

# Policy

## Sickness Absence Policy

This Procedure is a document that sets out the organization's approved and agreed practices. Any deviation must be discussed with the originating author.

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## 1. DOCUMENT CONTROL SHEET

<b>Purpose of document:</b>	The purpose of this policy is to ensure a fair and consistent procedure within the Parish Council for the review and control of employee absenteeism
<b>Dissemination:</b>	This policy will be disseminated to all staff and council members and be made available on the parish website
<b>Implementation:</b>	This document will be accessible via the parish council website and is applicable to all staff and council members.
<b>Review:</b>	This document will be reviewed in 2024 at Annual Meeting unless there are significant changes in legislation or practice in which case it will be reviewed earlier.
<b>Documents replaced or superseded by this document:</b>	Archived PCD022 Sickness Reporting Procedure. Content has been incorporated into this policy document.
<b>This document supports (enter Standards and Legislation:</b>	Nil
<b>Key related documents:</b>	Nil
<b>Financial Implications:</b>	This document has no financial implications for the Billingham Parish Council.
<b>Key word search</b>	Attendance, Absence, Sickness, Sick leave, Return to Work, Reasonable Adjustment, Occupational Health

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## **3. INTRODUCTION**

a. Billingham Parish Council (hereafter referred to as the Council) is committed to creating a safe and healthy environment for all its employees and expects all staff to aim to attend work at all times, and take steps to maintain, where possible, their own general good health and wellbeing. This policy outlines the procedure for sickness reporting and the policy that will be followed to support employees in maintaining regular attendance at work and in supporting early return following absence. This policy provides guidance to employees in relation to their sickness absence and the potential consequences for their employment. It also provides guidance to ensure that cases are dealt with sympathetically and consistently.

b. In this policy, referral is made to the Parish Clerk; however, this can also be the Chairman of the Human Resources (HR) Committee. In the event where the absence relates to the Parish Clerk then reporting can be to the Chairman of the Council. Procedures relating to the Parish Clerk will be actioned by the Chairman of the HR Committee.

## **4. SICKNESS REPORTING**

a. On first day of absence, telephone the Parish Clerk at the earliest opportunity before the start of your working day, with details of sickness reason, anticipated length of absence and with details of any support you may require. If you are unable to call personally, someone else may call on your behalf.

b. If your Parish Clerk is not available leave an answerphone message for them or speak with a nominated deputy and leave appropriate contact details to enable the Parish Clerk to call you back.

c. If you have work priorities, commitments or meetings then you must inform the Parish Clerk to enable them to make the necessary arrangements to cover these.

d. You must telephone again each day, updating the Parish Clerk with when you anticipate returning to work. If you have already identified a longer period of absence

agree with the Parish Clerk the next date of telephone contact.

e. If the absence is for a period of seven days or less (including weekends and other non-working days), employees should complete a self-certification form and provide it to the Council on their return to work.

f. For periods over seven days (including weekends and other non-working days) a medical statement of Fitness for Work from a GP (or relevant medical establishment) is required to be provided to the Council. Each new certificate should be provided to the Council as issued. This certificate gives details as to whether you are too ill to work or whether you are well enough to work with suitable support from the Council. This gives you and the Council the opportunity to discuss suitable arrangements which will support your return to work. The form also gives more space for the doctor to provide information about your condition and helpful tick boxes to suggest common ways to help you return to work.

g. All sickness or injury absence will be entered on your employment record and will be monitored from time-to-time.

h. Failure to inform the Parish Clerk of your sickness absence may be deemed to be unauthorised absence and could be unpaid.

## **5. RETURN TO WORK**

a. On the first day back at work after a period of sickness absence the Parish Clerk may want to meet informally. If this is not possible on your first day back, the meeting may take place later. The return-to-work meeting should take place in a private place, and all discussions should be private and confidential. The meeting would normally include

i. A welcome back to work.

ii. An outline of the purpose of the return-to-work meeting. This is to manage and monitor absence and attendance to identify any problem areas and offer support where appropriate. It will also ensure that staff members are fit to work, agree a phased return to work (where appropriate) and to receive work related updates and prioritise workloads.

iii. A discussion about the reasons for absence, in a supportive way and to understand whether the council can take any steps to help the employee's attendance.

iv. An explanation that the absence will be recorded.

v. Establishing if medical advice has been sought (if appropriate).

vi. Ensuring the self-certification form has been completed or a fit note from the doctor has been provided.

vii. A discussion on absence over the last 52 weeks, the impact on pay and any next steps.

- viii. A handover of work where appropriate.

## **6. STATUTORY SICK PAY (SSP)**

- a. If you are ill and unable to attend work, you may be entitled to Statutory Sick Pay (SSP). SSP is currently paid after 4 Qualifying Days absence from work. The Qualifying Days are your normal working days that are in your contract. Tax and National Insurance will be deducted from SSP and if you earn below the lower earnings limit, you will not qualify for SSP.

## **7. COUNCIL'S SICK PAY (OCCUPATIONAL SICK PAY)**

- a. It is the Council's policy to pay you your normal basic rate of pay exclusive of overtime/allowances during periods of sickness absence of up to the period stated in the employment contract. This occupational sick pay will be for absences due to sickness calculated over the previous 52 weeks and will include your entitlement to SSP.
- b. Payment is, however, conditional upon you complying with the council's procedure for notifying your manager of the absence, attending an interview with your manager on request to discuss the absence, and completing a self-certification form on return to work or providing a fit-note when requested. We may also ask you to attend an interview/examination with a nominated doctor at the request of the Council.
- c. The Council may not pay you occupational sick pay where:
  - i. You have failed to comply with the Council's sickness absence notification and evidence requirements.
  - ii. You unreasonably refuse to attend a sickness absence meeting with the Council on request
  - iii. You are unable to work because you hurt yourself in dangerous sports/activities or any other occupation you have.
  - iv. You have misled the council about your fitness to work.
  - vi. You have resigned.
  - vii. Where disciplinary proceedings are pending against you.

## **8. MEDICAL ADVICE**

- a. The Council may want to obtain advice on your fitness for work from occupational health advisers or medical practitioners. Examples of when the Council might refer to occupational health or a medical practitioner include the following:
  - i. To seek a medical report on your illness or injury.
  - ii. To establish when you might be able to return to work.

- iii. To understand when you are likely to be fully fit to resume your normal duties.
- iv. To understand what alternative duties you might be fit to undertake if you are unfit to resume your normal duties.
- v. To understand when you are likely to be fit to undertake any alternative duties.
- vi. To ask for guidance on your condition, for example if there is a possibility that you are disabled or ambiguity as to the exact nature of the condition.
- vii. To ask what reasonable adjustments could be made to working conditions or premises to facilitate a return to work.
- viii. To understand the likely recurrence of the illness or injury once you have returned to work.
- ix. To discuss any adjustments that could be made to accommodate your disability, if you are disabled.

b. The Council will pay the cost of the report and you will have the right to see it. The Council will also be provided with a copy of the report and once we have seen it, we will want to meet you to discuss the findings and consider options available to you.

c. If you choose not to consent to an Occupational Health referral, any decisions in relation to your employment may be made without the benefit of access to medical reports.

## **9. PERSISTENT SHORT-TERM ABSENCE**

a. Persistent short-term absence is where an employee is frequently absent from work for relatively short periods due to sickness. We understand most employees will have some short-term sickness absence from time to time. However, if you are frequently and persistently absent from work, this can damage efficiency and productivity, and place an additional burden of work on your colleagues and councillors.

b. Therefore, it is essential that frequent absence is dealt with promptly and consistently and in some circumstances, the Council may begin a capability or disciplinary procedure as part of the absence management process. If we do so, we will meet with you to set attendance targets. Following a review meeting we may issue a formal warning if those targets are not met. You will be given written notice in advance of any formal meeting and you can be accompanied by a work colleague or trade union representative. You may appeal against a formal warning. If your absence remains unacceptable after a second formal warning, the council may bring your employment to an end following consultation with you.

c. If frequent absence is due to an underlying long-term health condition then we will also request, with consent, a medical report either from an Occupational Health Physician or your G.P. or consultant to establish further information about your health and how the council can support your attendance.

- d. When considering the reasons for absence, and deciding on whether a formal meeting is appropriate, the council will not consider any pregnancy related absence. The council will also make adjustments where absences are related to a disability by allowing a higher level of absence before considering whether disciplinary action is appropriate.
- e. The council will consider any alternative employment options before making any decision about ending employment. You will have the right to be accompanied by a work colleague or trade union representative at formal meetings and a right of appeal against a formal warning or dismissal sanction. The monitoring of absence operates on a rolling 52-week period.
- f. Where it appears that there is no acceptable reason for an absence or if you have not followed the correct absence notification procedure, the matter should be treated as a conduct issue and dealt with under the disciplinary procedure.

## **10. LONG-TERM ABSENCE**

- a. As a guide, long term absence is any absence which lasts or is expected to last over 4 weeks. In all cases of long-term absence, it is essential for the Council to maintain contact with you. In cases where the return date is less certain this will take the form of consultation and will include:
  - i. Discussions at the start of the absence and periodically throughout.
  - ii. Obtaining better information on your health and likely prognosis, ideally through an Occupational Health Physician.
  - iii. Where appropriate alerting you to the fact that your absence is becoming a problem.
  - iv. Allowing you the opportunity to state your opinion of your condition and giving consideration to that opinion
- b. Where ill-health means that you are unlikely to return to work for a long period of time, the council may need to consider bringing your employment to an end. In these circumstances, the council will:
  - i. Review your absence record to assess whether it is sufficient to justify dismissal.
  - ii. Consult with you.
  - iii. Obtain up-to-date medical advice.
  - iv. Advise you in writing as soon as it is established that termination of employment has become a possibility.
  - v. Meet with you to discuss the options and consider your views on continuing employment before any decisions are made, allowing you to be accompanied by a work colleague or trade union representative.
  - vi. Review if there are any alternative jobs that you could do prior to taking any decision on whether or not to dismiss.

- vii. Allow a right of appeal against any decision to dismiss you on grounds of long-term ill health.
- viii. Following this meeting, inform you of the final decision

## **11. PHASED RETURNS TO WORK**

- a. A phased return is a temporary measure to enable employee's to build up to their normal hours of work and duties over a short period. It is not expected that all employees will require a phased return to work. Typically a phased return should be no longer than 4 weeks in duration.
- b. The Parish Clerk is responsible for monitoring the progress of the phased return.
- c. **Phased Return – Pay.** One phased return in any 12 month rolling period will attract full pay during the first 4 weeks of the phased return to work. Otherwise, payment will reflect the reduced hours worked. Annual leave can be used for the hours not worked if a phased return exceeds 4 weeks or if subsequent phased returns are required during the 12 month rolling period.
- d. **Phased Return – Authorisation and process.** A phased return should be agreed and instigated with input from occupational health physician or employees General Practitioner and authorised by the Parish Clerk. It should be accepted in principle that, where possible, the Parish Clerk will accommodate a phased return.

## **12. ABSENCE AS A RESULT OF DISABILITY**

- a. Where you experience sickness absence as a result of a disability it will be treated in line with the provisions contained within the Equality Act 2010 (formerly as part of the Disability Discrimination Act 1995). This will include considering whether any reasonable adjustments can be made.

## **13. ACCESS TO WORK SCHEME**

- a. Specialist advice and support on modification of duties may be obtained from the Department of Work and Pensions Access to Work Scheme. The individual employee is required to apply for assistance although in some circumstances the employer may contact Access to Work. For further information contact Access to Work via the local Job Centre or website <https://www.gov.uk/accessto-work>

## **14. DATA PROTECTION**

- a. The Council will treat personal data collected during the absence management process in accordance with its data protection policy on processing special categories of personal data. Information about how your data is used and the basis for processing your data will be provided in our employee privacy notice. When relying on legitimate interests as the legal ground for processing your data, you can object to the processing.