HOLBROOK PARISH COUNCIL

Sickness and Absence Policy

1. AIM OF POLICY

This policy is designed to assist the Council in effectively managing sickness-related and other staff absence. The Council recognises the importance of ensuring that employees are supported through any periods of absence and their subsequent return to work. Through an effective Sickness and Absence Policy, the Council will be better positioned to identify any potentially unsafe work practices, any issues affecting employee morale and any other underlying problems employees may be facing.

SICKNESS

2. Notification of sickness

2.1 If an employee is unable to carry out their work for any reason, they must inform the Council by contacting the chairman or their line manager before the time they would normally be due to start work on the first day of absence.

2.2 Employees should speak to their manager personally where possible i.e., calls on the employee's behalf from a friend/partner/parent and texting or emailing the manager will only be acceptable in exceptional circumstances.

2.3 The employee should indicate the reason for their absence, its likely duration and when the illness started.

2.4 In the event that the employee's absence continues for a number of days or weeks, they must maintain regular contact with the Council to keep the Council informed of the reasons for their ongoing absence and the date when they expect to be able to return to work. In such cases the employee should specify how the Council can contact them if necessary, ideally leaving a telephone number on which they can be contacted.

3. Certification of sickness

3.1 All periods of absence through sickness must be certified by the statutory Form SC2. The completed form should indicate actual days of sickness, even if they include days when the employee would not normally have worked (e.g., weekends and public holidays).

3.2 For sickness absences of up to 7 calendar days, the self-certification form should be completed by the employee upon their return to work and handed to the chairman or their line manager.

3.3 For sickness absence of more than 7 calendar days, the employee must also provide a medical certificate also referred to as a 'fit note'. This will provide the Council with more information about the employee's condition and will inform the council whether the employee's GP or medical provider considers that the employee is not 'fit for work', or 'may be fit for work taking account of the following advice'. Subsequent medical certificates must be produced as necessary to cover the total duration of the period of absence. As a minimum, employees should contact their manager on a weekly basis to provide an update on the injury or illness.

4. Long-term and persistent absence

4.1 The Council will treat as long-term absence any period of extensive absence due to serious or significant illness over a prolonged period. Persistent absence may consist of a series of unconnected short-term illnesses. Where the Council is of the opinion that a period of absence is long-term, it will inform the employee of such and:

(a) require that the employee keep in regular contact with the Council, at such intervals as agreed between the Council and the employee; and

(b) ensure that the employee is kept informed as to any possible threat to their employment.

4.2 The Council reserves the right to request a home visit where the illness is long-term. The purpose of the visit will be to discuss possibilities for a return to work and to discover whether the Council can assist in facilitating this.

4.3 The Council will treat as persistent absence a series of unconnected short-term illnesses.

4.4 It may be necessary in incidences of long-term or persistent absence to treat the matter as an issue of capability or conduct. In such circumstances the Council will:

(a) investigate the absence through “Return to Work Interviews” and the obtaining of medical reports;

(b) set time limits on the assessment of the employee and keep him or her informed of such;

(c) consider adjustments to the job in order to facilitate a return to work or to allow the employee to do their job more easily, for example the implementation of flexible working arrangements;

(d) consider whether the illness amounts to a disability. Where it is found to do so the employee shall fall under the scope of the Council’s Equal Opportunities and Diversity Policy and the Council shall make such reasonable adjustments as are necessary; and

(e) keep the employee informed in all the circumstance of any threat to their employment.

4.5 Where the Council requires medical reports relating to an absence it will either:

(a) request that the employee undergo an independent medical examination or

(b) obtain a report from the employee’s doctor, subject to employee consent. In either case the employee may refuse to attend or refuse to consent to the release of a medical report, or request that corrections are made. Employees are reminded however that any decision regarding their future which could result in dismissal will be taken on the basis of the information available to the Council.

4.6 The Council will hold all medical reports and related information obtained under 4.5 above as private and confidential.

4.7 The Council stresses that dismissal will only ever be taken as a last resort. Where however the absence is found to be a matter of misconduct, the employee will be subject to the Council’s Disciplinary Procedure

5. Sickness which occurs whilst the employee is on holiday

5.1 Where an employee is incapacitated through sickness or injury during any period of pre-booked holiday (whether in whole or in part), the Council will, subject to the correct notification and certification, allow the employee to transfer to sick leave and take replacement holiday at a later date. This policy is subject to the following conditions, which will be strictly applied:

(a) The total period of incapacity must be fully certificated by a qualified medical practitioner;

(b) The employee must contact the chairman, in person and by telephone if possible, as soon as they know that there will be a period of incapacity during the holiday; and

(c) The employee must confirm in writing to the chairman no later than 5 working days after returning to work how much of the holiday period was affected by sickness or injury and the amount of leave that the employee wishes to take at another time.

5.2 Any requests for replacement holiday must be made in accordance with the Council's holiday policy and the employee should try to take the replacement holiday in the holiday year in which it was accrued. Where this is not possible, the Council will allow the employee to carry forward the leave into the next holiday year.

5.3 The Council may require the employee to take all or part of their replacement holiday on particular days to be specified by the Council.

6. Return to Work Interviews

The Council shall decide, after any absence due to sickness, whether the employee is required to attend a return-to-work interview with the chairman or their line manager in order to:

6.1 ensure the employee's fitness to return to work;

6.2 agree any necessary actions required to facilitate the employee's return to work;

6.3 ensure the proper certificates have been completed/obtained in respect of the entire period of absence; and

6.4 discuss any problems that may exist.

At the return-to-work interview, employees may be set reasonable targets and time limits for an improvement in attendance. A failure to improve may result in disciplinary action.

SICK PAY

7. Statutory Sick Pay ("SSP")

Statutory Sick Pay (SSP) is available to all regardless of their weekly earnings and is payable from the first day of sickness absence.

SSP is paid either at the statutory flat rate set by the Government, or at a rate equivalent to 80% of your normal weekly earnings, whichever is the lower. SSP is paid for the days on which you normally work.

SSP is payable for up to 28 weeks of sickness absence in either:

- one period of incapacity for work, or
- a series of linked sickness periods, where each period is separated by 56 calendar days (eight weeks) or less.

Linked periods cannot extend beyond three years. Staff will no longer be eligible for Statutory Sick Pay (SSP)

8. Council Sick Pay ("CSP")

8.1 The Council operates a council sick pay scheme. Information relating the scale of payment is in the employee's contract of employment.

8.2 The employee will forfeit entitlement to CSP if:

(a) They fail to comply with notification and certification requirements;

(b) They make or produce any misleading or untrue statement or document concerning their fitness to work;

(c) Their incapacity has been caused by participation in dangerous sports or activities.

OTHER ABSENCE

9. Jury Service

9. Any employee called for jury service should inform the chairman as soon as possible. Employees called for jury service will not be paid by the Council for the period of their absence. Employees should instead claim all available allowances from the Court.

10. Public Duties

10.1 The Council is legally obliged to permit any employee time off to complete their public duties including, but not limited to, magistrate or school governor duties. The employee should inform the chairman of their duties, meetings or rotas as soon as possible in order to allow the Council time to plan for their absence. Employees carrying out public duties will not receive pay for time off taken to complete their duties.

11. Emergency , Maternity, Paternity, Parental and Adoption Leave

11.1 Emergency leave (time off for dependants), maternity, paternity, parental and adoption leave are all set out within the relevant legislation.

11.2 If employees are uncertain about any other type of absence they must ask for advice. Other types of absence may be covered by separate Council policies and procedures and/or by statutory rights. Unauthorised absence is likely to be treated as a disciplinary offence.

12. Trade Union

The Council is legally obliged to allow employees time off to carry out their trade union duties. Any time taken off will be paid unless the carrying out of such duties occurs outside working hours.

13. Dismissal and the right to appeal:

13.1 In the event of a dismissal, the reason for the dismissal and the circumstances leading up to that decision will be documented in writing to the employee. The employee may appeal against their dismissal by writing, within five working days of their receipt of the dismissal letter to the Chairman of the Parish Council, stating the grounds on which they wish to appeal.

13.2 The appeal will be heard in accordance with the Council's disciplinary appeals procedure. This right also applies to 'action short of dismissal' such as alteration of duties.

14. Return of Council's Equipment

If the employee is off sick for an extended period of time (e.g., one month or more) the Council may require them to return Council equipment until they are well enough to return to work. If the employee does not return to work following a period of sickness absence, they will be required to return all outstanding Council equipment on the date of termination of his or her employment.

15. Monitoring

15.1 The Council will monitor and record levels of absence and reasons for absence in order to help identify abuse of this policy, which places additional stress on colleagues. Further the Council will be better positioned to identify unsatisfactory work practices and to distinguish between different types of absence.

15.2 The Council will obtain consent from each employee, either in their Terms and Conditions of employment, or on a separate consent form to comply with the relevant Data Protection legislation.

15.3 All information gathered through absence monitoring under this Policy will be held and treated in confidence.

15.4 This policy will be reviewed annually