury to persons. Therefore:

- Obtain first aid treatment for the injured person.
- Ensure that the accident/incident is reported to the Town Clerk.
- Record the accident/incident by filling in the accident book and completing a copy of the Council's incident report form

Employers responsibilities

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The Town Clerk is to:

- Establish whether the circumstances or the result of the accident/incident are immediately reportable under RIDDOR as a major injury or as dangerous occurrence.
- Investigate the accident/incident and ensure that all necessary steps have been taken to prevent any immediate further injury or damage to property.
- Ensure that an entry in the accident book has been made.
- Take what steps are necessary to remedy the cause of the accident/incident to prevent a reoccurrence.
- Ensure that if an injured employee is absent from work, or unable to carry out their normal work for more than 3 days (not including the day of the accident) Form F2508 is completed and sent to the nearest office of the Health and Safety Executive (HSE) within 10 days of the accident.

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Kettering Town Council - Sickness Management and Pay Policy

Introduction

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

The Council employs two categories of employee:-

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

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

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

Managing sickness

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

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

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

The employee, on return to work should, as soon as practicable, complete a review with their manager, to establish the likely cause of the sickness, to identify any underlying conditions which might affect their ability to fulfil their duties and agree

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any actions which would help manage their well being in future. The review should be minuted and signed by employee and manager.

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

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

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

Sick pay -permanent Staff

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

Employees are entitled to receive sick pay for the following periods

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

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

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

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Any entitlement to sick pay under this scheme will be on a rolling twelve month period. If an employee is entitled to full pay, then this will be inclusive of Statutory sick pay. However, if an employee is entitled to a period of half pay, then this half pay will be in addition to SSP, provided the total payable to the employee does not exceed normal pay.

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

Sick pay -casual Staff

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

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

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

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

Employees do not qualify for SSP if they:

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