

# SICKNESS ABSENCE MANAGEMENT POLICY



## **SECTION A**

1. AIM
2. PRINCIPLES
3. SCOPE
4. RESPONSIBILITIES OF THE EMPLOYEE
5. RESPONSIBILITIES OF THE LINE MANAGER
6. MANAGEMENT OF STRESS
7. PROCEDURE FOR NOTIFICATION OF SICKNESS ABSENCE
8. TRIGGER POINTS
9. RETURN TO WORK INTERVIEW
10. RISK ASSESSMENT
11. REASONABLE ADJUSTMENTS
12. SICK PAY SCHEME
13. CONDUCT DURING SICKNESS ABSENCE
14. CLAIMS FOR DAMAGES
15. ANNUAL LEAVE INSTEAD OF SICKNESS ABSENCE
16. EMPLOYEE TAKEN ILL DURING A PERIOD OF ANNUAL LEAVE
17. PRE-BOOKED ANNUAL LEAVE DURING PERIODS OF CERTIFIED SICKNESS
18. SICKNESS ON A PUBLIC/BANK HOLIDAY
19. SICKNESS DURING A PERIOD OF SUSPENSION
20. POOR ATTENDANCE OF DISABLED EMPLOYEES
21. REFERRAL TO OCCUPATIONAL HEALTH
22. ACCESS TO MEDICAL RECORDS
23. NOTIFICATION OF ABSENCE MEETINGS
24. GENERAL INFORMATION ABOUT ABSENCE MEETINGS
25. FURTHER INFORMATION

## **SECTION B - SICKNESS ABSENCE MANAGEMENT PROCEDURE**

1. MANAGEMENT OF SHORT- TERM SICKNESS ABSENCE
2. MANAGEMENT OF LONG-TERM SICKNESS ABSENCE
3. ABSENCES THAT MAY BE TAKEN INTO ACCOUNT
4. STAGE 1 FORMAL ATTENDANCE MANAGEMENT MEETING
5. STAGE 2 FORMAL ATTENDANCE MANAGEMENT MEETING
6. STAGE 3 FORMAL ATTENDANCE MANAGEMENT MEETING
7. EXAMPLES
8. WORKFLOWS

## **SECTION A**

### **1. Aim**

The council is committed to the well-being of its workforce. Employee attendance is a vital factor in delivering the level of service required by our customers and community. This policy aims to provide guidance and support in both managing absence and in supporting the return to work process. We aim to ensure the efficiency and effectiveness of Peterborough City Council is maintained at all times.

## 2. Principles

Our policy is based on the following key principles:

- No two cases of absence are identical. Employees will always be treated with sympathy, understanding and compassion.
- We recognise the importance of managing absence through good employment practice and effective return to work interviews.
- It is very important that employees and their manager have regular contact during periods of sickness absence. Support will be provided to help employee's return to work following a period of long term sickness.
- When dealing with cases of sickness absence which involve the issue of an individual's physical or mental capability to undertake their duties, it is advisable to discuss all support mechanisms with them at the earliest convenience.

The council reserves the right to implement this procedure at any stage as set out below taking into account the situation of the individual case.

Statutory Sick Pay and Contractual Sick Pay will be paid for periods of sickness absence only providing the notification process has been followed. Any unauthorised absence may result in disciplinary action being taken.

## 3. Scope

This policy applies to all City Council employees as far as possible, except where there is a specific local agreement, or a clause within the contract of employment, which is at variance with the provisions as contained within the NJC agreement. A different procedure may be necessary for certain employees, e.g. those based in schools and who are subject to procedures involving Governing Bodies. Schools are strongly advised to adopt the principles of this policy for non-teaching staff.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

## 4. Responsibilities of the employee

- To attend work unless unfit or unable to do so, regardless of agile working (as defined in the Ways of Working Policy)
- To ensure they understand and comply with the standards that are expected of them detailed within this policy
- To report each absence promptly and in line with the notification process detailed in this document; to keep in regular contact with their manager during the absence
- Are aware of the support mechanisms in place to aid wellbeing in work and healthy working practices are promoted
- Understand who they can talk to should they need to discuss their absence and wellbeing at work
- To engage with the Occupational Health appointment if referred
- At all times to follow medical advice to support a return to work at the appropriate time
- Not to undertake activities that may compromise their health, or their return to work following sickness.
- To make proper use of any equipment and systems of work provided for their safety.

## 5. Responsibilities of the line manager

- To ensure that the council fulfils its duty of care to employees according to the council's Health & Safety Policy
- To create a supportive climate in which good attendance prevails
- To ensure that employees
  - understand the policy and their responsibilities under the policy
  - Are aware of the support mechanisms in place to aid wellbeing in work and healthy working practices are promoted

- o Understand who they can talk to should they need to discuss their absence and wellbeing at work
- o understand the importance of good attendance in the delivery of effective customer service
- To treat information regarding medical conditions sensitively and with due regard to confidentiality
- To maintain responsibility for the employee regardless of whether they are office based or work remotely.
- Maintain accurate records of absence for the employees under their responsibility to ensure reporting is accurate at all times
- Ensure they have access to training to allow them to manage absence in a proactive way,

## 6. Management of workplace stress

The council is committed to protecting the health, safety, and welfare of our employees. The council recognises that workplace stress is a health and safety issue, and acknowledges the importance of identifying and alleviating workplace stress to as low a level as reasonably practicable through safe systems of work, risk assessments, suitable equipment and information and sharing.

The council will endeavour to give all employees appropriate support through the Employee Assistance Programme. Referral to Occupational Health will be discussed with an employee as part of the wellbeing interventions available to them during the early stages of absence. Referrals should be made by the employer to Occupational Health following more than four weeks of absence, and in order to support an employee's return to work as part of the long-term sickness absence procedure.

## 7. Procedure for notification of sickness absence

If an employee is absent from work due to any illness or injury which incapacitates them and prevents them from doing the work they are employed to do, the following rules must be observed in order to qualify for sickness absence and payment for the absence. The same process applies to all staff regardless whether they are office based or work remotely.

### 7.1 Contact from Day One to Day Seven

On the first and every subsequent day of absence, the employee must inform their line manager or senior manager (where an employee is not comfortable discussing the absence with their line manager) of their absence, by telephone, no later than their normal starting time. Departments may instigate a separate local agreement that states the daily reporting times, depending on service need. Should an employee be signed off from work from day one, and has obtained a Fit Note from a relevant healthcare professional, the manager and employee may agree a different timescale of reporting, instead of daily.

To allow a meaningful two way dialogue, only telephone calls or video calls are acceptable, (e.g. via Teams or Facetime). The telephone or video call should be made by the employee themselves – only in extenuating circumstances will a call be accepted by another party.

The employee should give details of the nature of their illness/incapacity (i.e. migraine; chest infection etc.); whether they will be seeking medical attention; whether the illness is due to an accident at work and some indication of when they will be able to return to work.

Any delay in notification or failure to notify will require further explanation. Should the reason be deemed unacceptable, this may result in loss of entitlement to sick pay and/or disciplinary action.

Communication will be maintained with the employee throughout the absence, which may be in the form of telephone conversations, face to face meetings, or Teams or Facetime Video call, whichever is most appropriate, unless medical evidence prevents this from happening.

All absences must be recorded in the HR System by the line manager, or nominated deputy,

as soon as it is reported by the employee. Failure to log the absence may result in sickness absence not being processed correctly and in a timely manner, and employee absence records not being accurate.

## 7.2 Fit Notes Day Eight and onwards

If an employee is still unfit for work on account of ill health on the eighth calendar day, they should obtain a Statement of Fitness for Work known as a Fit Note. Fit notes can be obtained from an eligible healthcare professional. This could be a doctor, nurse, occupational therapist, pharmacist or physiotherapist.

A copy of the Fit Note should be forwarded to the employee's Line Manager via email as a 'photo or attachment, within two days of the Fit Note being signed by the relevant healthcare professional, unless there are extenuating circumstances or there is a local agreement in place which states a different timescale.

The Line Manager will then upload the Fit Note onto the employee's record on the HR System, including the dates of absence, Fit Notes must be submitted at the intervals specified by the medical practitioner on the note. It is the employee's responsibility to ensure that dates on subsequent Fit Notes follow on with no breaks in between, and that all notes are submitted within two days of the note being signed by the healthcare professional, if they are to be paid sick pay for the whole period.

If hospital admission and discharge certificates cover any gaps from the first day of absence to the return to work, then these must also be submitted.

Copies of all hospital admission and discharge certificates should be forwarded to the employee's line manager via email as a 'photo or attachment, for uploading to the employee's record on the HR System.

When the employee has submitted a Fit Note, the manager and employee should agree the intervals at which communication will take place. In normal circumstances, there should be contact at least once per week.

## 7.3 Reporting of Industrial Disease/Accident or Assault

Where Industrial Disease/Accident or Assault is alleged, the employee:-

- must inform their line manager, or other senior manager if this is not possible for the employee to talk with their line manager, that they believe their medical condition arises from their work with the council, and state how they believe their work caused the condition
- report this within 3 days of the incident happening.
- where this is not possible the employee must ensure that this is done on their behalf.
- Further information regarding the reporting of incidents is available on the [Health and Safety Page](#) of Insite.

## 8. Short Term Absence Trigger Points

The Short Term Sickness Management Procedure will be followed when an employee reaches one or more of the following points during any rolling twelve-month period:

- Three or more occasions of sickness absence
- 10 working days absence over 2 occasions (eg. 9+1, 8+2, 7+3, 6+4, 5+5)
- Unacceptable patterns of absence, e.g. a trend for sickness on a Monday or Friday

Where an employee has two or more posts the sickness absence will only count against the role that would have been worked on the day of the absence.

The unacceptable patterns may cover a period of more than one year if there is evidence to confirm the absence or the absence pattern occurs annually, bi-annually etc.

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, as detailed below:-

Working days per week	Trigger Point
1 Day	2 days absence
2 days	4 days absence
3 days	6 days absence
4 days	8 days absence
5 days	10 days absence

There will not be an adjustment to the number of occasions.

If employees work on an annualised hours' contract, managers will need to apply an average working week and make adjustments during the year if needed.

## 9. Return to Work Interview

It is Council policy that a return to work interview is carried out with all employees on the first day of their return from any sickness absence. The line manager or supervisor should complete a Return to Work Form during the return to work interview, with the employee. This meeting is to determine the reasons for the absence, to ensure that the employee is fit to have returned to work and to consider any support required to ensure a successful return to work.

The interview may be used to consider short or long-term changes to working hours or working practices. It may also be used to update the employee of any relevant changes that may have occurred during their absence. All sections must be completed fully, with the reason for absence given in each section. The reason given at the interview may differ from the reason originally given.

If the employee chooses not to complete a Sickness Self Certification and Return to Work form on the first day of their return, or knowingly completes it inaccurately, then the entitlement to contractual sick pay may be lost. This may also be dealt with as a disciplinary matter.

Managers must ensure that employees partake in a meaningful return to work interview, which is carried out on the first day of the employee returning to work, in private and face to face. Return to Work interviews may take place via Teams or Facetime where the employee works from another council office to the manager or works remotely.

Managers' performance in respect of competently completing return to work interviews in a timely manner, will be monitored and reported on, and is a standard expectation within the role of a line manager.

## 10. Risk Assessments

Risk Assessments applicable to the reasons for absence, will be carried out before any reasonable adjustments are agreed, and will usually inform part of the decision making process when determining the suitability of a return to work and subsequent reasonable adjustments.

## 11. Reasonable Adjustments

It may be the case that an employee could return to work if adjustments were made to either the role they carry out, or to their working pattern on a permanent basis. The council will endeavour to accommodate the needs of employees in line with the requirements of the Equality Act. Reasonable adjustments may include a phased return to work. Where this is the case the employee will be paid normal pay whilst at work and sick pay (which may be no pay) when they are not at work.

## 12. Sick Pay Scheme

The sick pay scheme is part of a key national provision (part two) for application by all local

authorities to all employees covered by the National Joint Council (NJC). The rules of the scheme may be changed at any time after consultation with the relevant Trade Unions.

The payment of sick pay operates on trust. Employees are expected to act with integrity and honesty in complying with the spirit of the scheme. All employees must comply fully with the requirements of this policy to retain their eligibility to sickness pay.

The period of paid sick absence may be extended only in exceptional circumstances and only at the discretion of the Service Director in conjunction with the Assistant Director of HR.

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.

12.1 Details of the scheme

If the employee has complied fully with this policy, the council will provide contractual sick pay at the levels and for the periods outlined in the table below. Statutory payments will be offset against this and not paid in addition.

LENGTH OF SERVICE	SICK PAY PERIOD
Less than four months' service	One month's full pay
Between four months and one year's service	One months' full pay and two months' half pay
During second year of service	Two months' full pay and two months' half pay
During third year of service	Four months' full pay and four months' half pay
During fourth and fifth year of service	Five months' full pay and five months' half pay
After five years' service	Six months' full pay and six months' half pay

Sick pay is calculated by deducting from the employee's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.

12.2. Sick pay for cases of Industrial disease, accident, or assault

For sick pay purposes, absence arising from normal sickness is entirely separate from absence due to alleged industrial disease, accident or assault arising out of or in the course of employment with the council. Periods of absence in respect of one shall not be offset against the other for the purposes of calculating sickness pay periods.

For example, an employee may have exhausted their contractual sick pay (CSP) entitlement through having normal sickness absence, ut be entitled to full CSP if they have an industrial disease, accident or assault arising out of or in the course of employment with the council.

All absence arising from an alleged industrial disease, accident or assault must be recorded correctly on the HR system by either the line manager or appropriate nominated deputy. Failure to record correctly may result in inappropriate payments being made to the absent employee.

12.3 Loss of entitlement to sickness pay

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 Assistant Director of HR 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 is not limited to:-

- If an 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)
- If an 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,
- The employee's own misconduct or neglect
- The employee's active participation in professional sport
- An injury sustained while working in the employee's own time on their own account for their own private gain or for another employer
- If the Council have any reason to doubt the validity of an employee's illness or injury or the reason given for absence.
- If an employee does not comply with their obligations under this policy, for example, if they do not submit medical certification within 10 calendar days from the first day of absence, and/or do not comply with the sickness reporting procedure.

Occupational Health advice may be sought as appropriate throughout an employee's absence.

Disciplinary action may be taken against an employee for fraudulent sickness pay claims, which could result in sanctions against the employee, up to and including dismissal if appropriate.

### 13. Conduct during sickness absence

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.
- engage in any activity that is inconsistent with the nature of the stated illness/injury

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.

Any employee who does undertake any other duties whilst absent from their employment on sickness absence, may be subject to disciplinary action, as undertaking other employment may be seen as an act of gross misconduct, and may lead to dismissal under the disciplinary procedure.

It is the responsibility of the employee to ensure that their return to work is not compromised by their actions outside of work.

If it is recommended that exercise or any other therapeutic treatment is required to assist recovery, then the employee may be asked to submit a written report, outlining the reasons for the recommended exercise/therapeutic treatment and details of the exercise/therapeutic treatment. The report/letter must be issued by the employee's GP or other specialist.

The employee must ensure they follow the reporting procedure and that every day of the absence is properly covered by a medical certificate.

### 14. Claims for damages

If the employee intends to claim for damages against a third party following an accident or incident that results in sickness absence, where contractual sick pay is paid, the employee is obliged to: -

- tell their line manager, and
- sign an undertaking to repay any sick pay that the Council has paid to them when their claim against the other party has been settled (any claim will normally include the cost of sick pay paid by the Council during their absence from work).

The employee must do this even if the accident happened away from work (whilst the Council is incurring employee costs). The employee will not be expected to repay more than any award made to them.

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.

#### 15. Annual Leave instead of sickness absence

If employees are unfit for work then the day should be classed as a sickness day and annual leave days will not be authorised to 'cover' the sickness.

Should an employees' sickness absence fall into the long term category (as per Section C of this policy), consideration will be given to granting (statutory) annual leave during this absence, should the employee request it via the normal leave request procedure. At the Council's entire discretion, it may waive the need for the employee to comply with normal notice requirements or any other applicable Council policy.

If the employment is terminated before an employee returns from sickness absence, they will receive a payment in lieu of any accrued but untaken statutory leave entitlement.

- All employees must have the statutory leave each year under the working time regulations. Any employee who has taken below the statutory level will be able to carry over those days into the following leave year and take the days within 18 months. Bank holidays taken are included in the total. The contractual leave would not be carried over in addition to the statutory leave.

#### 16. Employee taken ill during a period of annual leave

Where an employee falls sick or is injured while away from home on holiday, within or outside of the UK, the council will allow the employee to transfer to sick leave and take replacement holiday at a later time. This is subject to the following strict conditions:

- The total period of incapacity must be fully certificated by a qualified medical practitioner / relevant healthcare professional
- The employee must contact the organisation (by telephone) as soon as he/she knows that there will be a period of incapacity during a holiday.
- The employee must submit a written request no later than 10 days after returning to work setting out how much of the holiday period was affected by sickness and the amount of leave that the employee wishes to take at another time.
- Where the employee is overseas when he/she falls ill or is injured, evidence must be produced that the employee was ill by way of either a medical certificate or proof of a claim on an insurance policy for medical treatment received at the overseas location. 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.

Where the employee fulfils all of the above conditions, the organisation will grant the employee the same number of days' replacement holiday leave as the number of holiday days lost due to sickness or injury.

#### 17. Pre-booked annual leave during periods of certified sickness

If an employee is ill or is injured before the start of a period of planned holiday, and consequently unable to take the holiday, the council will agree to the employee postponing the holiday dates to another mutually agreed time. Any period of sickness absence will then be treated in accordance with the normal policy on sickness absence, providing medical certificates are in place to cover the absence.

The employee must submit a written request to postpone the planned holiday and this must be accompanied by a letter from his/her doctor or relevant healthcare professional confirming



that he/she is unfit, or is still likely to be unfit, to take the holiday.

If an employee wishes to take the pre-booked period of leave as leave then they must provide a medical statement which states that the period of sickness is as at an end before the holiday starts.

#### 18. Sickness on a Public/Bank holiday

If a public or bank holiday occurs during sick leave the employee will continue to receive sick pay. Where an employee has exhausted his/her 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 his/her period of sick leave.

#### 19. Sickness during a period of suspension

If an employee falls sick during a period of suspension, he/she must notify the Investigating Officer or HR Business Partner by 10.00 a.m. on the first day of incapacity. The employee should be regarded as being on sick leave from the date of the medical statement. A medical certificate must cover all sickness during a period of suspension as there will be no entitlement to self-certified absence during a period of suspension. The council will meet the cost of any medical certificate if the medical practitioner imposes a charge.

Whilst off sick, the suspended employee must continue to observe the provisions of para 5.6 of the disciplinary procedure. The suspended employee may still be required to attend meetings with the investigating officer whilst off sick.

#### 20. Poor Attendance of disabled employees

The Council will always endeavour to support and will comply with all relevant legislation relating to its disabled employees. However, if a disabled employee has been given all the relevant support and all options have been explored, but their absence or ability to carry out their role is a cause for concern, then Section B or C of this policy will be followed.

If an employee considers that he or she is affected by a disability or any medical condition which affects their ability to undertake their work, they should inform their line manager or the HR department.

#### 21. Referral to Occupational Health

All employees who are absent (or likely to be absent) for four weeks or more, will be referred to the occupational health service.

Employees who report that they are absent due to a stress related illness will, following a discussion with their line manager on day one of the absence, be directed to the wellbeing interventions that the Council has access to, which includes referral to an Occupational Health practitioner. During the initial few weeks of a stress related illness, it is important that the employee is provided with the individualised support they need; this should be employee-led but monitored closely by the line manager with guidance from the HR Team where appropriate.

#### 22. Access to medical records

In operating this policy, the Council may, at any time, ask an employee to consent to a medical examination carried out by an external medical practitioner nominated by the Council.

If such a request is made, the employee will be asked to agree that any report produced in connection with any such examination may be disclosed to the Council, and that the Council may discuss the contents of the report with our advisers and the relevant doctor.

If an employee refuses to attend appointments or allow access to their medical records, then they will be informed that the Council will have no option but to take decisions based on the information it has to hand.

### 23. Notification of absence meetings

Unless it is impractical to do so, the Council will give the employee written notice of the date, time and place of an absence meeting, and will put any concerns about the employee's sickness absence, and the basis for those concerns, in writing or otherwise advise the employee why the meeting is being called.

The employee will be given a reasonable opportunity to consider this information before a meeting is held.

### 24. General information about absence meetings

Absence meetings should, wherever possible, be carried out in private and conducted face to face, regardless if the employee works remotely or in another council office to the manager conducting the meeting. The meetings will normally be conducted by an employee's line manager, a more senior manager or nominated deputy; a representative of the HR Department may be in attendance at any of these meetings.

An employee is entitled to bring a companion with them to formal meetings. A companion may make representations, ask questions, and sum up an employee's position, but will not be allowed to answer questions on an employee's behalf.

The Council may, at its discretion and on a case by case basis, allow an employee to bring a companion who is not a work colleague or union representative (for example, a member of the employee's family) if this will help overcome a particular difficulty caused by a disability.

An employee must take all reasonable steps to attend a meeting. Failure to do so without good reason may be treated as misconduct. If an employee or his or her companion is unable to attend at the time specified they should immediately inform their line manager or the HR Business Partner who will seek to agree an alternative time.

Unless there are special circumstances mitigating against it, if the employee is unable to attend the rearranged hearing, the rearranged hearing will take place in the employee's absence. The employee's companion may attend in such circumstances and will be allowed the opportunity to present the employee's case. The employee will also be allowed to make written submissions in such a situation.

A meeting may be adjourned if the employee's line manager or the HR Business Partner is awaiting receipt of information, needs to gather any further information, or needs to give consideration to matters discussed at a previous meeting. An employee will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.

Confirmation of any decision made at a meeting, the reasons for it, and the right of appeal will be given to an employee, in writing, usually within 1 week of an absence meeting (unless this time scale is not practicable, in which case it will be provided as soon as is practicable).

If, at any time, the line manager or the HR Department considers that an employee has taken or is taking sickness absence when they are not unwell, they may refer matters to be dealt with under the Disciplinary Procedure.

Issuing Formal Warnings or Notifications.

When carrying out the formal process for either the Short or Long term procedure, it is expected that a formal warning or notification should be issued in all cases. However, there may be exceptional circumstances where a notice will not be issued.

Circumstances that will not be considered exceptional include but are not limited to:

- Wishing to avoid a difficult conversation or awkward situation
- Feeling sorry for the employee or
- Thinking that the act of merely arranging and attending a formal meeting is enough and has fulfilled the requirements of the policy

### 25. Permanent ill health

There will be a very limited number of cases where the only option is termination of employment on the grounds of permanent ill health. The criteria for this is those employees who are permanently unfit to do their job efficiently on the basis of ill health or infirmity of the mind or body. It is only a qualified medical practitioner who can make this declaration. Once this decision has been taken then normal dismissal procedures have to be applied.

## 26. Further information

Further guidance can be found in the Guidelines. Further advice can be sought from the HR Business Partner.

## **SECTION B - SICKNESS ABSENCE MANAGEMENT PROCEDURE**

### 1. Management of Short Term Sickness Absence

All absence will be recorded and tracked via the HR system. Where an employee's absence is tracking towards a further absence triggering a Stage meeting, a discussion should take place with the employee and the line manager to notify them of this and a File Note raised to summarise the conversation. The employee should acknowledge the File Note by signing a copy which is then uploaded to their electronic record on the HR system. This does not form part of the formal Sickness Absence Management process; however, this will act as an informal indication that any further absence could mean the formal procedure is implemented. This should act as a preventative measure

An employee whose level of sickness absence has reached a defined trigger point (as outlined in Section A paragraph 8.0), will be invited to attend Formal Attendance Management Meetings. These meetings should take place as soon as is reasonably practicable after the trigger point has been reached.

### 2. Management of Long Term Sickness Absence

The definition of long- term sickness absence is absences of four weeks or more. Each case will be treated on an individual basis, and in partnership with the employee, their manager, HR representative and in some instances Occupational Health and the treating healthcare professional(s). It is expected that the manager will already have been in contact with the employee on an informal basis before this process is followed and wellbeing interventions explored as part of those discussions to support the employee back to work.

The Council will maintain contact with the employee during periods of long- term sickness absence, unless there is medical evidence that no contact should be made. Contact ensures that the Council are fully aware of the issues surrounding the absence and the likely return to work date. This may be in the form of telephone conversations or face to face meetings or a combination, whichever is most appropriate.

All employees who are absent (or likely to be absent) for four weeks or more, may be referred to a medical practitioner. Employees who are absent due to a stress related illness will be directed on day one to access the wellbeing interventions that the Council has on offer to support employees at work. as soon as their line manager has been informed that they are absent, and this is the reason for the absence.

If at any stage during this procedure it is considered that the absences from work are not due to sickness and that the employee is abusing the scheme, this will be dealt with under the disciplinary procedure.

### 3. Returning to work after Long Term Sickness Absence - light duties and phased returns

When an employee's healthcare professional states that the employee is fit to return to work providing that they can work on 'light duties' or on a 'phased return' then the Council will endeavour to support this. However, 'light duties' cannot be guaranteed and will depend on the role, the request and the advice issued from the treating medical practitioner(s) or Occupational Health. 'Light duties' may be defined as:-

- reduced or altered duties;
- reduced or amended working hours, working pattern or location
- temporary medical redeployment to an alternative role.

Light duties are a temporary measure and will usually be for a period of not more than four weeks unless medical advice recommends that a longer period is necessary. This can only be extended after consultation with the treating medical practitioner(s) or Occupational Health.

During any period of light duties, the employee must be able to carry out the majority of their job, and play a useful role once back at work. If the employee is unlikely to be fully fit within four weeks then they should obtain a Fit Note and remain absent due to sickness.

Phased returns shall normally be for either a half or a full day. If an employee is unable to physically attend a Council building for any part of the phased return, it may be agreed that the employee may work from home, subject to advice from occupational health and any relevant risk assessments.

For employee's working on a phased return basis they will be paid normal pay for the half or full day that they are at work and sick pay (full, half or none) for the hours that they are not at work.

Light duties will not automatically be arranged for employees returning from long term sickness absence. The Council will consider all relevant factors before making a decision as to whether light duties will be implemented.

If an employee has a relief post/s with the Council in addition to their substantive role then they will not normally be allowed to work in the relief role until they are fully working in their substantive role. Overtime and training shall not be carried out during any period of light duties.

### 4. Absences that may be taken into account

In most cases all sickness reasons will be taken into account. However, those wholly attributable to an employee's pregnancy, will be discounted. The absence will be recorded and discussed at the return to work interview, but not used to take further action against the employee.

The Council will always endeavour to support and will comply with all relevant legislation relating to its disabled employees. Absences due to a disability will not be discounted, however, the triggers may be amended to take the disability into account.

Should an employee's sickness absence immediately follow a pre-planned or emergency operation or procedure, be wholly related to the operation or procedure and be for recuperation purposes, the absence will be recorded and discussed at the return to work interview, but not used to take further action against the employee.

However, should further related absences occur after the employee has returned to work, they will not be discounted.

### 5. Stage 1: First Sickness Absence Meeting

The Stage 1 First Sickness Absence Meeting will be arranged after the employee has reached

a defined short-term absence trigger point (as outlined in Section A paragraph 8.0 of this policy), been absent for 4 weeks or more, or where an employee has been absent on a number of occasions lasting 4 weeks or more.

The purposes of a first sickness absence meeting will include:

#### Short-term absence

- Review the concerns as highlighted in any informal meetings and in return to work interviews
- Review and discuss the success of any measures made and consider what, if any, further strategies / support might improve the employees' health and attendance
- Provide the employee an opportunity to fully explain the circumstances of their absences
- Consider whether any formal action is required
- Agree a timescale for review over which the employee's attendance will continue to be monitored
- To remind the employee of the importance of regular attendance at work and that if the appropriate improvement in attendance has not taken place by the review date, that a further formal meeting in line with Stage 2 of the procedure will be arranged and may result in further action being taken and that their employment may be at risk.

#### Long-term absence

- Discussing the reasons for absence
- To determine how long the absence is likely to last
- Where an employee has been absent on a number of occasions lasting 4 weeks or more, determining the likelihood of further absences
- Considering whether medical advice is required, obtaining the employee's permission to write to their doctor and informing the employee that they shall be referred
- Considering what, if any, measures might improve the employee's health and/or attendance
- Agreeing a way forward; any action that will be taken and a timescale for review and a further meeting under the sickness absence procedure.

#### Possible Outcomes

The Stage 1: first sickness absence meeting may result in one or more of the following outcomes:

- First Written Warning (For Short Term Sickness only)
- First Written Notification (for Long Term Sickness only)
- A review and monitoring period
- In extenuating circumstances, no further action

Should a first written warning or notice be issued, this will be held on the employees' file and be considered live for a period of 12 months. The employee will have the right to appeal against a first written notice by following the Council's Appeals Policy and Procedure.

## **6. Stage 2: Second Sickness Absence Meeting**

Depending on the matters discussed at the first stage of the sickness absence procedure, a further meeting or meetings may be necessary under Stage 2.

The purposes of further meeting(s) may include:

#### Short-term absence

- Review the concerns as highlighted in the Stage 1 meeting, in subsequent return to work interviews and in any informal meetings that may have taken place
- Review and discuss the success of any measures made and consider what, if any, further strategies / support might improve the employees' health and attendance
- Remind the employee of the need for immediate sustained improvement in attendance

- Provide the employee an opportunity to fully explain the circumstances of their absences
- Consider the employees ability to remain in their current role in view of their capabilities and business needs and possible redeployment opportunities
- Consider whether any formal action is required
- Agree a further timescale for review over which the employee's attendance will continue to be monitored
- To remind the employee of the importance of regular attendance at work and that if the appropriate improvement in attendance has not taken place by the review date, that a further formal meeting in line with Stage 3 of the procedure will be arranged and may result in termination

#### Long-term absence

- Discussing the reasons for and impact of an employee's absence(s);
- Discussing how long the absence is likely to last
- Where an employee has been absent on a number of separate occasions lasting 4 weeks or more, discussing the likelihood of further absences;
- If it has not already been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required;
- Considering an employee's ability to return to/remain in their job in view both of their capabilities and the Council's business needs and any adjustments that can reasonably be made to the employee's job to enable them to do so;
- Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying the employee;
- Where an employee is able to return from long-term sickness absence, whether to their own job or to a deployed job, agreeing a return to work programme;
- If it is considered that an employee is unlikely to be able to return to work from long-term absence, whether there are any benefits for which he or she should be considered; and
- Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting(s). This may, depending on steps the Council has already taken, include notifying an employee that they are at risk of dismissal.

#### Possible Outcomes

The Stage 2: Second sickness absence meeting may result in one or more of the following outcomes:

- Final Written Warning (for Short Term Sickness only)
- Final Written Notification (for Long Term Sickness only)
- An extended review and monitoring period
- In extenuating circumstances, no further action

Should a final written warning or notice be issued, this will be held on the employees file and be considered live for a period of 12 months. The employee will have the right to appeal against a final written notice by following the councils Appeals Policy and Procedure.

### **7. Stage 3: Final Sickness Absence Meeting**

Where an employee has been notified that they are at risk of dismissal, the Council may invite them to a meeting under the third stage of the sickness absence procedure.

The purposes of a Stage 3 meeting will be:

#### Short-term absence

- Review the concerns as in the Stage 2 Meeting and in subsequent return to work interviews
- Review and discuss the success of any measures made and consider what, if any, further strategies / support might improve the employees' health and attendance
- Provide the employee an opportunity to fully explain the circumstances of their absences

- Consider the employees ability to remain in their current role in view of their capabilities and business needs and possible redeployment opportunities
- Consider whether any formal action is required

Possible Outcomes for Stage 3 meetings due to short-term absence triggers being met

The Stage 3 formal attendance management meeting may result in one of the following outcomes:

- An extended review and attendance monitoring period
- Redeployment
- Dismissal, usually with notice

Should the employee be dismissed, they shall have the right to appeal against the dismissal by following the Council’s Appeals Policy and Procedure.

Long-term absence

- To review the meetings that have taken place and matters discussed with the employee;
- Where an employee remains on long-term sickness absence, to consider whether there have been any changes since the last meeting; either as regards their possible return to work or opportunities for return or redeployment;
- To consider any further matters that the employee wishes to raise;
- To consider whether there is a reasonable likelihood of the employee returning to work or achieving the desired level of attendance in a reasonable time;
- To consider the possible termination of the employee’s employment due to lack of capability to carry out their role. Termination in such circumstances will normally be with full notice or payment in lieu of notice.

Should the employee be dismissed the employee will have the right to appeal against this by following the Council’s Appeals Policy and Procedure.

**8. Examples**

**Short-term absence example**

	Absences	Action taken	Reason for action
<b>YEAR ONE</b>			
January	0		
February	2 days	RTW interview. No further action	
March	9 days	RTW Interview. Stage 1 Attendance Management Meeting – 1st written warning	10 working days over 2 occasions
April	0		
May	0		
June	6 days	RTW interview. No further action	
July	1 day	RTW interview. No further action	
August	0		
September	2 days	RTW interview. Stage 2 Attendance Management Meeting – Final Written Warning	3rd occasion of absence
October	0		

November	0		
December	3 days	RTW interview. No further action	
<b>YEAR TWO</b>			
January	0		
February	0		
March	0		
April	0		
May	0		
June	0		
July	3 days	RTW interview. No further action	
August	6 days	RTW interview. No further action Stage 3 Attendance Management Meeting – Dismissal	3rd occasion of absence

**Long-term absence example**

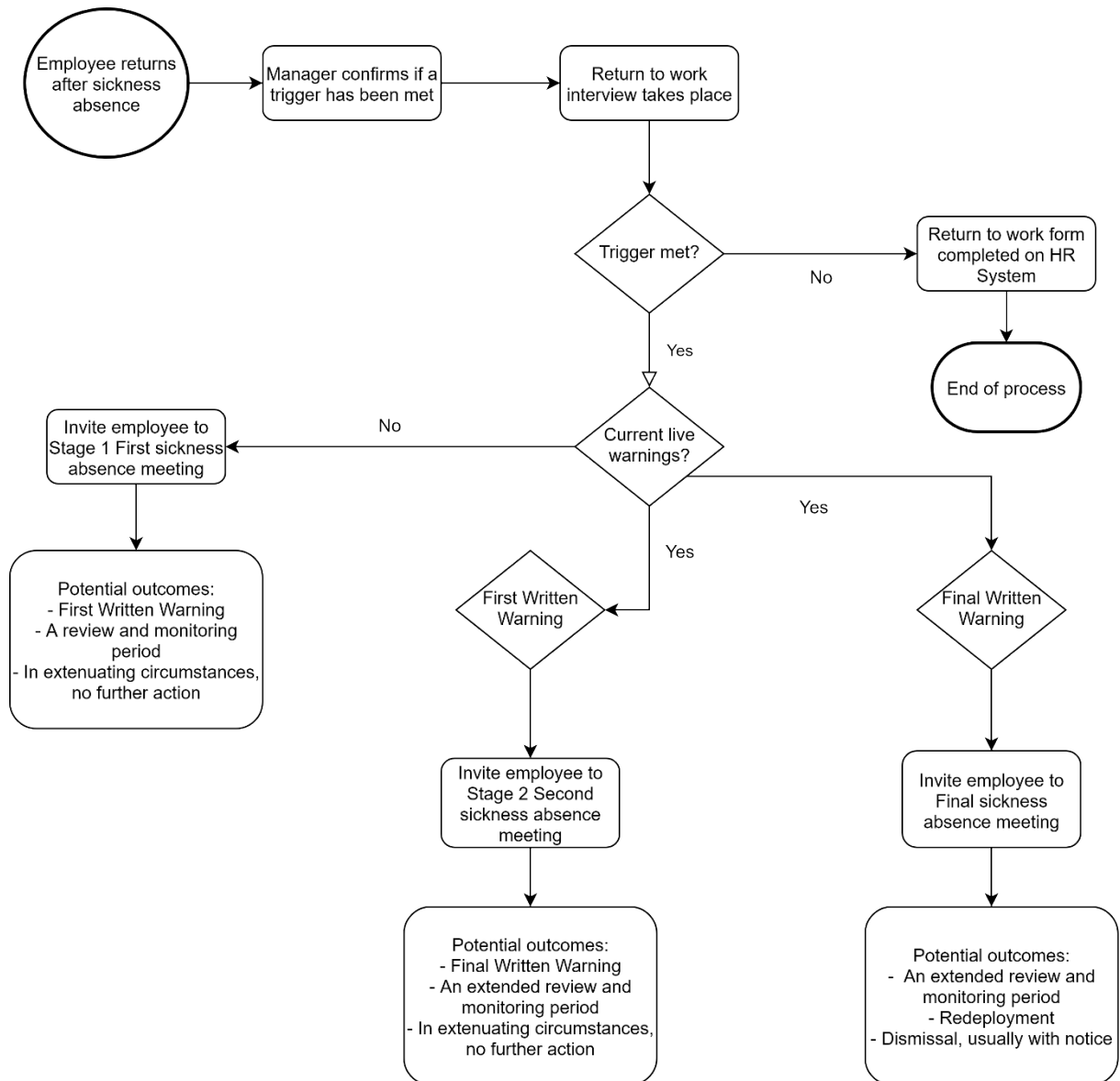
	Absences	Action taken	Reason for action
<b>YEAR ONE</b>			
January	0		
February	2 days	RTW interview. No further action	
March	17 – 31 15 days		
April	30 days	Refer to OH  Invite to Stage 1 First Sickness Absence Meeting – 1st written Notification ; 3 month review effective from 25/4	Employee absent for over four weeks  Employee absent for over four weeks from 17/4
May	31 days	No formal action – regular review meetings	Review period
June	30 days	No formal action – regular review meetings	Review period
July	31 days	Invite to stage 2 Second Sickness Absence Meeting – Final written Notification; 3 month review; employee informed that their job is at risk	Review period end 24/7
August	31 days	Redeployment/ reasonable adjustments reviewed at meetings	Review period
September	30 days		Review period
October	31 days	Invite to stage 2 Second Sickness Absence Meeting; 3 month review; employee informed that their job is at risk	Review period end 24/10 Employee had informed their manager that they should be returning to work in the next 3 months



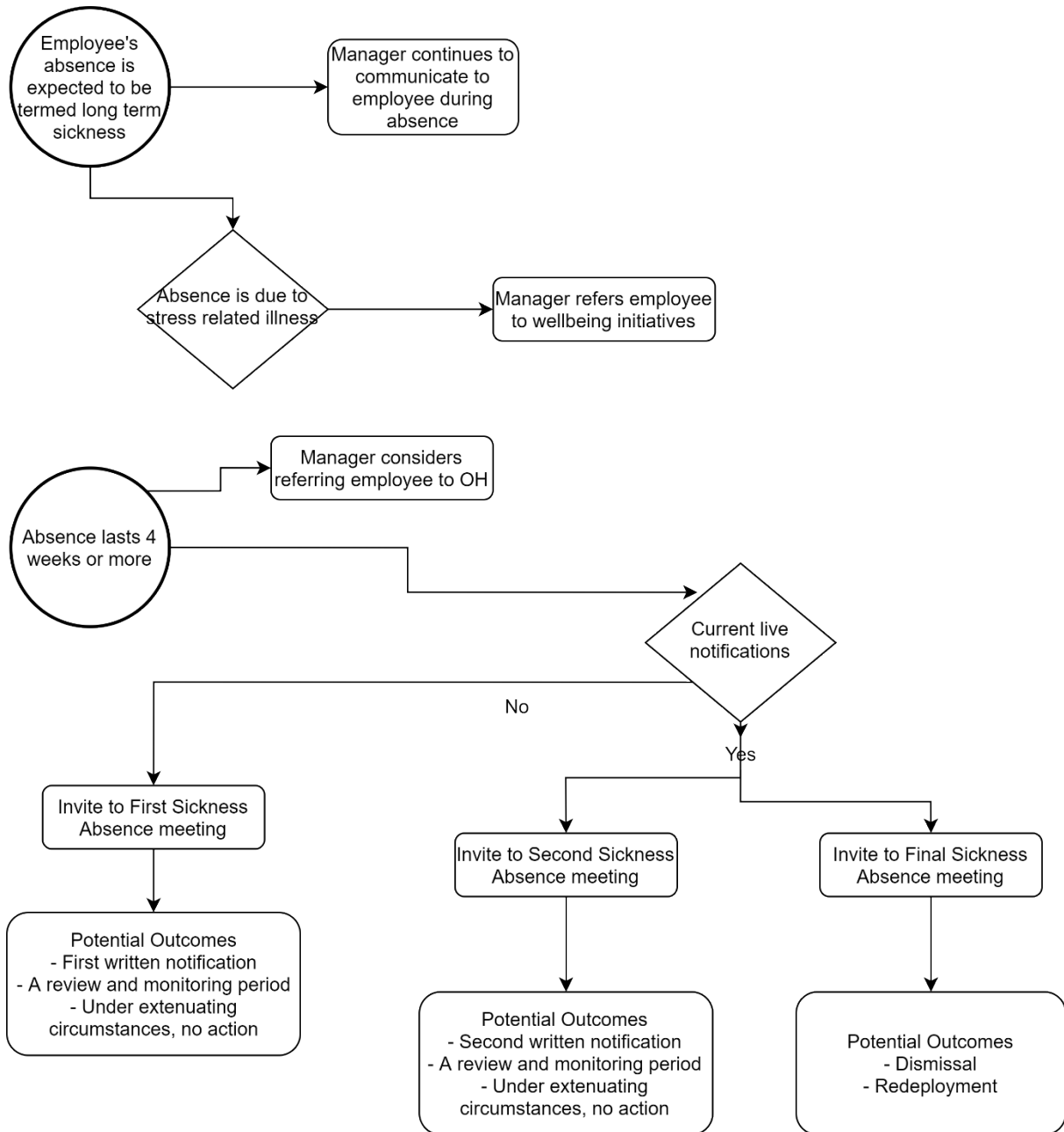
November	30 days	Redeployment/ reasonable adjustments reviewed at meetings None identified	Review period
December	31 days		Review period
YEAR TWO			
January	31 days		Review period
February	31 days	Invite to stage 3 Third Sickness Absence Meeting Outcome - dismissal	Review period end 24/1

## 9. Workflows

### Short Term Sickness Absence Workflow



## Long Term Sickness Workflow



## Sickness and Absence Management Policy

References:

Date first agreed at JCF:	
Date first agreed at Employment Committee:	23 March 2017
Version number and date:	4 1 July 2022
Purpose of document:	This policy aims to provide guidance and support in both managing absence and in supporting the return to work process.
Type of document:	Policy
Document lead and author & review team:	Lisa Brightey Policy, Reward and Compliance
Dissemination:	All new and updated policies and procedures are notified to entire workforce via the intranet. This policy is also submitted to City College, EPM and Serco.
What other documents should this be read in conjunction with:	Document listed in this guidance
Important information, all Policies	This document can only be considered valid when viewed via the Peterborough City Council intranet.  If this document is printed into hard copy or saved to another location, you must check that the version number on your copy matches that of the intranet.

### Revisions

V No.	Page/Sec No.	Description of amendment	Date approved
2	Pg2 Sec 2 P3 Sec 7.1 P4 Sec 8	Inclusion of sentence to reserve the right to start the process at any stage on a case by case basis Clarification of contact arrangements if signed of from day 1 Clarification that the triggers apply to short term sickness Clarification that meetings can take place in an employees	Employment Committee 19/9/18

	<p>P10 Sec24</p> <p>P11 Sec25</p> <p>P12 Sec 3 &amp; P13 Sec4</p> <p>P18 Sec 3 &amp; P18 Sec 4</p>	<p>absence Clarification on circumstances that are not considered exceptional Inclusion of paragraph relating to ill health</p> <p>Re-wording of the list of possible outcomes</p> <p>Re-wording of the list of possible outcomes</p>	
3		<ul style="list-style-type: none"> <li>• Long term sickness to start from 4 weeks of absence rather than 2 weeks.</li> <li>• Introduction of wellbeing page on Insite; the documents guide employees to this page</li> <li>• In the current policy, there are separate sections that cover short term and long term absence, we have combined these into one section.</li> <li>• Formal warnings issued during long term absence have been renamed 'notifications'.</li> <li>• Some paragraphs have been moved and words changed to ensure the document flows better.</li> <li>• Advice has been included regarding inputting of sickness absence onto the newly created absence module of the HR System.</li> </ul>	February 2021
4	Througho ut	<ul style="list-style-type: none"> <li>• Updated in line with fit note legislation changes; fit notes can now be signed by nurses, occupational therapists, pharmacists, physiotherapists and doctors</li> <li>• HRA updated to HR Business Partner</li> <li>• Approach during Covid-19 statement removed</li> </ul>	Effective from 01.07.22

This page is intentionally left blank