**PATCHWAY TOWN COUNCIL**

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**ATTENDANCE/ABSENCE MANAGEMENT POLICY**

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**1. POLICY STATEMENT**

It is the policy of Patchway Town Council to encourage and ensure the regular attendance at work of all its employees and to institute fair, effective and consistent arrangements for dealing with absence.

The Council recognises the importance of its responsibility to manage attendance and will do so via procedures that incorporate mechanisms to monitor individual attendance levels and where appropriate reduce high levels of sickness absence through proactive management action. The key focus of this action will be to address the negative impact that non-attendance at work has on service delivery and not to question the genuineness of the absence.

The Council also recognises that employees form its most valuable resource and therefore strives to be a good employer and will encourage and develop initiatives to promote the health and wellbeing of its employees.

In all cases of absence, the Authority will deal appropriately with employees, providing support during periods of ill health. However, it is recognised that this must be balanced with a need to ensure that the public receive the level of service to which they are entitled. Abuse of the system that may occur in a minority of cases is regarded as unacceptable and the Council will deal with such cases in a firm manner, as it recognises that this practice has a detrimental impact on colleagues and the delivery of services.

**2. PRINCIPLES**

The Council is committed to:

• Demonstrating a shared commitment to the effective management of sickness absence, where both Managers and Employees have responsibilities under this Policy.

• Maximising employee attendance by keeping all absences to a minimum and achieving and maintaining set target levels.

• Minimising disruption to operational services and the burden placed upon employees required to cover for absent colleagues.

• Reducing the direct staffing replacement costs and the efficiency costs associated with sickness absence.

• Recognising and accepting that some absence is unavoidable. However, evidence shows it is possible to reduce sickness absence levels through positive measures and an overall management approach.

• Providing support to those employees who are unable to work through ill health. In the majority of cases, with proper medical intervention and support, an employee's health will improve sufficiently to enable them to return to full health and duties. Where this proves impossible to achieve, action will be taken in accordance with this Policy.

• Ensuring that where sickness absence occurs as a result of an employee's disability or work environment the Council will take all reasonably practicable steps or adjustments to provide support and assistance to allow the employee to continue working.

• Ensuring that at all stages of the procedure, proper investigation is conducted into the circumstances of absence and the employee is consulted. Where, following investigation, there are reasonable grounds to believe that absence is not for genuine sickness reasons or where there is a failure to follow the correct procedure i.e. lack notification, the normal disciplinary procedures will apply.

• Ensuring that at all formal stages of this Policy the employee is given the opportunity to be accompanied by a recognised Trade Union Representative or colleague and should an employee feel aggrieved about the decision to issue a warning or terminate employment under this Policy they have the right of appeal.

**3. INDICATORS FOR ACTION (TRIGGER POINTS)**

the Council will institute a more formal review of attendance records and reasons for absence with an employee if there have been either: -

• **3 occasions** of absence in a rolling year.

• **10 days** absence in a rolling year (pro rata for part time employees). This may comprise a single or multiple absences e.g. 1 absence lasting 10 days or more, or 2 absences totalling 10 days or more.

The Clerk/Deputy Clerk will arrange a sickness review meeting to meet with any employee whose absence record matches or exceeds the criteria.

**4. NOTIFICATION OF SICKNESS ABSENCE**

An employee must contact the Clerk/Deputy Clerk **every day for the first 5 working days of their sickness absence as outlined below. *(unless the absence is a result of an operation with an anticipated recovery period).*** It will not be necessary to call on those days when the employees would not have been expected to attend work.

Notification should be made by 10am at the latest by speaking directly to the Clerk or Deputy Clerk, contact by answer machine message, text, email or social media message is not acceptable. This will ensure that the Clerk/Deputy is aware of the employee’s medical condition and will allow arrangements to be put in place to cover the absent employee.

If the Clerk/Deputy are unavailable, then a message can be left with the Office Administrator and the Clerk/Deputy will telephone the employee when they are back in the office later that day. If neither the Clerk/Deputy will be in work for whatever reason that day then the Office Administrator will note the information required.

If the Clerk needs to notify a sickness absence then this will be to the Chairman of the Personnel Committee.

When notifying a sickness absence, the employee should indicate:

(i) The symptoms and nature of the illness or injury (‘unwell’ or ‘sickness’ is not acceptable).

(ii) When they anticipate they will be able to return to work.

(iii) Whether the absence is due to an injury or illness sustained in the course of duty.

(iv) Any urgent work- related matters that require attention.

(v) An agreed time and point of contact for the next day in line with this Policy, if sickness absence is likely to be longer than 1 day

Employees who become unwell during their working day and feel unable to continue their duties will notify the Clerk/Deputy Clerk of the need to leave their place of work. For the purposes of notification only, day 1 of absence is the first full day of sickness absence. Sickness absence recording starts from the time the employee is absent from work including any part days and will be monitored in line with this Policy.

The Clerk/Deputy Clerk must record this absence on the appropriate form.

**4.1 Self-Certification of Sickness Absence**

For all sickness absences of **up to 7 calendar days** duration (including non-working days/weekends), the employee is required to complete a self-certification of absence form, indicating clear reasons for the absence.

Where an absence extends beyond the 7th calendar day the Clerk/Deputy will arrange for a self-certification form to be forwarded to the employee’s home address on the 8th day for completion.

**4.2 Sickness absence beyond 7 calendar days**

If the absence lasts, or is expected to last, more than 7 calendar days (including non-working days/weekends) the employee must obtain a Statement of Fitness for Work (Fit Note), signed by their G.P.

The Fit Note is required from the 8th day of absence and it is the responsibility of the employee to ensure that they obtain this from their G.P. and submit it to the Council, as soon as possible, to ensure that they are covered for the period of absence. At all times it is essential that the employee keeps the Clerk/Deputy aware of the situation, either verbally or in writing.

The employee will contact the Clerk/Deputy to inform them of the reason for refraining from work and period of absence as indicated on the Fit Note.

The Fit Note should then be sent to the Clerk/Deputy within 24 hours of receipt. Fit Notes should cover the continuous period of sickness absence including non-working days and weekends and there should be no gaps where an employee is not covered by a Fit Note.

Should the incapacity continue beyond the initial Fit Note issued by the G.P. then the employee should make a further appointment to see their doctor, which should be made prior to the expiry of the current Fit Note. Notification of absence and submission of medical certificates should continue and failure to do so could result in loss of Sick Pay.

When the sickness absence extends beyond 7 calendar days, the employee and the Clerk/Deputy are **required to agree a date and time, every week that the sickness absence continues, to establish contact and to allow the employee to update the Clerk/Deputy on their medical condition and discuss any developments in work that may impact on the employee. The Clerk may wish to use discretion over such arrangements.**

If the sickness absence relates to the Clerk then contact will be arranged with the Chairman of the Personnel Committee.

If the absence is likely to be long term or of a sensitive nature, or if the Clerk feels that this is appropriate, these welfare calls should be followed up by a request for the employee where possible to attend a welfare meeting at their workplace. Alternatively, in exceptional cases where the employee is unable to attend the workplace due to the nature of their condition, then a home visit will be arranged.

These meetings and/or visits will be confirmed, and it will be the responsibility of the Clerk to keep a record of any discussions with the employee.

**4.3 Non- Compliance**

If contact is not made by the employee as required during the absence and their absence is unexplained, the Clerk/Deputy will take all reasonable steps to contact the employee e.g. telephone call, letter, home visit if appropriate. Failure to comply with the absence notification procedures and to maintain contact may be regarded as misconduct under the Disciplinary Code and **sick pay may be withheld**.

Any breach of this Policy including non-attendance at meetings without a valid reason may also result in disciplinary action. Failure to submit a Fit Note on time, without a valid reason may also result in an employee’s sick pay being suspended.

**5. RETURNING TO WORK**

In order to assist in the organisation of work, all employees should give the maximum possible notice to the Clerk/Deputy of their return to work. If an employee has been absent from work long term, a graduated return to work may be recommended. In these circumstances the Clerk should meet the employee before the return to work date in order to agree hours of work and timescales.

**On an employee’s return to work it is the Clerk/Deputy responsibility to ensure that: -**

The employee is contacted immediately or at the latest within 2 working days of their return to work and a return to work interview is carried out for every absence, regardless of the length of the absence.

**5.1 Return to Work-Informal**

In the case of an employee who has not broken the sickness absence triggers, or where sickness absence is not being monitored, the Clerk/Deputy will undertake a return to work interview, at which the Clerk/Deputy will:

• Confirm that the employee has fully recovered.

• Identify the reasons for the absence and establish whether there are any underlying problems which in themselves may not be sickness related and if any help can be given to alleviate the problems.

* To give the employee an opportunity to voice any concerns that they may have and/or to identify any domestic, welfare or work-related problems

• Ascertain the likelihood of a recurrence.

* Review the current period of absence and their previous attendance record over the last 12 months

• Determine whether there is a common theme to any intermittent absences and explain the impact that sickness absence has on the work of the team.

• Dependant on the nature of the sickness absence and previous attendance record, advise the employee of the need for improvement in attendance and/or any further action. This may include referral to the Occupational Health Advisor and/or notifying the employee that their sickness absence will continue to be monitored and any further instances of sickness absence may lead to disciplinary action.

The return to work interview will be recorded by the Clerk/Deputy on the Case History Form.

If the sickness absence relates to the Clerk then the return to work interview will be undertaken by the Chairman of the Personnel Committee.

**6**. **THE FORMAL PROCEDURE**

In the case of an employee who has broken the sickness absence triggers, or who has not shown an improvement in their attendance following a previous review meeting, they will immediately be subject to the appropriate absence review meeting as part of the formal procedure.

6.1 STAGE ONE – First Formal Meeting A first formal meeting will be arranged where:

 • In the case of long- term sickness absence, there is no clear date of return.

 • In the case of frequent short- term sickness absence, there has been no improvement in the weeks subsequent to the informal meeting.

The Clerk will notify the employee in writing of the meeting to discuss the employee’s sickness absence and be advised of the right to be accompanied by a work colleague or trade union representative.

Prior to the meeting the Clerk should investigate the sickness absence record of an individual and consider the following:

• The reasons for each absence.

• The employee’s sickness absence record and length of service.

• Whether the record indicates a discernible pattern e.g. regular absence immediately before or after a weekend, or on a particular day of the week etc.

• Whether the sickness reporting procedure has been adhered to.

The purpose of this meeting will be to:

• Enable the Clerk to deal appropriately with an employee’s sickness absence.

• Explain that this is the first formal stage of the absence procedure; the concerns at the current level and pattern of sickness absence and that the Council is entitled to expect a reasonable level of attendance from all employees.

• Identify the reasons for the poor attendance and seeks ways of improvement.

* The employee will be advised of the concerns and be given the opportunity to state his / her point of view.
* Medical reports may normally be reviewed to assess whether there is any underlying health problem, and if so, what this is. Alternatively, permission to access medical records may be sought at this meeting.

• Identify areas of support and assistance, which may improve attendance.

• Where necessary, seek a commitment from the employee to improve their attendance.

The outcome of the meeting may require the employees to be referred to an Occupational Health Advisor, if the reasons for the absence relate to an ongoing medical problem.

The Clerk should state that there will normally be two further meetings, after which the employee’s contract may need to be terminated on grounds of capability.

The issues discussed at the meeting will be recorded and a date set for a second formal meeting.

6.2 STAGE TWO – Second Formal Meeting The employee will be informed in advance of the meeting in writing and advised that he / she may be accompanied by a work colleague or trade union representative. At the meeting the employee’s absence will be reviewed. Medical reports will be reviewed again where appropriate. An up-to-date medical report will normally be sought prior to the second formal meeting; the report will be discussed at the meeting.

If at the second formal meeting, the employee’s absence is still a cause for concern, the Clerk should advise the employee that there will be one further meeting, after which the employee’s contract may need to be terminated on grounds of capability.

The issues discussed at the meeting will be recorded and a date set for a third formal meeting.

 For both stage one and stage two If the sickness absence relates to the Clerk, the meeting will be undertaken by the Chairman of the Personnel Committee.

6.3 STAGE THREE – Third Formal Meeting (Attendance Hearing)

The employee will be informed of the meeting in writing and advised of his / her right to be accompanied by a work colleague or trade union representative. The letter will advise the employee that it is possible that termination of employment on the grounds of ill health may be an outcome of the meeting, but that the employee will have the opportunity to state his / her point of view, which will be fully considered.

The Hearing Panel will be comprised of 3 members of the Personnel Committee who will make the decision. The Clerk will attend to outline the history of absence and any relevant steps taken and advice received.

If the hearing relates to the Clerk, the Chairman of the Personnel Committee will outline the history.

Medical information should again be reviewed at this meeting. The employee’s absence should be discussed again. An up-to-date medical report will be sought prior to this third formal meeting and the employee should be asked for his or her views. The report will be discussed at the meeting. Where there is any lack of clarity, or a dispute on the medical information, a second, independent medical report may be sought.

All paperwork relating to the hearing will be circulated 5 days before the hearing to all parties attending.

Once the panel has considered the Clerk’s and employee’s cases, and all other relevant information, it will adjourn to make a decision.

If absence levels have not reduced at this stage and if the hearing panel believes, on an assessment of medical information and after discussion with the employee, that there is no likelihood of improvement in the foreseeable future, the employee’s contract may be terminated on the grounds of capability.

The decision of the Panel will be confirmed to the employee in writing within 5 working days. The letter should clearly set out:

1. The Panel’s decision:

1. If a warning has been issued the timescale for this and the level of improvement required;
2. If the decision is not to take action at this point and to review again in a certain period of time, the applicable timescale for this; or
3. If the decision is to dismiss the employee, inform them of their relevant notice period and provide them with any relevant pension information; and

2. The employee’s right of appeal.

 For guidance purposes Termination of employment may take place where: -

* An employee is declared permanently unfit for work;
* An employee is declared medically unfit for their work and alternative employment cannot be found;
* A decision has been taken that the service can no longer tolerate a high level of absence; or
* A decision is taken, within the Council’s disciplinary process, that an employee has wilfully abused the sickness absence/payments provisions or absented themselves without permission.

**7. APPEALS** If the employee wishes to appeal against the decision to terminate employment

Employees have the right of appeal against any decision to issue a formal warning or dismissal under this procedure. If an employee wishes to appeal, they should write to the Clerk setting out the grounds of their appeal. This must be done within 10 days of the date of the letter informing them of the outcome of the Attendance Hearing.

If the appeal relates to the Clerk , he/she should appeal to the Chairman of the Appeal hearing setting the grounds of the appeal.

Appeals will he heard by a separate panel of Councillors, who will also normally be part of the Personnel Committee. An appeal hearing will be held where the employee can present their appeal. The Chair of the original panel will also attend to explain the original decision. Witnesses may also be called.

Once the Appeal Panel has considered both the employee’s appeal and the Hearing Chair’s case and considered all other relevant information, it will adjourn to make a decision.

The decision of the Appeal Panel is final and will be confirmed to the employee in writing within 5 working days. There is no further right of appeal.

**8.LONG TERM SICKNESS ABSENCE**

For the purpose of this procedure, long-term sickness absence is defined as continuous absence of **4 weeks or more**.

Where it is likely that an employee will be absent from work through long-term ill health the Clerk/Deputy will maintain reasonable regular contact with the employee throughout the period of sickness absence. This contact will establish the nature of the illness, the possibility of an imminent return to work and notify the employee that they will be referred to the Occupational Health Advisor. Where it is clear that the employee will be absent from work for 4 weeks or more, the Clerk should consider referring the employee to Occupational Health earlier and not automatically wait until the 4 weeks period had been reached.

The frequency and form of this contact will depend upon the circumstances and may vary from case to case. However, after an employee has been absent for a period of 4 weeks the employee will be requested, where possible, to attend a meeting at their place of work. Alternatively, in exceptional cases where the employee is unable to attend the workplace due to the nature of their condition, then a home visit will be arranged.

Where an employee has been absent for a period of 4 weeks or less and there is no sign of an immediate return to work, or a medical certificate has been received prior to that point indicating more than 4 weeks absence, the case will be immediately referred to the Occupational Health Advisor. It is the responsibility of the Clerk to ensure that all relevant information is forwarded to Occupational Health as part of the management referral.

In cases where medical conditions are clearly established with a predictable and defined period of absence and are unlikely to lead to further periods of absence (e.g. fractured bones, post-operative recovery), referral should still be made to the Occupational Health Advisor, who will determine if and when the individual is to be seen.

**9. OCCUPATIONAL HEALTH CONSULTATION**

The employee will be referred to the Occupational Health Advisor for an initial consultation. Depending on the outcome of the consultation, several options may be recommended:

• That the employee requires further time off for recovery and a review appointment will be arranged.

• Referral to the Occupational Health Physician.

• Request consent from the employee to write to their General Practitioner/ Consultant for a medical report.

• Appropriate and specific advice and guidance given to the employee to help them manage their ill health.

• Referral for counselling.

• Consideration given to rearrangement of current duties for a specified period.

• Permanent or temporary redeployment.

• A phased return to work programme.

The Clerk will be kept informed in writing of the outcome of all consultations by the Occupational Health Advisor.

**9.1 Welfare Meeting/s**

On receipt of the report from the Occupational Health Advisor, the employee will be invited to a meeting with the Clerk/Deputy at the earliest possible opportunity, unless there are valid medical reasons for deferral.

The purpose of the meeting will be to ascertain the likely duration of the absence and what support, if any, can be provided to facilitate a return to work. In addition, the employee will be advised about the possible consequences of a prolonged period of absence. The employee will be given reasonable notice of the meeting and informed of their right to be accompanied at this meeting by their Trade Union Representative or a work colleague.

If the employee is hospitalised, the meeting will take place at a mutually convenient location and time after the employee has been discharged from hospital and is well enough for such a visit.

The employee will be informed, in writing, of the outcome of the discussions and any action agreed, within 5 working days of the meeting.

If the absence continues it may be necessary to refer the employee to the Occupational Health Advisor/Physician for a further report.

On receipt of the report from the Occupational Health Advisor/Physician the employee will be invited to a further meeting with the Clerk/Deputy Clerk.

The employee will be given reasonable notice of these meeting/s and informed of their right to be accompanied at this meeting by their Trade Union Representative or a work colleague. The meeting should only be deferred for a longer period if there are sound medical reasons for doing so or, within reason, due to the unavailability of the Trade Union Representative. The purpose of this meeting will be to discuss all the options that may be open to the employee to facilitate a return to work.

The Clerk/Deputy Clerk will confirm, in writing, the outcome of the meeting and any actions agreed, within 5 working days of the meeting.

Options to be considered at this meeting include:

• A return to work at a known future date.

• A return to work following reasonable adjustments under the Equality Act 2010.

• A return to work in an alternative job. When considering suitability, the Clerk/Council must consider not only whether the employee is immediately able to do the job but also whether they may be able to do so after reasonable training and support.

• If, in the opinion of the independent Occupational Health Physician, the employee is permanently unfit to carry out their current or comparable work, or if comparable employment is recommended but none can be offered, then the employee’s contract will be terminated.

Where the employer is considering dismissing a member of staff on health grounds they should (where the employee is a member of the LGPS) first refer the individual to the Independent Registered Medical Practitioner to obtain an opinion as to whether the member meets the criteria for early retirement on the grounds of permanent ill health in accordance with the Local Government Pension Scheme Regulations. In the case of terminal illness, it is advisable to contact LGPS directly to discuss the best option for the employee at such a time.

• If, in the opinion of the independent Occupational Health Physician, the employee is not permanently unfit to carry out their current job, or they have refused suitable comparable employment, the employee’s contract will be terminated without access to pension benefits.

If the occupational health referral relates to the Clerk, contact and meetings will be undertaken by the Chairman of the Personnel Committee.

**9.2 Phased Return to Work Programme**

There may be occasions where an employee has recovered from a long term or debilitating illness but would find it difficult to return immediately to their full contractual duties and hours of work without further risk to their health, or has sufficiently recovered to be able to carry out only some of their duties/hours of work.

A phased return to work, gradually increasing their hours or a rearrangement of their duties, **may** help the individual successfully return to work sooner as an alternative to remaining on sick leave. Many employees will return to their normal contractual duties and hours without the need to access a phased return to work. **Therefore, each decision should be based on the merits of the case and the advice of the Occupational Health Advisor or if recommended by the employee’s GP on their Fit Note.**

The Clerk/Deputy shall arrange an update meeting with the employee so they can adjust to their return to work and be brought up to date with any changes that have taken place since their absence.

If the absence relates to the Clerk an update meeting will be arranged with the Chairman of the Personnel Committee.

In the absence of occupation health/physician advice any other phased return after a long-term absence will be at the discretion of the Clerk.

Any phased retuned will be up to a maximum of 4 weeks.

**10. UNDERLYING MEDICAL CONDITIONS**

If at any stage of the Managing attendance review process the employees and/or the Clerk/Deputy Clerk identifies that their attendance may be affected by an underlying medical condition, the Clerk will give consideration whether to request that an Occupational Health referral is arranged. (if it relates to the Clerk, the Chairman of the Personnel Committee will consider any referral).

This process would involve gaining the employee’s consent to refer them to the Council’s Occupational Health advisor. The purpose of this referral would be to obtain independent medical advice on: -

* The nature of any underlying/recurrent condition;
* How to support the employees to improve their attendance e.g. suggestions for reasonable adjustments to the employee’s work, which the Council could consider.

Any agreed adjustments should be considered when applying the absence procedure.

**11. SICKNESS SCHEME**

Occupational Sick Pay forms part of the Local Government Conditions of Service. Sick Pay **may not** be paid under the following circumstances:

(i) Where abuse of the sickness scheme is proven.

(ii) Failure to follow the procedures in accordance with this policy without a valid reason.

(iii) Falsification of certificates (self and medical).

(iv) Conduct deliberately prejudicial to recovery.

(v) Employee misconduct, negligence or recklessness in undertaking any activities either in, or outside, the Council's employment.

(vi) Absences resulting from injuries/illness incurred as a result of other paid employment, including participation in professional sport.

Circumstances (i) - (v) will constitute misconduct and will be dealt with in accordance with the Council's Disciplinary Code. Employees will be advised of the grounds for suspension of sick pay and will have the right of appeal as per the Council’s Appeals Procedure. If, following appeal, it is concluded that the grounds for suspension were justified, the employee will forfeit the right to any further payment in respect of that period of absence. If it is concluded that the grounds for suspension of sick pay were not justified, sick pay will be paid.

If an employee should become entitled to receive any payments from a third party, including their own insurance company in respect of damages for absence from employment due to incapacity, then they should agree that they will pursue payment of such entitlement. If they receive any such payments from a third party, any sums paid by the Council to them in excess of its obligations under Statutory Sick Pay regulations and in respect of the same period of absence shall be recoverable by the Council out of such damages as money due to the Council.

**12. DISCIPLINE**

When a Line Manager identifies that an abuse of the absence procedure has occurred, action should be taken, following an investigation in accordance with the Council’s Disciplinary Procedure. Examples of employee conduct in relation to absence, where disciplinary action may be appropriate, are detailed below (this list is not intended to be exhaustive):

• Unacceptable levels of long or short-term absenteeism.

• Failure to follow the notification rules without good reason.

• Not providing a satisfactory reason for being absent from work.

• Failure to provide medical certificates when required.

• Engaging in activities which are known to be inconsistent with or which knowingly aggravate the nature of the illness or delays recovery.

• Deliberate falsification of self or medical certificates.

• Failure to communicate or engage with the Council regarding their absence.

• Abuse of the sickness scheme.

**13. SPECIAL CIRCUMSTANCES**

**Holidays Whilst on Sick Leave:** Employees are not encouraged to go on holiday whilst on sick leave where this may be **detrimental** to their recovery. Employees who wish to go on holiday or who have pre-booked holidays must seek the written permission of the Clerk before embarking on the holiday. For this reason, the employee must ensure that they give the Clerk sufficient notice of their intention to travel. Under normal circumstances the Clerk will not withhold permission provided that, where requested, the employee submits a letter from their doctor in support of the holiday. The Council reserves the right to refer the employee to the Occupational Health Advisor/Physician for confirmation.

If an employee is on sick leave and goes on holiday without seeking the appropriate approval this will be dealt with in line with the Council’s Disciplinary Code.

If the sickness relates to the Clerk, written permission must be sought from the Chairman of the Personnel Committee.

**Absence on Public Holidays:** Should an employee be sick for a period covering one of the Council’s statutory or extra statutory holidays then the leave will not be accrued or carried forward.

**Terminal Illness**

In the case of a terminally ill employee there is a need to consider their situation and continued employment in a particularly sensitive way. As soon as the Clerk/Chairman (if the employee is the Clerk) becomes aware that an employee's absence is due to terminal illness, advice should be sought from the HR Advisor about managing any period of absence, discussing potential options that may be available.

**14. RISK ASSESSMENT**

Line Managers have a statutory responsibility under the Management of Health and Safety at Work Regulations 1999 to assess the risks to their employees. Generic risk assessments for workplaces and activities are the norm, but assessments specific to an individual are required where:

• The employee is a new or expectant mother.

• The employee is a young worker (under 18). Young workers may be more at risk due to their physical/mental maturity.

• The employee has a disability, illness or injury (work related or not) that increases the risks to them at work. This may include physical (e.g. back injury) or mental (e.g. stress) ill health.

The purpose of these specific risk assessments is to comply with statutory health and safety requirements, but also to manage absence by implementing measures to manage the risk to the employee’s health and safety. Suitable and sufficient risk assessments may reduce absence and improve the health and wellbeing of employees.

The Clerk/Deputy should risk assess and manage the risks to employees. When appropriate, individuals can be referred to the Occupational Health Advisor.

**15.PERSONAL, DOMESTIC or WORK-RELATED PROBLEMS**

Where an employee reveals that their absence has been a consequence of personal, domestic, or work-related problems, the relevant manager should endeavour to discuss with them any relevant details that they wish to disclose. Although an employee may have genuine concerns about revealing sensitive or personal information, they should be reminded that such matters will be treated confidentially, and that the Council cannot assist them if it is not made aware of the problem. If an employee wishes to discuss matters with someone other than the relevant manager, the Chair of the Personnel Committee can be contacted for a confidential interview.

Once the problem has been clearly identified, appropriate assistance can be offered to the employee. In some circumstances, special leave, temporary adjustments in working arrangements, or referral to specialist agencies may be granted.

**16. ALCOHOL/DRUG DEPENDENCY**

Where an employee discloses that their absences are a consequence of alcohol- or drug-related problems, they will be encouraged to seek help and treatment voluntarily through the Council’s Occupational Health Service or through resources of their own choosing. Employees may be granted, if necessary, leave to undergo treatment and any such leave will be regarded as sick leave within the terms of the Council’s sick pay scheme, with the monitoring of progress by the Occupational Health Service.

Should an employee refuses or discontinues any programme of assistance designed for them, then any unacceptable behaviour or inadequate standard of work will be dealt with on its merits through the Council’s Disciplinary Procedure.

**17. WELFARE**

If, as a consequence of medically related absence, the relevant Clerk/Chairman has any concerns about an employee’s ability to undertake the full range of duties and responsibilities associated with their post, consideration should be given to suspending them with pay, or finding alternative duties whilst medical advice is sought from the Occupational Health Unit.

**18. MONITORING**

Monitoring is an important part of sickness absence; it is important that all absence from the workplace is reported. All signed absence forms should be returned as soon as possible after the employee’s Return to Work Interview has been conducted. The Clerk/Deputy will ensure that an absence history is maintained for each employee. These records will provide the base data for the compilation, at regular intervals, of statistics showing the level of sickness absence across the Council.

The sickness monitoring system will also enable the Clerk to identify Individual cases where frequent or lengthy absences have occurred, or where patterns of absence have been identified. However, the Clerk should view such notifications as a secondary means of identifying problems or potential problems.

The Clerk/Deputy should ensure that they always maintain comprehensive records for each employee in relation to contact during and immediately following periods of sickness absence. These details should be maintained on the employee’s personal file and should always be treated with sensitivity and confidentiality. Employees will be entitled to access these records on request.

Absence reporting will also be included as a regular agenda item on the monthly Personnel Committee.

**19.DISABILITY**

Under the Equality Act 2010, a disabled person is defined as a person with "*a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities".*

All sickness absences of employees who are classed as disabled under the Act will be recorded as with absences of non-disabled employees. However, it is important that the Clerk/Deputy establishes which absences are related to the employee's disability. This may be through consultation with the employee or may necessitate seeking medical advice via the Occupational Health Advisor.

In the situation where an employee with a disability is required to attend a meeting and there is a right to be represented, consideration will be given on an individual basis, where required, for the employee to have an alternative representative to advocate on their behalf.

**20. ENSURING EQUALITY OF TREATMENT**

This policy must be applied consistently, irrespective of race, colour, nationality, ethnic or national origins, language, disability, religion, age, gender, gender reassignment, sexual orientation, parental or marital status and must not discriminate either directly or indirectly, intentionally or unintentionally against any group or individual employee.

**21. LEGAL ISSUES**

The Authority will adhere to all relevant legislation in the implementation of this Policy and will adhere to the requirements of all equal opportunities legislation.