

# LOCAL SCHEME OF CONDITIONS OF SERVICE

**The Scheme is the first point of reference for conditions of service for employees formally employed under APT&C or Manual Worker conditions of service. It replaces the former Local Scheme of Conditions of Service for APT&C staff and local conditions for Chief Officers and the Chief Executive.**

This document applies to all County Council employees employed under NJC for Local Government Services conditions of service.



# LOCAL SCHEME OF CONDITIONS OF SERVICE FOR LOCAL GOVERNMENT EMPLOYEES

EFFECTIVE DATE OF AGREEMENT 1ST APRIL 1999

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## **PROVISION**

The Local Scheme of Conditions of Service for Local Government Services is effective from 1 April 1999.

Where local conditions have not been agreed, the appropriate section within the National Joint Council for Local Government Service, National Agreement on Pay and Conditions of Service will apply.

## **SCOPE**

As indicated in their terms and conditions documents, employees are appointed subject to the National Joint Council (NJC) for Local Government Services National Agreement on Pay and Conditions of Service Part 2 (referred to as the National Agreement). This Local Scheme is to be read in conjunction with the National Agreement (and in some parts replaces its provisions), and the local Agreement on Single Status.

These conditions of service have been agreed with those trade unions recognised for the NJC for Local Government Services' employees, ie UNISON, GMB and T&GWU. It replaces conditions of service of the former NJC for APT&C services, the NJC for Manual Workers, the former Local Scheme of Conditions of Service for

APT&C staff and local conditions of service for Chief Officers and the Chief Executive.

**Notes:**

'Employee' means full time and part time employees who have a contract of employment with the County Council.

Governing Bodies in schools with delegated budgets are responsible for equal opportunities, discipline and dismissal and grievance procedures. The conditions of service relating to these matters will be given to new appointees or are available from the headteacher.

Where terms and conditions of service for some other employment groups are silent this Local Scheme applies.

## **REVIEW**

This Scheme may be reviewed as part of a wider review of the local Agreement on Single Status.

## **EQUALITIES**

Lincolnshire County Council is an equal opportunities employer. The County Council's policy aims to ensure that no employee or job applicant receives less favourable treatment on the grounds of race, colour, nationality, ethnic or national origins, religion or belief, gender, gender reassignment, sexual orientation, marital status, civil partnership status, disability or age, or is disadvantaged by requirements which cannot be shown to be justifiable.

## **DEVELOPMENT AND TRAINING**

The aim of this policy is to demonstrate the importance of learning and development to Lincolnshire County Council in achieving its goals and to make available to all employees the necessary experience, skills, knowledge and competence required to enable them to do their job effectively; develop their potential and their performance; and provide quality, value for money, services to the people of Lincolnshire.

Time off for training and study leave and reimbursement of appropriate fees and expenses will be given in approved cases. When on training courses outside their contracted daily hours, part time employees shall be paid on the same basis as full time employees or given time off in lieu. As a condition of financial assistance employees may be required to repay a proportion of expenses incurred if they leave the County Council within a period of two years after completing training. Details of the circumstances in which this may be required will be made clear before any commitment to training is made.

## **HEALTH AND SAFETY**

### **General Statement of Health and Safety Policy**

The Council recognises that good health and safety management supports the delivery of our services to the people of Lincolnshire.

Lincolnshire County Council is committed to providing and maintaining a healthy and safe working environment for all its employees, and in ensuring that their work does

not adversely affect the health and safety of other people such as service users, visitors and contractors.

In order to achieve this aim the Council has the following key objectives:

- as a minimum, to comply with requirements of relevant legislation;
- to identify hazards (the potential for harm), assess risks (the likelihood of that harm being realised) and manage those risks;
- to ensure that employees (and others as appropriate) are adequately informed of the identified risks and where appropriate receive instruction, training and supervision;
- to consult with employees' representatives on health and safety matters;
- to provide and maintain safe and healthy premises and work equipment;
- to ensure that employees are competent to do their tasks, providing training where necessary;
- to ensure that contractors are competent to manage the health and safety aspects of their work;
- to maintain appropriate health and safety management systems and arrangements;
- to monitor and review the effectiveness of the safety management systems and arrangements and where appropriate implement improvements

### **Protective Clothing**

Protective clothing will be provided and maintained by the County Council where it believes it is necessary to comply with health and safety legislation. See Employee Leaflets [POEL7](#), [POEL20A](#), [POEL20B](#), and [POEL26](#).

### **Medical Clearance**

All appointments are subject to the County Council being satisfied on medical advice that the employee is medically suitable for the job offered.

### **Injury Award Scheme**

Employees including relief employees who sustain injury resulting in permanent disablement or die as a result of anything they were required to do in carrying out their work may qualify for an award under this scheme. Details of the Injury Award Scheme are available from the Finance Division. It is essential that in all cases the formal reporting and investigation procedures are followed. See [Injury Award Scheme](#).

### **First Aid Allowance**

Employees who are designated 'First Aiders' for specific work locations will be paid an allowance of £104 per annum. First Aiders must hold a current recognised certificate in accordance with health and safety legislation. Employees who are designated Emergency First Aiders or Appointed Persons must have attended an emergency first aid course but are not required to hold a recognised first aid certificate. Emergency First Aiders will be paid an allowance of 50% of the First Aider's allowance.

The number of trained First Aiders or emergency First Aiders required will be assessed by the manager of the work location in accordance with the County Council's guidelines and appropriate training and regular updating will be provided.

## **PROBATION**

All new employees to Lincolnshire County Council are subject to a six month probationary period before an appointment is confirmed. This may be ended earlier or extended following discussion with the manager and employee concerned.

One month's notice period, from either an employee or the County Council, will be required in writing, during the probationary period to terminate employment.

## **PAY AND GRADING**

### **Pay**

The nationally negotiated pay spine will apply from 1 April 1999. Thereafter nationally agreed pay bill increases will be honoured and work will be undertaken jointly with the relevant trade unions to explore local flexibility in the distribution of such increases.

### **Progression**

Incremental progression will apply to employees covered by the former NJC for APT&C staff until a new framework for pay is agreed. The position of former Manual Workers is unchanged. Both groups will be covered by the new pay structure which will include grades comprising of a number of points on the agreed pay spine. The means of progression will be the subject of discussion and agreement with the relevant trade unions and will reflect the principles set out in the local Agreement on Single Status.

### **Payment of Salaries**

Salaries for all new appointments which take effect from 1.4.99 will be paid each calendar month on a date not later than the 23rd day of the month in respect of which the payment is made. Employees who are currently paid weekly or four weekly will be transferred to monthly pay by 1 April 2000 at the latest.

Payment will be by bank credit direct into a bank account.

Trade union subscriptions are, with employees' agreement deducted from salary, payments and subscriptions so collected are paid to the union on a monthly basis.

### **Job Evaluation**

All posts will be graded in accordance with the job evaluation scheme in force.

### **Appeals**

Employees may appeal against a grading decision in the first instance on an informal basis to their Director and subsequently to the County Council's Appeals Sub-Committee.

### **Working at a Higher Level**

Employees temporarily working in a job which is normally graded on a higher level may be paid on a higher point on the pay spine for that period.

### **Honoraria**

An honorarium payment may be made for exceptional or special work undertaken on a short term basis.

## **Residential Accommodation**

All rents and charges for residential accommodation and services are assessed by the County Council's Valuer and deducted from salary. The assessment is based on type of property, size, and location, standard, access to facilities and whatever services (heating, lighting, laundry etc) are provided.

## **Meals and Accommodation Charges**

### *Meals Taken*

There will be an abatement of wages of 1.5p off the hourly rate in respect of catering staff taking meals.

### *Meals Provided*

Free meals will be provided where employees are required to take meals with clients in performance of their duties.

### *Charges for Staff in Residential Establishments*

Charges will be made for lodging, laundry, board and meals for resident employees to be deducted from wages. Rates will be updated in line with inflation.

## **PAYMENT OF SUBSCRIPTIONS**

Lincolnshire County Council will pay for approved subscription costs that arise from membership of a national, regional or area professional organisation which has a direct benefit to the work of the County Council, provided that the objectives of the organisation do not include improvement of the pay, status or conditions of employment of its members. Employees should submit invoices from their professional association to their line manager for LCC to pay directly up front.

## **PROVISIONS FOR RETAINED EMPLOYEES**

### **School Crossing Patrol Attendants and Catering Staff in Schools**

Annual leave will normally be taken during school holidays. Alternative arrangements may be agreed locally. Payments for annual leave will be pro-rata to comparable full-time employees.

In addition to the provisions set out in the Agreement on annual leave, and public and extra-statutory holidays there shall be an entitlement to:

- payment for days when the school is closed during the term owing to exceptional circumstances such as elections, emergencies and the like, at full rate
- in the case of school meals employees only, not more than three additional days in each year may be granted for school closures during term time on account of half term and other permitted official holidays. Payment at full rate shall be made for any such additional days. Employees required to work on any such additional days are to be given time off in lieu at a later date, or if this is not practicable, payment shall be at double time rates
- in respect of the remaining periods of the year when the school is closed employees are entitled to a retainer payment calculated at the rate of one half of the employees normal weekly pay.

In respect of the remaining periods of the year when the school is closed employees are entitled to a retainer payment calculated at the rate of one half of the employer's

normal weekly pay immediately prior to the school closure concerned, subject to the following conditions:

- employees must undertake to return to work at the end of the school holiday period
- employees called upon to work during any part of this period shall be paid plain time rates for the hours worked and the retaining fee shall cease for that part of the period
- any employee undertaking alternative holiday employment with the same authority on the same or better pay is not entitled to the retainer pay in respect of such a period of additional employment

Employees who are unable to work due to sickness absence will be treated in accordance with the sickness provisions as set out in the paragraph 'SICKNESS SCHEME'. Their entitlement to sick pay is as set out in the NJC National Agreement and will be based on their normal equated salary.

### **Teaching Assistants**

Teaching Assistants in Community Schools, or a Foundation or Aided School who have adopted the Lincolnshire County Council Teaching Assistant Framework.

The terms and conditions for this group of employees are contained within the Lincolnshire County Council Teaching Assistant Collective Agreement.

A protected allowance in accordance with the National Agreement will be paid to Teaching Assistants working with children with statements of special educational needs or working in special schools who were appointed prior to 1.9.98.

### **Nursery Employees and Ancillary Assistants**

Nursery Employees and Ancillary Assistants in Foundation or Aided School where the Lincolnshire County Council Teaching Assistant Collective Agreement has not been adopted.

Nursery employees include nursery nurses and nursery assistants working in nursery classes and nursery schools:

- nursery employees are to be regarded as full-time employees if regularly employed for ten sessions or more per week (including lunch breaks where worked) during the school term or, where a sessional basis is inappropriate, for 32.5 hours (including lunch breaks where worked)
- the right of the employer to require further work outside normal school hours is subject to payment at the plain time rate (based on 1/32.5 of weekly pay) or at the overtime rate of 1.5/32.5 for hours worked beyond the standard working week
- nursery employees employed full time should be available to work for 195 days in any year, of which 190 days will be days on which pupil contact is required

These conditions also apply to ancillary assistants working with statements of special educational needs of working in a special school and ancillary assistants working in classrooms up to the age of seven.

A protected allowance in accordance with the National Agreement will be paid to Teaching Assistants working with children with statements of special educational needs or working in special schools who were appointed prior to 1.9.98.

## **FEES**

Fees received from the press, radio, television or from writing books or articles, or from giving lectures concerned with an employee's work should be notified to People Services, HBS so that an appropriate deduction from salary may be made unless annual leave has been taken to carry out this work.

## **SALARY PROTECTION**

Where an employee accepts a post on a lower grade as result of a restructuring or change in the workforce personal salary protection will apply on the following terms:

- for a maximum period of two years
- with a limit on the maximum protection available of £3000 (to the nearest SCP)
- with the existing salary being immediately frozen (ie pay awards and increments will not be paid until or unless the substantive grade maximum exceeds the protected salary)
- after two years the salary paid will be adjusted to that payable at the maximum of the substantive grade

## **DISTURBANCE PAYMENTS**

Where there is a change or disturbance of work base which requires relocation the Council's Relocation Scheme will apply.

Where disturbance requires additional travelling, a lump sum payment will be made in complete recompense. The lump sum will be payable in two annual instalments, the second being payable only if the additional travelling is still required. The lump sum will be calculated on the basis of the appropriate band A Essential User rate (taking into account annual mileage) X (the journey excess x 2) X 225 journeys X 2 years and will apply to all employees except those with a Provided Car for whom separate provisions will be made.

## **LONG SERVICE AWARD**

Employees who have completed 20, 35, and 40 years continuous service with Lincolnshire County Council and its predecessor authorities will receive a long service award.

(Note the Fire Brigade have a separate scheme for their employees).

## **TRAVELLING**

It is expected that employees will use the most cost effective and environmentally friendly mode of transport whilst recognising that this may require some judgement in balancing both factors. See the [Travel and Subsistence Allowance Policy](#) and the [Travel and Subsistence Allowance Rates](#).

### **Provided Cars**

The County Council has a Car Contract Hire scheme under which the County Council will provide cars to eligible employees within the scope of the scheme, which can be used for business and private travel. The contract period will normally be for four years, but other periods can be considered.

### **Essential Users**

Employees who, on the basis of an estimate by their line manager, will travel 2500 business miles each year will be designated essential car users and the appropriate rates set out in [Travel and Subsistence Allowance Rates](#) the will apply.

## **Casual Users**

Employees authorised to use their own car for official purposes but who are not an essential user will be designated casual car users and the appropriate rates set out in [Travel and Subsistence Allowance Rates](#) will apply.

## **Other Travel Rates**

These are set out in [Travel and Subsistence Allowance Rates](#).

## **Two Way Radios in Private Cars**

Employees who have a two way radio installed in their private car will be paid an allowance of £50 when the radio is installed. The cost of installation and removal of the radio is to be paid by the County Council.

## **REIMBURSEMENT FOR MEALS AND OVERNIGHT STAYS**

Meals costs, as a general rule, are the responsibility of the employee, whether at or away from the working base. However, if work demands are such that an employee necessarily expends more than s/he would normally, then the additional expenditure will be reimbursed, provided there is prior line management approval and submission of receipts.

Where an overnight stay is required, costs of accommodation and meals together with any further out-of-pocket expenses should be discussed with, and approved for reimbursement by the line manager before they are incurred.

## **ENTERTAINMENT OF VISITORS**

Employees may be reimbursed the actual costs of entertaining visitors on County Council business providing approval has been obtained from the manager.

## **REIMBURSEMENT OF INTERVIEW EXPENDITURE**

Reasonable expenses for interview will be paid including mileage at the Band A Essential User petrol element rate, or the reimbursement of the cost of public transport, after the appointment has commenced.

## **HOMEWORKING**

Employees who are authorised to work from home may be provided with equipment by the County Council. Such equipment is only to be used for business purposes and must be returned on leaving the post or the County Council. Homeworkers must comply with the Health and Safety and IT Security policies and ensure that proper insurance cover is provided. Where any additional costs of homeworking are not met by an inclusive rate of pay for employees who are contractually required to use their home as the work base, an office allowance will be payable in accordance with the County Council's Office Allowance policy. See the [Homeworking Policy](#) for further information.

## **TELEPHONE REIMBURSEMENT**

Employees who due to the nature of their work need to be contacted out of normal hours or are away from the workplace frequently may be supplied with a mobile telephone or with a telephone line at their home which is for County Council business purposes only. In these circumstances the cost of the line rental and business calls will be reimbursed.

## **WORKING WEEK**

The standard working week for all full time employees (except nursery and related employees contracted to a 32.5 hour week) is 37 hours which are to be arranged to meet service needs taking into account the County Council's policies on flexible working.

## **WORKING ARRANGEMENTS**

The provisions of the National Agreement Part 3 Section 2.3 (a) - (f) apply subject to the following:

Overtime is defined as being hours worked beyond the 37 hour working week. Part time employees who work additional hours up to 37 hours will be paid at plain time for those hours. All employees who work beyond 37 hours will be paid at the following rates:

- for the first two hours at plain time
- beyond two hours at the prevailing rates set out in Part 3 Section 2.3 (a) - Additional Hours in the National Agreement

In respect of other working arrangements the provisions of Part 3 Section 2.3 (b) to (f) will be reviewed locally and replaced by agreed inclusive rates of pay.

Until agreement is reached arrangements for Saturday and Sunday working, night work, public and extra statutory holidays and sleeping in duty will be as contained in paragraphs (b-e) of Part 3 Section 2.3 of the National Agreement and arrangements for other non standard working patterns covered in paragraph (f) will be as contained in the former NJC conditions of service.

## **SITE ALLOWANCES**

Employees in the Development Directorate, eg Highways and Planning, who are required to be temporarily based on site and to carry an exceptional burden in terms of hours worked and endurance of all-weather conditions in construction and/or engineering works may be paid a site allowance for a period when they are site based in substitution of overtime arrangements.

### **Scales of Payment**

<b>Additional Hours Worked Per Week</b>	<b>Allowance</b>
3½-7	4 percent of salary
7½-9	10 percent of salary
9½-11	16 percent of salary
11½-14½	24 percent of salary
15-18½	34 percent of salary
over 18½	44 percent of salary

### **Notes:**

Extra time of less than half an hour on any day will be discounted.

Only complete half hours will be counted for payment.

Where the nature of the job makes it likely that work will exceed 18½ additional hours per week over a sustained period of four weeks or more, the Director of Development may recommend remuneration on the basis of planned overtime instead of the above allowances.

## LEAVE

### ANNUAL LEAVE

#### Leave Year

The leave year normally runs from 1st April to 31 March but may be varied to suit service needs.

#### Entitlement

The annual leave entitlement in working days is as follows:

Employees with less than 5 years' continuous Local Government Service	Employees with 5 years or more continuous Local Government Service	
Up to and incl pay point 21	23	28
Pay points 22-28	24	29
Pay points 29-40	27	32
Pay point 41 and above	28	33
Directors	30	35
Chief Executive	33	38

#### Notes:

The timing of all leave is subject to the approval of the manager.

The figures quoted assume a five day working week and will be adjusted for employees working more or less than 5 days each week.

Employees may carry forward to a following year or bring into a current year up to five days of their leave entitlement. Additional days may be transferred with the approval of their manager.

The leave entitlement is inclusive of the three concessionary and extra statutory days previously provided for in each year (usually the Tuesdays following the Easter, Spring and Autumn bank holidays).

### LEAVE AT BANK AND PUBLIC HOLIDAYS

Paid leave will be granted on nationally declared Bank and Public holidays subject to the needs of the service, these are currently:

- New Years Day
- Good Friday
- Easter Monday
- May Day Holiday
- Spring Bank Holiday
- Summer Bank Holiday
- Christmas Day
- Boxing Day

## **SPECIAL LEAVE**

### **Special Leave for Family or Personal Reasons**

Leave with pay may be approved for those occasions when employees need time off for family or personal reasons. This may be for:

- reasons where there has been a close relationship with someone who has died, is ill, is injured, or assaulted or gives birth
- specific caring responsibilities
- family emergencies
- personal reasons

Where employees are operating within a flexible working hours scheme it may be possible to meet their needs under the terms of the scheme. If this is not possible then up to 10 working days paid leave may be approved in any twelve month period. In exceptional circumstances additional paid leave may also be approved. See the [Special Leave Policy](#).

Managers may also approve reasonable periods of unpaid leave for family or personal reasons.

These conditions of service supplement the statutory right to:

- reasonable unpaid time off from work for dependants (spouse, civil partner, child, parent, someone living in the same household or someone who reasonably relies on the employee) for caring responsibilities, or where arrangements for care unexpectedly breakdown
- parental leave for employees with one year's service, of up to 13 weeks unpaid leave for each child born on or after 15.12.99 (i.e. 26 weeks for twins) , to be taken over the first five years of the child's life or for parents of a disabled child over a longer period until the child's eighteenth birthday

### **Adoption Leave**

Adoptive parents, subject to qualifying conditions are entitled to up to 52 weeks adoption leave. For further details please see [Adoption Leave Policy](#).

### **Maternity Support Leave**

Maternity Support Leave of 5 days with pay shall be granted to the partner or nominated carer of an expectant mother at or around the time of birth. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth. Details are contained within the [Maternity Leave Policy](#).

### **Paternity Leave**

Paternity Leave is a statutory right, subject to qualifying conditions, to enable the father of the baby, including adoptive father's, the mother's husband or partner to have one or two consecutive weeks leave within 56 days of the birth. Details are contained within the Paternity Leave Policy.

### **Maternity Scheme**

The provisions for maternity leave and pay are contained in the [Maternity Leave Policy](#) and the [Maternity Leave employee guidance](#).

## **Leave for Public Duties**

Employees may be granted reasonable time off with pay to enable them to carry out public duties such as a Member of the following public bodies as defined in legislation:

- a local authority
- a statutory tribunal, public committee or similar body when appointed or nominated by a Minister of State, the County Council or an association of which the County Council is a member
- a police authority
- a board of prison visitors or a prison visiting committee
- a relevant health body
- a relevant education body
- the Environment Agency
- Justice of the Peace
- Chairman of a Local Authority or Mayor

or

- where requested to give their services voluntarily for activities in which their knowledge skill experience or judgement would be of particular value to the community or organisation concerned

Volunteer members of the Non Regular Forces who attend Summer Camp will be granted two weeks leave with pay additional to their normal leave entitlement.

Employees wishing to take leave to undertake public duties must first obtain prior approval from their manager and agree the amount of leave allowed in any one year. Leave will be approved subject to the needs of the service. Employees who work within a scheme of flexible or annualised hours will be expected to use these arrangements where possible. Where an employee is entitled to claim reimbursement of salary for the time lost from any other source, the leave will be without pay.

## **Leave for Trade Union Duties**

The County Council has a collective agreement which sets out the provisions on Trade Union Facilities and time off for trade union duties. Details are available from managers or from Human Resources, Mouchel Business Services.

## **Jury Service and Attendance at Court**

An employee receiving a summons to serve on a Jury must report the fact to his/her manager who will approve leave of absence unless an exemption is secured from the Court.

The allowance for loss of earnings must be claimed by the employee from the Court under the Juror's Allowance Regulations by forwarding the form confirming loss of earnings and period of jury service to People Services, HBS for completion. The County Council will then deduct from the employee's pay an amount equal to the allowance received. Out of pocket expenses which may be payable by the Court may be retained and should not be included in the figure notified.

Similarly, when the individual is required to attend Court following a subpoena or as a witness on behalf of another party where loss of earnings can be claimed from

public funds, the claim should be made from the Court and People Services, HBS should be notified of the amount as soon as possible.

### **Time Off for Medical Screening**

Necessary paid time off will given for the purpose of cancer screening.

### **SICKNESS SCHEME**

Employees unable to work due to sickness must inform their nominated manager as quickly as possible after becoming unfit, indicating the first day of illness, the nature of the illness and where possible the likely date of return to work.

The Directorate/school's own arrangements for sickness absence must be complied with at all times.

Entitlement to sick pay is as set out in paragraph 10 of the NJC National Agreement on Pay and Conditions. This is as follows:

Employees are entitled to receive sick pay for the following periods:

During 1 <sup>st</sup> year of service	1 month's full pay and (after completing 4 months service) 2 months half pay
During 2 <sup>nd</sup> year of service	2 months full pay and 2 months half pay
During 3 <sup>rd</sup> year of service	4 months full pay and 4 months half pay
During 4 <sup>th</sup> 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

'Qualifying days' for the purposes of the Statutory Sick Pay Scheme are all seven days of the week.

An employee who considers the illness arises out of an accident at work or disease associated with their work must notify their manager and complete form PO3.

A claim for sick pay entitlement shall be honoured provided that:

- notification is made at the earliest possible time to the person identified for this purpose by the authority
- further notification is made as required by the authority
- a doctor's statement is submitted to the authority not later than the eighth calendar day of absence
- subsequent doctor's statements are submitted as necessary
- in cases where the doctor's statement covers a period exceeding fourteen days or where more than one statement is necessary, the employee must, before returning to work submit to the authority a final statement as to fitness to resume duties
- on return to work the employee signs a statement detailing the reasons for absence for all absences up to and including seven days

An employee shall, if required by the authority at any time, submit to a medical examination by a medical practitioner nominated by the authority, subject to the provisions of the Access to Medical Reports Act 1988 where applicable. Any costs associated with the examination should be met by the employing authority. Where it is necessary to obtain a second medical opinion, it should be provided by an independent medical referee.

Where, for the purpose of qualifying for sick pay under the scheme, an authority requires a doctor's statement from an employee, the authority will reimburse the employee the cost of such a statement on the provision of a receipt.

An employee who falls sick during the course of annual leave shall be regarded as being on sick leave from the date of a doctor's statement.

Where an employee is receiving sick pay under the scheme, sick pay should continue if a public or extra statutory holiday falls during such sickness absence. No substitute public or extra statutory holiday should be given.

Widows and married women exercising their right to be excepted from the payment of full rate National Insurance Contributions shall be deemed to be insured in their own right for all National Insurance benefits.

An employee who is absent from work as a result of an accident is not entitled to a sick pay allowance if damages may be receivable from a third party. The County Council may at its discretion advance the allowance provided the employee agrees to refund the amount from any damages awarded.

## **TERMINATION**

### **Period of Notice to Terminate Employment**

Notice given by either an employee or the County Council to terminate employment will be as follows, unless this is during the probationary period when notice is 1 month, or there is a separate provision in an employee's terms and conditions document:

- employees paid on spine point 28 or below - not less than one calendar month
- employees paid on spine points 29-34 - not less than two calendar months
- employees paid on spine point 35 and above - not less than three calendar months

The minimum statutory provisions will always be applied.

### **Ill Health**

Termination of an employee's contract on the grounds of incapability arising from ill health will only take effect following proper consideration of medical advice, alternative employment and any reasonable adjustments which can be made. Termination of employment may occur before an employee has exhausted his or her occupational sick pay.

### **Retirement**

The normal retirement age for all employees is 65 years. Any extension of service beyond the normal retirement age is by joint local agreement.

## **Severance Pay**

Redundancy payments and any enhancement to pension provision will be made in accordance with the statutory provisions and discretionary provisions adopted by the County Council.

## **Death in Service**

An immediate payment of £200 will be made to the spouse or partner of whole/part time employees of the County Council subject to:

- the deceased employee has been continuously employed by the County Council since 1.4.87 (employment served with another local authority as long as it is continuous will be taken into account when determining eligibility)
- the deceased employee, if admitted to a superannuation scheme (either the Local Government Pension Scheme -LGPS or the Teachers Pension Scheme - TPS excluding uniformed Fire Officers), not being beyond the compulsory retirement age

### **Notes:**

Consideration will also be given to the payment to any other dependent relative of a deceased employee of an amount not exceeding in total £200 where there is no spouse/civil partner/partner subject to the provisos set out above.

Partner is defined as a person living with the employee for a period of at least six months before the death.

The Death Gratuity is a taxable benefit.

## **GRIEVANCE PROCEDURE**

Employees who have a grievance arising from their employment should first raise it with their immediate manager. Grievances are best resolved closest to where they arise and regular communication between management and employees lessens the need to use the formal stages of the procedure. It is intended that employees should discuss all matters with their immediate manager as they occur, openly and without fear of sanctions. If the complaint is about the employee's immediate manager then they may take the grievance to the next higher level of management. Issues of harassment, race, colour, nationality, ethnic or national origins, gender, gender reassignment, sexual orientation, marital status, civil partnership status, disability or age discrimination will also be dealt with under the Dignity at Work Procedure. See the [Grievance Policy and Procedure](#) and the [Dignity at Work Policy and Procedure](#).

Copies of the full Procedures are available from managers or via the employment manual at [www.lincolnshire.gov.uk/hr](http://www.lincolnshire.gov.uk/hr).

Employees in schools will be given copies of the grievance procedure adopted by the Governing Body.

## **OFFICIAL CONDUCT**

The County Council's Code of Conduct applies to all employees. [See the Code of Conduct](#).

## **DISCIPLINARY PROCEDURE**

The County Council has adopted disciplinary rules to help employees know the standards expected of them. All employees should familiarise themselves with these.

See the [Disciplinary Policy and Procedure](#).

Employees in schools will be given copies of the disciplinary procedure adopted by the Governing Body.

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