



Waldringfield Parish Council

Sickness Absence Policy and Procedure

Adopted 13 February 2024

Waldringfield Parish Council

Sickness Absence Policy and Procedure

1. Introduction

- 1.1. This Sickness Absence Policy sets out our procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way.
- 1.2. Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment).
- 1.3. The Council wish to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. In addition, where needed and reasonably practicable, measures will be taken to assist those who have been absent by reason of sickness to return to work.
- 1.4. This policy does not form part of any employee's contract of employment and it may be amended at any time. We may also vary the procedures set out in this policy, including any time limits, as appropriate in any case.

2. Scope

- 2.1. This policy covers all employees at all levels and grades.

3. Responsibility

- 3.1. Members of the Parish Council have overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework.
- 3.2. The Chair of the Council, as the line manager, has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review.
- 3.3. Managers have a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

4. Disabilities

- 4.1. We are aware that sickness absence may result from a disability.
- 4.2. At each stage of the sickness absence meetings procedure (set out in paragraph 12 of this policy) particular consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide support at work and/or assist a return to work.

- 4.3. If you consider that you are affected by a disability or any medical condition which affects your ability to undertake your work, you should inform your line manager.

5. Sickness absence reporting procedure

- 5.1. This should be read in conjunction with your contract.
- 5.2. If you cannot attend work because you are ill you should normally telephone your line manager as soon as possible, but no later than the end of the working day on which the absence first occurs.
- 5.3. The following details should be provided:
 - 5.3.1. The nature of your illness.
 - 5.3.2. The expected length of your absence from work.
 - 5.3.3. Contact details.
 - 5.3.4. Any outstanding or urgent work that requires attention.
- 5.4. Managers should ensure that:
 - 5.4.1. Any sickness absence that is notified to them is recorded and reported to the members.
 - 5.4.2. Arrangements are made, where necessary, to cover work and where appropriate to inform other colleagues (while maintaining confidentiality).
- 5.5. If you have reported in sick or have left work after being taken ill you should expect to be contacted by your line manager who will want to enquire after your health and be advised, if possible, as to your expected return date.
- 5.6. If you expect to be absent for more than seven consecutive days you must obtain a medical certificate from your GP covering the period of your absence and stating the reason(s) for your absence. This should be forwarded to your line manager as soon as possible.
- 5.7. If your absence continues, further medical certificates must be obtained and submitted to cover the whole period.
- 5.8. In cases of suspected abuse or where there is a concern about the level of or reason for absence, you may be required to provide a medical certificate for each absence regardless of duration. In such circumstances, we will cover any costs incurred in obtaining such medical certificates, for absences of less than seven days, on production of a GP's invoice.

6. Unauthorised absence

- 6.1. Cases of unauthorised absence will be dealt with under our Disciplinary Procedure.

- 6.2. Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence.
- 6.3. If you do not report for work and have not telephoned your line manager to explain the reason for your absence, your line manager will make every reasonable effort to contact you, by telephone and in writing. This should not be treated as a substitute for reporting sickness absence.

7. Sick pay

- 7.1. This is detailed in your contract. Any contractual sick pay will be inclusive of any statutory sick pay to which you might be entitled.
- 7.2. Statutory Sick Pay (SSP). SSP is currently paid after 4 Qualifying Days absence from work. The Qualifying Days are your normal working days that are in your contract. Tax and National Insurance will be deducted from SSP and if you earn below the lower earnings limit, you will not qualify for SSP.
- 7.3. If a period of sickness absence is or appears to be occasioned by actionable negligence, nuisance or breach of any statutory duty on the part of a third party, in respect of which damages are or may be recoverable, you must immediately notify your line manager of that fact and of any claim, compromise, settlement or judgment made or awarded in connection with it and all relevant particulars that we may reasonably require.
- 7.4. If we require you to do so, you must cooperate in any related legal proceedings and refund to us that part of any damages or compensation you recover that relates to lost earnings for the period of sickness absence as we may reasonably determine, less any costs you incurred in connection with the recovery of such damages or compensation, provided that the amount to be refunded to us shall not exceed the total amount we paid to you in respect of the period of sickness absence.

8. Keeping in contact during sickness absence

- 8.1. If you are absent on sick leave you should expect to be contacted from time to time by your line manager in order to discuss your well-being, expected length of continued absence from work and any of your work that requires attention. Such contact is intended to provide reassurance and will be kept to a minimum in view of the needs of our business.
- 8.2. In the event that you have any concerns while absent on sick leave, whether about the reason for your absence or your ability to return to work, you should feel free to contact your line manager at any time.

9. Medical advice

- 9.1. We may, at any time in operating this policy, ask you to consent to a medical examination by a doctor nominated by us (at our expense).

- 9.2. You will be asked to agree that any report produced in connection with any such examination may be disclosed to us and that we may discuss the contents of the report with our advisers and the relevant doctor.

10. Return-to-work interviews

- 10.1. If you have been absent on sick leave for more than fourteen days we will arrange for you to have a return-to-work interview with your line manager.
- 10.2. A return-to-work interview gives us the opportunity to confirm that we have correctly recorded the reason for and number of days of your absence. It also gives you the opportunity to raise any concerns or questions you may have on your return to work, and to bring any matters that you consider relevant to the attention of your line manager.

11. Returning to work from long-term sickness absence

- 11.1. We are committed to helping employees return to work from long-term sickness absence. As part of our sickness absence meetings procedure (see paragraph 12), we will, where appropriate and possible, support returns to work by:
- 11.1.1. Obtaining medical advice.
 - 11.1.2. Making reasonable adjustments to the workplace, working practices and working hours.
 - 11.1.3. Agreeing a return to work programme with everyone affected.

12. Sickness absence meetings procedure

- 12.1. We may apply this procedure whenever we consider it necessary, including, for example, if you:
- 12.1.1. Have been absent due to illness on a number of occasions.
 - 12.1.2. Have discussed matters at a return to work interview that require investigation and/or,
 - 12.1.3. Have been absent for more than fourteen days.
- 12.2. Unless it is impractical to do so, we will give you five days written notice of the date, time and place of a sickness absence meeting. We will put any concerns about your sickness absence and the basis for those concerns in writing or otherwise advise why the meeting is being called. A reasonable opportunity for you to consider this information before a meeting will be provided.
- 12.3. The meeting will be conducted by your line manager. You may bring a companion with you to the meeting (see paragraph 13).
- 12.4. You must take all reasonable steps to attend a meeting. Failure to do so without good reason may be treated as misconduct. If you or your companion are unable to attend at the time specified you should immediately inform your line manager who will seek to agree an alternative time.

- 12.5. A meeting may be adjourned if your line manager is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. You will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.
- 12.6. Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given to you in writing within five days of a sickness absence meeting (unless this time scale is not practicable, in which case it will be provided as soon as is practicable).
- 12.7. If, at any time, your line manager considers that you have taken or are taking sickness absence when you are not unwell, they may refer matters to be dealt with under our Disciplinary Procedure.

13. Right to be accompanied at meetings

- 13.1. You may bring a companion to any meeting or appeal meeting under this procedure.
- 13.2. Your companion may be either a trade union representative or a fellow employee or a member of the council. Their identity must be confirmed to the manager conducting the meeting, in good time before it takes place.
- 13.3. Employees are allowed reasonable time off from duties without loss of pay to act as a companion. However, they are not obliged to act as a companion and may decline a request if they so wish.
- 13.4. Some companions may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice a meeting.
- 13.5. We may at our discretion, permit a companion who is not an employee or union representative (for example, a family member) where this will help overcome particular difficulties caused by a disability, or difficulty understanding English.
- 13.6. A companion may make representations, ask questions, and sum up your position, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during a meeting.

14. Stage 1: first sickness absence meeting

- 14.1. The purposes of a first sickness absence meeting may include:
 - 14.1.1. Discussing the reasons for absence.
 - 14.1.2. Where you are on long-term sickness absence, determining how long the absence is likely to last.
 - 14.1.3. Where you have been absent on a number of occasions, determining the likelihood of further absences.
 - 14.1.4. Considering whether medical advice is required.

- 14.1.5. Considering what, if any, measures might improve your health and/or attendance.
- 14.1.6. Agreeing a way forward, action that will be taken and a time-scale for review and/or a further meeting under the sickness absence procedure.

15. Stage 2: further sickness absence meeting(s)

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

15.2. The purposes of further meeting(s) may include:

- 15.2.1. Discussing the reasons for and impact of your ongoing absence(s).
- 15.2.2. Where you are on long-term sickness absence, discussing how long your absence is likely to last.
- 15.2.3. Where you have been absent on a number of occasions, discussing the likelihood of further absences.
- 15.2.4. If it has not 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.
- 15.2.5. Considering your ability to return to/remain in your job in view both of your capabilities and our business needs and any adjustments that can reasonably be made to your job to enable you to do so.
- 15.2.6. Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying you.
- 15.2.7. Where you are able to return from long-term sick leave, whether to your job or a redeployed job, agreeing a return to work programme.
- 15.2.8. If it is considered that you are unlikely to be able to return to work from long-term absence, whether there are any benefits for which you should be considered.
- 15.2.9. Agreeing a way forward, action that will be taken and a time-scale for review and/or a further meeting(s). This may, depending on steps we have already taken, include warning you that you are at risk of dismissal.

16. Stage 3: final sickness absence meeting

16.1. Where you have been warned that you are at risk of dismissal, we may invite you to a meeting under the third stage of the sickness absence procedure.

16.2. The purposes of the meeting will be:

- 16.2.1. To review the meetings that have taken place and matters discussed with you.
- 16.2.2. Where you remain on long-term sickness absence to consider whether there have been any changes since the last meeting under stage two of the procedure; either as regards your possible return to work or opportunities for return or redeployment.
- 16.2.3. To consider any further matters that you wish to raise.
- 16.2.4. To consider whether there is a reasonable likelihood of you returning to work or achieving the desired level of attendance in a reasonable time.

16.2.5. To consider the possible termination of your employment.

16.3. Termination will normally be with full notice or payment in lieu of notice.

17. Appeals

17.1. You may appeal against the outcome of any stage of this procedure and you may bring a companion to an appeal meeting (see paragraph 13).

17.2. An appeal should be made in writing, stating the full grounds of appeal, to the Chair of the Council within seven days of the date on which the decision was sent to you.

17.3. Unless it is not practicable, you will be given written notice of an appeal meeting within one week of the meeting. In cases of dismissal the appeal will be held as soon as possible. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.

17.4. You will be provided with written details of any new information which comes to light before an appeal meeting. You will also be given a reasonable opportunity to consider this information before the meeting.

17.5. Where practicable, an appeal meeting will be conducted by usually three councillors (choosing their own chair from among themselves) who have not previously been involved in the case (although they may ask anyone previously involved to be present).

17.6. We reserve the right to invite an independent third party to conduct the appeal or to join the appeal panel. You have a right to bring a companion to the meeting (see paragraph 13).

17.7. Depending on the grounds of appeal, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.

17.8. Following an appeal the original decision may be confirmed, revoked or replaced with a different decision. The final decision will be confirmed in writing, as soon as possible after the appeal meeting.

17.9. There will be no further right of appeal.

17.10. The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

18. Data protection

18.1. The Council will treat personal data collected during the absence management process in accordance with its data protection policy on processing special categories of personal data. Information about how your data is used and the basis for processing your data will be provided in our employee privacy notice.

When relying on legitimate interests as the legal ground for processing your data, you can object to the processing.

This is a non-contractual procedure which will be reviewed from time to time.