

## **NYNEHEAD PARISH COUNCIL ABSENCE MANAGEMENT POLICY**

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The Council is committed to providing effective, high quality service to all its customers and to optimising the contribution of all employees. As part of this aim it is essential that throughout the organisation all employees are committed to maximising attendance.

The Council is concerned for the wellbeing of its employees and seeks to protect their health and safety by creating a safe working environment. In return the Council expects all employees to take reasonable care of their own health, seek medical help whenever appropriate and to attend work when fit to do so.

The Council recognises that genuine medical grounds will occasionally result in employee absence. It is the Council's policy to treat all such sickness absence in a fair, sensitive and consistent manner across all areas of the workforce.

The Council must however balance the sensitive management of genuine individual sickness against its needs to be publicly accountable for its resource allocation and as such it cannot sustain high levels of sickness absence. Action will therefore be taken to address recurrent short term sickness or extended periods of absence as appropriate.

### **Aims**

In order for the Council to meet its responsibilities it will ensure that:-

- It provides a supportive environment for those employees affected by ill-health;
- All employees adhere to the comprehensive procedural guidelines produced in support of this policy.
- Levels of sickness absence are the subject of routine monitoring.

### **Responsibilities**

The onus for attending work on a regular basis, and for reporting absence in accordance with the Council's agreed procedures, rests with the employee. It is also an employee's responsibility to appropriately detail any periods of absence on their record of hours worked.

The responsibility for recording, monitoring and managing absence on a day to day basis lies with the Parish Clerk. It is therefore essential that they ensure that all employees are aware of the Council's Absence Management Policy and Procedures.

## **Review**

This policy and the supporting procedural guidelines will be reviewed periodically. Responsibility for conducting this review lies with the Parish Clerk.

## **Guidelines for Employees**

### **Reporting**

If you are unable to work due to illness/injury you must contact the Parish Clerk as soon as possible, or arrange for someone else to do this on your behalf. This should be no later than 9.30 am on the first day of absence or nearest working day. You should provide some indication of:-

- The nature of your absence
- The date your injury/illness began (including weekends and holidays)
- The expected duration of your absence
- Whether you have any immediate work commitments that will need completing/reassigning during your absence.

If the Parish Clerk is unavailable you should ensure that contact is made with the Chairman.

Not later than the fourth day of absence you must contact the Parish Clerk again in order to provide updated information in respect of your on-going illness/injury.

### **Certification**

Where your absence is not covered by a doctor's certificate and is for a period of up to seven days inclusive of weekends you will be asked to complete a self certification form on your return to work.

If your absence exceeds seven days and you have not already done so you should provide a doctor's certificate for the remainder of your absence. You will need to ensure that there is always a current certificate in force. Your doctor's certificate 'fit note' will include whether you need to see your Doctor again before returning to work.

If the doctor's certificate states that you "may be fit for work" you should inform the Parish Clerk immediately. They will discuss with you whether there are any additional measures that may be needed to facilitate your return to work, taking into account the doctor's advice. This may take place at a return to work interview or an absence review meeting. If appropriate measures cannot be taken, you will remain on sick leave and the Parish Clerk will set a date to review the situation.

## **Return to work meetings**

When you return to work after any period of absence the Parish Clerk will arrange to meet with you. This meeting will occur on your first day back, or as soon as possible thereafter. The purpose of this meeting is:

- to provide an opportunity for the Parish Clerk to check that you are fit enough to return to work;
- to give you an opportunity to voice any concerns that you may have and/or to identify any domestic, welfare or work related problems in an appropriate forum;
- to ensure that you are aware of work related matters that have occurred during your absence;
- fill out the sickness declaration form.

## **Miscellaneous**

It is important that you comply with these procedures in order that:

- the Council can be aware of potential problems and provide assistance to you where necessary;
- any sick pay to which you would otherwise be entitled is not withheld or refused.

Records retained in respect of sickness absence will be treated with sensitivity and confidentiality and at all times in accordance with the provisions of prevailing Data Protection legislation. You will be entitled to access your records on request.

## **Guidelines for the Parish Clerk**

### **General Issues**

You are responsible for the management of sickness absence within the Council. You should therefore ensure that all employees are aware of, and comply with, the Council's procedure for reporting absence from the workplace.

Where employees have failed to follow established procedures in respect of notification of absence or the provision of medical certificates etc. they should be reminded of their obligations and, if appropriate, notified that further non compliance may result in the initiation of disciplinary action. Where there is concern that an employee has wilfully abused the sickness absence provisions or absented themselves from work without satisfactory reason or explanation the matter should be referred into the disciplinary procedure for investigation and appropriate action.

If a an employee is ill while they are on holiday, this time should be regarded as sick leave provided that they can provide a doctors certificate. Post dated

certificates i.e. covering a period prior to the doctor's appointment will not be accepted.

Where a public holiday falls during a period of sickness absence the employee concerned will continue to receive sick pay however no substitute public holiday will be given.

Should an employee who has been refused annual/flexi leave subsequently report sick for the period requested, you should carefully investigate the circumstances. You may wish to consider requiring the employee to submit a doctor's certificate for the period in question. Where this is the case any cost incurred will be reimbursed providing the employee is able to submit a receipt.

It is not expected that you will normally contact employees at home during periods of self-certificated absence although there may be occasions when this is necessary as a result of issues arising at work. The timing of contact with an employee at home during periods of certificated absence must be a matter of judgment with consideration being given to the nature of the absence, the importance of the job, the problems of providing cover, the employee's previous absence record, and the effects of the absence on service provision and other employees.

### **Return to work meetings**

Effective absence management depends upon the availability of relevant information, and you should therefore arrange to hold a return to work meeting with employees following each period of absence. Return to work meetings present an informal opportunity to establish the cause of the absence, indicates to the employee an interest in their welfare, and allows you to establish whether the employee requires any further help or support. They can also provide the opportunity for you to alert an employee to concerns that you may have in respect of situations where an unsatisfactory absence record is developing.

You will need to complete a Return to Work Form (found at Appendix 1) after every period of absence (including half days).

Meetings should be arranged as soon as practicable and preferably within 2 days.

In some cases, the discussion will only need to be brief. In other, more complex cases, perhaps where there is a history of a high level of sickness absence, the meeting will need to be more involved. An employee can refuse, if they wish, to provide any information at the return to work discussion. Where this is the case, you should attempt to identify with the employee the reasons for this refusal. If the employee does refuse to co-operate in the return to work discussion, you should record your attempts to conduct this discussion and the employee's refusal.

## **Long-term Absence**

All cases of long term absence will be treated sympathetically and every assistance will be given to the employee to return to work. You should maintain contact with the employee, and advise them that they should keep the Council informed of developments relating to their medical condition.

In order to ensure that the Council has access to guidance and advice in respect of the best course of action to follow in relation to such cases of absence, employees who have been absent for a continuous period of 4 weeks may, depending on the nature of the absence in question, be referred to the Council's Occupational Health Physician. Where the Occupational Health Physician makes a recommendation which may affect the employee's continued employment, you should arrange to meet with them to discuss the alternative options. Employees may wish to have the support of a trade union representative or a work colleague present during such a meeting, and this should be positively encouraged.

Where a return to work following a period of prolonged absence may be facilitated by temporary redeployment or phased re-introduction, i.e., job sharing or part-time working, an employee can be advised that you will discuss these options with them, and if appropriate ensure that support mechanisms necessary for this to occur are provided. Such arrangements will be for a defined period and will be subject to joint review.

In certain cases, the Occupational Health Physician may find that an employee is unfit to perform a particular job, but fit enough to undertake other types of work. In such cases, full consideration will be given to the possibility of redeployment into alternative positions. Consideration will also be given to redeployment in cases where work in a particular place poses problems with attendance.

## **Frequent Intermittent Absence**

Although there will be informal return to work interviews after all periods of absence, after four episodes of absence or a total of 10 days short term sickness absence within any period of 12 months, you will be required to institute a more formal review of attendance records and reasons for absence with an employee. You should therefore arrange to meet with any employee whose absence record matches or exceeds the above criteria.

During the interview, you should draw the employee's attention to their poor attendance record, and the problems that their absences are causing for the Council and other employees. Where no underlying medical condition is disclosed, the employee must be advised that their attendance record will be monitored (over a period not less than 3 months) and that significant improvement will be required. In addition, employees must be warned that if no such improvement is forthcoming, serious consideration will be given to reviewing their employment situation. This must be confirmed in writing.

Return to work interviews must continue to be carried out following any absences which occur during this monitoring period. These interviews will afford you the opportunity to remind the employee of the Council's concerns.

If, after the period of monitoring has elapsed, no significant improvement in attendance has been effected, a further interview must be arranged. At this interview, the employee must once again be reminded of the problems caused by the absences and asked if they wish to disclose any underlying medical condition or problem of which you are unaware. If such a condition is disclosed, a medical referral should be arranged. Where no underlying medical condition exists, the employee should be told that their attendance record will be subject to a further period of monitoring (of not less than 3 months) and that their employment may be terminated if the required improvement is not effected. Employees have the right to be accompanied to this meeting by a trade union representative or a work colleague.

Employees whose levels of attendance improve satisfactorily during periods of informal and/or formal monitoring must be reminded that they will be expected to maintain these levels of attendance. Failure to do so will result in further monitoring and/or the initiation of formal action.

### **Personal, Domestic or Work Related Problems**

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

Once the problem has been clearly identified, appropriate assistance can be afforded to the employee. It is not possible, in a guidance document such as this, to cover all circumstances, but special leave, temporary adjustments in working arrangements or referral to specialist agencies are available options.

### **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 will 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 refuse or discontinue 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.

## **Welfare**

If, as a consequence of medically related absence, you have 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.

## **Termination of Employment**

Prior to termination being considered the Parish Clerk will meet with the individual to explore whether there are any reasonable adjustments that could be made to enable an employee to remain employed.

Termination of employment may take place where:-

- an employee is declared permanently unfit for work, or
- an employee is declared medically unfit for their work, and alternative employment cannot be found, or
- 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 and/or absented themselves without permission.

To reach a decision whether dismissal is appropriate an attendance hearing will be arranged. The employee will be invited in writing to attend the hearing and notified of their right to be accompanied by a Trade Union Representative or colleague.

The Hearing Panel will comprise of three members of the Personnel Committee, who will make the decision. The Parish Clerk and the Chairman will attend to outline the history of absence and any relevant steps taken and advice received.

All paperwork relating to the hearing will be circulated 5 days in advance of the hearing, to all parties attending.

At the hearing once they have considered both the managers and employees case and considered all relevant information the Panel will adjourn to make a decision.

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

- The Panel's decision:
  - if a warning has been issued the timescale for this and the level of improvement required;
 or
  - if the decision is not to take action at this point and to review again in a certain time period, the applicable timescale for this;
 or
  - if the decision is to dismiss the employee, inform them of their relevant notice period and provide them with any relevant pension information.
- The employee's right of appeal.

## **Monitoring**

Monitoring is an important part of sickness absence. In order for reports to be issued to managers, it is important that all absence from the workplace is reported. All signed absence forms should therefore be returned as soon as possible after the employee's return to work interview has been conducted. The Parish Clerk 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 Parish Clerk to identify Individual cases where frequent or lengthy absences have occurred, or where patterns of absence have been identified. However you should view such notifications as a secondary means of identifying problems or potential problems.

You should ensure that at all times you 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 be treated with sensitivity and confidentiality at all times. Employees will be entitled to access these records on request.



