

**Report to:** Governance Committee

**Date of meeting:** 21 April 2020

**By:** Chief Operating Officer

**Title:** Coronavirus (COVID-19) – Entitlement to Occupational Sick Pay (OSP)

**Purpose:** To seek the Committee’s agreement to the temporary suspension of the current policy, whereby staff in their first year of service (Probation) are not entitled to receive OSP, for any sickness absence that relates to COVID-19

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## **RECOMMENDATIONS**

**The Governance Committee is recommended to agree to the temporary suspension of the current policy of not paying Occupational Sick Pay SP to staff in their first year of service (probation) for any sickness absence that is related to COVID-19.**

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### **1. Background**

1.1 As part of the negotiations to implement the national 1997 Single Status Agreement the Council introduced a new ‘One Year Supported Introduction to Employment (Probation) Policy’ via a Local Collective Agreement in July 1999. One of the key terms of this policy was that an employee would become entitled to a range of employment benefits upon the successful completion of the probation period. The range of benefits included entitlement to OSP, meaning that in practice, an individual who goes off sick in their first year of service (probation) is only entitled to Statutory Sick Pay (SSP), currently £94.25 per week.

### **2. Supporting Information**

2.1 The terms of the Local Collective Agreement included the implementation of a number of terms and conditions of service that added significant costs, for example, harmonisation of the working week to 37 hours (previously, weekly paid ‘manual workers’ worked a 39 hour working week). At the time of the negotiations, there was a clear policy steer that the terms of the national single status agreement needed to be implemented at nil cost, therefore requiring the identification of offsetting savings. The provisions of the ‘Supported Introduction to Employment (Probation) Policy’ provided one of the key ways of achieving this.

2.2 The ‘Supported Introduction to Employment (Probation) Policy’ has been operating successfully for approximately 20 years and set against the above background, has been successful in achieving the purpose for which it was originally introduced. Anecdotally however, we are aware that for some employees, the prospects of nil (or very little) pay, sometimes results in individuals not calling in sick and attending work even when unwell. In the context of COVID-19, attending work when symptomatic is clearly highly undesirable and it could therefore be argued that this policy may well drive unhelpful behaviours and result in staff presenting for work even when symptomatic/unwell, as they cannot afford to not be paid.

2.3 The Government recently announced a series of measures to support the economy and employees during the current Coronavirus outbreak, including changes to the SSP regulations to provide SSP from the first day of absence, rather than the current fourth day of absence. The current policy of not paying OSP during the first year (probation) of employment would appear to be in conflict with these aims.

### **3. Conclusion and Recommendations**

3.1 In light of the above, it is proposed that the current policy of not paying OSP during the first year (probation) of employment is temporarily suspended for all sickness absences that relate to COVID-19. This will therefore mean that anyone reporting sick due to COVID-19 will be entitled to receive full OSP, regardless of length of service.

3.2 Such an approach would chime with Government policy around COVID-19, as well as confirm our place as being a responsible and caring employer, responding quickly to the current, very unusual circumstances.

3.3 The Governance Committee is therefore recommended to agree to the temporary suspension of the current policy of not paying OSP to staff in their first year of service (probation) for any sickness absence that is related to COVID-19.

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