

SICKNESS ABSENCE MANAGEMENT POLICY & PROCEDURE

POLICY STATEMENT

The Parish Council recognises the importance of a positive approach in the management of sickness absence. Sickness is one of the major causes of absence from work and it constitutes a significant cost to employees and the Council. Such costs and the consequent effect on the operation of the Council can be reduced where there is an effective policy on Sickness Absence Management and reasonable procedures on implementing the policy. Having a policy and procedure to deal with this gives the Council, employees and their representatives a structured framework to work within and assists in ensuring fair and consistent treatment of all employees. This policy and the following procedure apply equally to all employees of the Parish Council.

Its purpose is to:

ensure all employees are aware of their rights and obligations under this policy and understand the recording, monitoring and procedures the council may use in regard to sickness absence management.

provide the Clerk to the Council and Head Steward with a structured framework to assist them in managing sickness absence.

ensure all employees are treated with fairness and consistency.

create an opportunity for positive action to be taken to improve the welfare of employees by assisting them to overcome any difficulties that may affect their ability to work effectively.

ensure that the highest levels of quality and service can be maintained to allow the Council to fulfil its obligations to all users of its services.

PROCEDURE

Notification of Sickness Absence Procedure

Day 1

Any employee who is prevented by illness from attending work should contact the Head Steward by telephone as early as possible on the first day of absence (normally within one hour of notional starting

time) to explain the reason for his/her absence and to give an estimate of its probable duration. This will allow the Head Steward to plan the work schedule and review the need for any temporary cover. In most circumstances, it is expected that the employee would contact the Head Steward personally rather than pass the information through a third party, although it is recognised there may be occasions when the employee, because of the nature of his/her illness, is unable to do so. The Head Steward must record all periods of sickness absence i.e. when the employee is off sick. On the first full day of sickness absence, the Council Record of Employee Sickness Absence form, must be completed and sent to the Clerk to the Council, who will record the dates, duration and reason for any employees' sickness absences of one day or more. Where an employee becomes sick while at work they must normally report to the Clerk to the Council or Head Steward before leaving.

Absences of Four to Seven Days (Self Certified Leave)

For a period of absence which lasts 4, 5, 6 or 7 days, including non working days (e.g. Saturdays/Sundays and rest days), an employee's statement of sickness form (SC2) i.e. "self certificate" must be completed by the employee himself/herself to show the reason for his/her sickness absence. It is the employee's responsibility to obtain, complete and submit this form to the Head Steward, who should promptly forward it to the Clerk. These forms are available from General Practitioners' surgeries, from Hospital Outpatients and from Department of Work & Pensions offices. Where an employee normally works for less than 5 days per week the employee's statement of sickness form (SC2) must be submitted where the period of incapacity or sickness including non working days amounts to 4 or more days. Employees who have no entitlement to occupational or statutory sick pay must submit the form as evidence of the cause of the absence.

Absences of more than Seven Days

For a period of sickness absence which continues beyond 7 days in total an employee will be required to submit an employee's statement of sickness form (SC2) and a Form Med 3 i.e. 'medical certificate' from his/her General Practitioner. If the sickness absence continues beyond the initial period specified on the Form Med 3, the employee must provide further Forms Med 3 to cover all further periods of sickness absence until he/she returns to work. These should be submitted, where possible, before the expiry date on the current Form Med 3.

MONITORING AND RECORDING

In order to deal consistently and fairly with all employees and to monitor organisational absence levels it is essential that the Council centrally records all sickness absences. By obtaining timely information on absence the Council is then in a position to help absent employees by taking action where appropriate. The Head Steward must monitor the sickness absence of all employees and promptly submit the Council's Record of Employee Sickness Absence form at the beginning and end of the sickness absence to the Clerk together with any other certificates sent in to the Head Steward by the employee. The Clerk will then record the dates, duration and reason for any employees' sickness absences of one day or more

on the Council's Personnel, Payroll and Planning computerised information system. Absence will be recorded centrally in 'days'. Where existing terms and conditions refer to 'weeks' and 'months', 7 days will equal one week and 30 days will equal one month.

RETURN TO WORK

Return to Work Certification

On the first day of an employee's return to work after sickness absence, the Council's Record of Employee Sickness Absence form, must be completed and sent to the Clerk. Where an employee has been on sickness absence for a continuous period of four weeks or more, or if he/she has sustained a physical injury he/she should be given a signed 'or until' date by their General Practitioner on the Form Med 3 before they report back for work. This acts as their 'fit to return to work' date. This may be given on the initial Form Med 3 but where it is not, a further Form Med 3 with this information must be obtained. Where this is given at short notice employees are requested to contact the Head Steward before they return to work to confirm their 'fit to return to work' date. This will allow the Head Steward to review work schedules and any temporary cover arrangements. An employee will not be allowed to return to work before the date on their last Form Med 3 unless it is with the written consent of their Medical Adviser.

Return to Work Meeting

Following the return to work after any period of sickness absence it is appropriate for the Head Steward to contact an employee and arrange a return to work meeting, as soon as is practicable. This does not need to be a lengthy discussion, and can be informal and brief. The employee will be given an opportunity to raise any temporary or permanent difficulties they may experience with their duties or working environment in view of his/her recent sickness absence. In addition it gives the Head Steward an opportunity to bring the employee up-to-date with work issues. The meeting should be summarised by completion of a short form, which would be kept confidentially by the Head Steward. This meeting should not become a formal investigation or disciplinary meeting and any such meetings would be notified separately.

ENTITLEMENT TO PAY DURING SICK LEAVE

Employees are entitled to receive occupational sick pay (full pay or half pay) as detailed in their contract of employment. Entitlement is calculated on a rolling basis over a maximum of 12 months. As this entitlement is dependent on length of service and employee group it will vary from one individual to another as detailed in the terms and conditions of employment. Employees in receipt of occupational sick pay will be notified on expiry of the full and half pay. Employees who are not entitled to receive occupational sick pay may be eligible to receive statutory sick pay.

NOTIFICATION OF SICKNESS ABSENCE

Uncertified Sickness Absence

From initial notification of sickness absence, where the required medical certificates have not been received, the Council reserves the right not to make any payments for this period until the appropriate certificates have been received. Once the appropriate certificates have been received, the Council reserves the right not to pay backdated occupational sick pay but will pay any statutory sick pay due.

No Notification of Absence

Absence that has not been notified in accordance with Council's procedures will be treated as unauthorised and unpaid absence unless an acceptable reason is given subsequently. If an employee does not report for work and has not informed the Head Steward why he/she has not attended, the Head Steward will take all reasonable steps to contact the employee, by telephoning or writing and any actions taken will be recorded. The degree of urgency in finding why the employee has not reported in will vary according to the known personal circumstances of the employee, but where the employee lives alone consideration should be given to the possibility that he/she is in need of assistance.

ANNUAL LEAVE

Holiday Accrual During Sickness Absence

While an employee is on occupational paid sickness absence holiday will accrue at the usual rate as detailed in his/her contract of employment. When an employee is on occupational unpaid sickness absence, holiday entitlement will no longer accrue. (This is subject to the minimum requirements as stated in the Working Time Regulations).

Designated Days

When an employee is on occupational paid sickness absence, deductions from his/her overall annual leave entitlement will be made for any designated days, including the Christmas/New Year designated days, which fall during this period. Designated days are those specified by the Council, which must be taken by employees as part of their annual leave entitlement. The number of designated days varies with employee group and are as agreed with the recognised trade unions and specified in the terms and conditions of employment.

Leave Untaken at End of Leave Year

Any annual leave left untaken when an employee is on sickness absence at the end of the annual leave year (31 December) will be lost and cannot be carried over to the next annual leave year.

Reclaiming Annual Leave

If an employee is ill while they are on annual leave, this time can be regarded as sickness absence if the period of sickness absence lasts for generally 8 or more days and he/she can provide a Form Med 3 confirming that he/she would not have been fit enough to carry out his/her usual duties at that time. Designated days cannot be reclaimed.

WORK RELATED INJURIES

Sickness Absence as a Result of Accident at Work or Work Related Ill Health

Absence in this category must be reported in the Accident/Incident Book and notified to Safety Services. An employee will receive his/her normal entitlement to occupational sick pay unless there are circumstances where the employee has been found to have been grossly negligent or involved in serious misconduct when the Council will reserve the right to withhold any benefits.

Sickness Absence as a Result of Other Paid Work

Where sickness absence is caused by an employee working in his/her own time on his/her own account or for another employer for private gain, the Council reserves the right to withhold occupational sick pay. Where the Council has consented to this other paid work in writing occupational sick pay will not be withheld.

SICKNESS ABSENCE FOR PLASTIC/COSMETIC SURGERY

Where plastic/cosmetic surgery is certified by a Medical Adviser indicating that surgery is essential to the employee's health or well being then this would be a valid reason for an employee to receive occupational and statutory sick pay. If surgery is to be carried out without this certification and absence from work is required then arrangements for Annual Leave or Unpaid Leave (where approved) must be made in advance.

REVIEWING SICKNESS ABSENCE

Where sickness absence is found to be lengthy or frequent, the Head Steward should consider meeting with the employee. This meeting should be initiated when sickness absence:

lasts for a consecutive period of more than 4 weeks OR

exceeds a total of 20 days in any twelve month period OR

exceeds 4 separate occasions in any six month period OR

falls regularly on specific days e.g. a Friday and/or Monday

The employee should be notified of the meeting in advance, in writing, with the reason for the meeting clearly stated. The employee should be advised that he/she may be accompanied, if he/she wishes, by a work colleague or union representative. The Head Steward is advised to contact the Clerk to the Council for advice before initiating the meeting and it may be appropriate to request the Clerk to attend the meeting. This meeting should be kept confidential and information confined to those who have an operational need to know or are involved in the administration of the meeting. This meeting is intended to draw the employee's attention to his/her sickness absence record. It is meant to be supportive, to give guidance and counselling and to explore ways of improving the employee's sickness absence. It is not intended to be intrusive and it is reasonable for the employee to request a meeting with an alternative Head Steward if they would find this less intrusive. The outcomes of the meeting may include:

to monitor more closely the sickness absence of an employee over a period of time.

to arrange follow up meetings.

to advise the employee that an improvement in his/her sickness absence is required.

to contact the Clerk for advice in supporting or otherwise assisting an employee.

to request the employee's written consent for a health assessment or medical report to be obtained.

Personnel Services can offer advice and support in monitoring sickness absence.

MEDICAL REFERRALS

The Council may wish to obtain a health assessment and/or a medical report from the employee's General Practitioner and/or refer the employee to an Occupational Health Physician. Such referrals will

be as a result of concerns by the Council regarding the employee's health status and/or if the employee has lengthy or frequent sickness absence. A health assessment and medical report is likely to include:

the current health status of the employee.

whether there is an underlying medical cause.

the likely return to work date (if applicable).

any reasonable steps that can be taken as preventative measures to accommodate an employee with a particular condition.

whether a period of phased return to work is required.

an indication of the long term ability of the employee to carry out his/her agreed duties.

The health assessment and medical report will aid discussions between the employee, the Head Steward and the Clerk regarding the employee's fitness for work and ability to carry out his/her duties. If an employee refuses to give consent for a health assessment and/or medical report to be obtained or to attend an appointment with an Occupational Health Physician, future decisions regarding the employee will be made without the benefit of medical evidence. The employee may be asked to confirm a refusal in writing. The Council reserves the right to require any employee to attend the Council's chosen Occupational Health provider where it considers that to fulfil its legal obligations under the Health and Safety at Work etc Act 1974 and subsidiary legislation, as well as its duty of care, such Occupational Health surveillance or examination is necessary for the well being of that individual.

MANAGING SICKNESS ABSENCE

Every effort will be made to assist employees whose level of sickness absence is causing concern and support and encouragement to reduce their level of sickness absence will be given. When a health problem is identified reasonable adjustments to working practices and duties will be implemented and/or alternative employment offered where there is a reasonable expectation this might improve the level of sickness absence. If an employee refuses these options or they are found to be unsuccessful then alternative action may have to be considered. This may include early retirement on the grounds of ill

health or dismissal for incapacity due to ill health. If no underlying medical cause is found, the use of the disciplinary procedures may be implemented.

There is no entitlement for occupational sick pay to be exhausted before any of the above measures can be considered. The Council will consider all cases on reasonable criteria including length of service, contractual arrangements for sickness absence, nature of illness and previous sickness absence records.

EARLY RETIREMENT ON THE GROUNDS OF ILL HEALTH

If an employee in a Superannuation Scheme has a permanent illness or incapacity which makes him/her unfit for work, he/she may be considered for early retirement on the grounds of ill health. Where an employee submits a request in writing, or agrees to be considered for early retirement on the grounds of ill health, the Clerk will then inform the Council. The Clerk and Council, in conjunction with the Occupational Health Physician will follow the appropriate procedure to allow the relevant Superannuation Scheme to consider the case and inform the employee of the outcome.

DISMISSAL FOR INCAPACITY DUE TO ILL HEALTH

Where an employee is considered for dismissal for incapacity due to ill health a further meeting must be held with the employee. As with previous meetings, the employee should be advised that he/she may be accompanied, if he/she wishes, by a work colleague or union representative. The employee will be advised that as his/her sickness absence has not improved to a satisfactory level he/she is being dismissed for incapacity due to ill health. The employee will either be dismissed immediately and will receive payment in lieu of notice, or will be put under notice of dismissal which will take effect when that notice period has elapsed. The employee will have the right of appeal against this dismissal.