

Sickness Absence

The Council operates the NJC sick pay scheme providing payment for your sickness/injury in line with the following maximum benefit entitlements, inclusive of any Statutory Sick Pay (SSP) in accordance with the rules/entitlements in force at the time. The rules of the scheme may be changed at any time after consultation with the relevant Trade Unions. Alternative schemes may be in place for employees on differing terms and conditions of employment.

Length of service at date of first day of current absence	Maximum benefit (including SSP) in preceding rolling 12-month period commencing from first day of current absence
Less than 4 months	One month's full pay
Between 4 months and 1 year	One month's full pay and two months' half pay
1-2 years	Two months' full pay and two months' half pay
2-3 years	Four months' full pay and four months' half pay
3-5 years	Five months' full pay and five months' half pay
5 or more years	Six months' full pay and six months' half pay

If the absence is for less than half a day/shift then the absence will be classed as a half-day sick absence. If the absence is for more than half a day/shift then the absence will be classed as a full day's sickness absence.

There are circumstances where the council may consider suspending contractual and/or statutory sickness payments. The council would advise the employee of the grounds for the suspension of pay and the employee would have the right of appeal to the Head of People & Development against the suspension of pay. If the council decide that the grounds for suspension were justified then the right to any further payment in respect of that period of absence would be forfeited.

Circumstances of sickness pay suspension may include, but are not limited to:

- The employee refuses to meet with their manager to discuss their absence (unless medical evidence has been submitted to state that the employee is too unwell to meet with their employer or manager); and/or
- the employee is absent on account of sickness which is as a result of deliberate conduct that does not help their recovery or makes it worse, or the employee's own misconduct or neglect; and/or
- the employee is absent on account of an injury sustained during the employee's active participation in professional or dangerous sport; and/or
- an injury sustained while working in the employee's own time on their own account for their own private gain or for another employer; and/or
- the Council have any reason to doubt the validity of an employee's illness or injury or the reason given for absence; and/or
- the employee does not comply with absence reporting procedures.

In the event of an absence arising from a third-party accident and the employee successfully recovering damages, the employee shall reimburse the Council the cost of any sick pay paid by the Council. Any period of absence where a full refund of sick pay is made will not be recorded as sickness absence for the purposes of the sick pay scheme.

In all cases of sickness absence that necessitates taking time off work, it is expected that the employee will do their utmost to facilitate a speedy return to fitness and to work. In this regard, employees are expected to act sensibly and honestly.

Peterborough City Council would not expect any employee who is absent from work due to sickness or injury to:

- participate in any sports, hobbies or social activities etc. which are in any way inconsistent with their stated illness or injury or which could aggravate the illness or injury or which could delay recovery;
- undertake any other employment whether paid or unpaid; or
- engage in any activity that is inconsistent with the nature of the stated illness/injury.

If a staff member is found to be working in another capacity whilst obtaining sick pay from the Council this may be viewed as a fraudulent act. A fraudulent act is criminal and may be liable for prosecution as well as being considered as a type of gross misconduct which may result in summary dismissal for a first offence.

The Council reserves the right to fully investigate the reasons why an employee refuses treatment that would expedite their recovery. Should the reason given not be acceptable, the disciplinary procedure may be followed.

Absence notification procedure

This procedure covers time off work without prior approval from the Council and absence due to sickness, accident or injury of the employee only.

If you are going to be absent from work, you should **speak** to your manager no later than your normal start time on your first day of absence. Individual departments may have a different notification deadline, depending on service need. You should give details of the nature of your illness/incapacity, whether you will be seeking medical attention, whether the incapacity is related to an accident at work and an indication of when you think you may be well enough to return to work.

During the first five working days of absence, you should contact your manager again at the end of each day of absence to advise whether you will be returning the following day.

Texting, emailing and asking a partner or friend to ring on your behalf are not normally acceptable forms of communication.

If you are absent for more than seven days including weekends, you must obtain a medical certificate (Fit Note) from your GP or healthcare professional (nurse, pharmacist, physiotherapist or occupational therapist.) This and any subsequent certificates should be forwarded to your manager as soon as possible. If your fit note indicates you “may be fit for work”, you will be invited to attend a meeting with your manager before you are able to return to work.

On your return to work, following any absence of one day or more, you will be asked to attend a “Return to Work” meeting. These meetings must be completed in a timely manner and must not be delayed. Should your line manager be absent from the business, the meeting must be conducted by another manager.

Failure to comply with the above-mentioned notification procedure will invalidate any entitlement to sick pay.

Medical appointments

This section relates to appointments for non-cosmetic medical reasons. Appointments relating to surgery or dentistry for cosmetic purposes should be arranged outside of working hours or taken as annual leave. Time off to attend medical appointments should not be recorded as sick leave.

Hospital appointments

Paid time off will usually be given for hospital appointments. It is accepted that it is not always possible to arrange hospital medical appointments outside of working hours, particularly for those working full time office hours. However, wherever possible appointments should be arranged to minimise the time lost. The employee may be asked to produce evidence of the appointment (e.g. patient appointment card).

Prenatal checks and regular physiotherapy appointments will be treated as hospital appointments where the employee has no discretion over the time of the appointment. Where it is possible these appointments should be made outside of working time. It is expected that the manager will be kept up to date with forthcoming appointments.

Fertility treatment

The Council wishes to be supportive of those affected by fertility issues, therefore employees wishing to attend appointments relating to fertility treatment (including IVF) will usually be granted reasonable paid time off to attend these. For those

undergoing IVF treatment, alternative duties or an alternative role within the Authority may be provided. This measure ensures that employees can continue their treatment whilst reducing any associated risks.

Cancer screening

Employees will receive paid leave to attend any cancer screening appointments if the appointment cannot be arranged outside of normal working hours. The employee's line manager may request to see written evidence of appointments.

Doctors and dentists

Paid time off will not be granted to attend appointments with doctors or dentists. These should be arranged outside normal working time if possible. If it is not possible to arrange the appointment outside of working time then prior approval should be sought for the absence. In all cases, actual start and finish times should be recorded on the flexi-sheet/timesheet which should be an accurate record of time worked that day. Any time taken during working hours must be made up as soon as possible or taken from existing flexi-time where applicable.

Sickness during holidays

If an employee falls ill prior to or during a period of holiday, they may be allowed to postpone the holiday dates. Employees must report their sickness in line with the usual absence reporting procedures, and will be required to provide a medical certificate to cover the full period of absence. If the medical certificate is not printed in the English language then the employee will be expected to obtain a translation to ensure that it can be appropriately considered. Any translation costs or certification costs must be borne by the employee in full if they choose to request the leave be allocated back to them. Claims will not be considered for less than five days. Employees will not be able to retrospectively advise that they were too ill to take their holiday. If an employee on long term sickness absence decides to take a pre-booked holiday then the Council may request a letter from the GP stating that the holiday is essential to their recovery and will not prejudice their recovery. Failure to obtain this letter may mean that the council will treat this pre-booked period as annual leave and not as sick leave. Any costs charged by the GP will be met by the employee.

If a public or bank holiday occurs during sick leave the employee will continue to receive sick pay. Where an employee has exhausted their period of entitlement to sick pay, no payment will be made (other than SSP if applicable) in respect of a public or extra statutory holiday occurring during their period of sick leave.

Managing absence in the workplace

In order to help us monitor and control absence in the workplace you will be required to attend a "Return to Work" meeting with your manager upon your return to work from any period of sickness absence. Should your line manager be absent from the business, the meeting must not be delayed and conducted by another manager.

Where an employee has an unacceptable level of short-term absences and / or is absent from work for a period of long term sickness, this will be discussed with the employee under the absence management procedure.

In order to ensure consistency in addressing absence issues and to help identify the best approach for dealing with high levels of absenteeism, it is essential that absence levels are monitored. The formal stages of the Frequent Sickness Management Procedure will be followed when an employee reaches one or more of the following points during any rolling twelve-month period:

- 3 occasions of sickness absence
- 10 or more working days (*pro rata for staff working less than 5 days per week*)
- Unacceptable patterns of absence, e.g. a trend for sickness on a Monday or Friday

The trigger points for employees that work fewer than 5 days in a week will be pro rata to the average number of days worked per week. There will not be an adjustment to the number of occasions.

Where the nature of an employee's absence is long-term the following principles will be applied.

- The Council will implement this element of the policy when it is deemed to be appropriate by the line manager in consultation with the People Team when the employee is still absent from work. When an employee returns to work after an absence of any length, the absence may count towards the absence triggers set out above
- Any employees who are absent (or likely to be absent) for more than 4 consecutive weeks may be referred to the Council's Occupational Health service if appropriate
- Consultation with the employee under the Council's Capability Procedure
- Medical reports from the employee's GP/specialists, including referral to a Council appointed GP/OH provider for a medical report where deemed necessary by the Council
- Forewarning of the employee in writing where their employment is at risk of termination
- Consideration of alternative employment, where applicable and available
- Consideration of any reasonably practicable workplace adjustments, if appropriate
- Right of appeal against termination on ill health grounds