

POLICY TITLE

Absence Policy

REVISION DATE

September 2020

REPLACES POLICY

May 2018

POLICY AIM

The main aim of this policy is therefore to achieve high levels of attendance from employees at all levels and to maintain sickness absence at a low level and to clarify the responsibilities and high-level expectations in respect of absence management.

The Council aims to be a good employer, its approach to sickness management will reflect this. The Town Council is fully committed to a healthy and safe environment that leads to the achievement and maintenance of high attendance levels.

EXECUTIVE SUMMARY

In reducing sickness absence the Town Council recognises that employees are entitled to expect fair treatment. Managers are equally entitled and required to manage sickness absence properly, to be firm in dealing with abuse of the system and to consider the operational realities of providing efficient, effective and competitive services.

The policy aims to ensure employees are:

- treated fairly, properly and consistently
- informed when their attendance record is causing concern
- given adequate opportunity and assistance to improve their attendance record with a view to ensuring their full return to normal working, modified working or their possible redeployment to alternative work
- fully informed of the services and support available to them
- aware that a 'return to work' meeting may be carried out after periods of absence
- informed of when self-certification and medical certificates are appropriate in accordance with the procedure for reporting sickness.

WHO IS AFFECTED BY THE POLICY?

This policy applies to all permanent employees of Skegness Town Council. This policy does not apply to seasonal workers or those employees in their probationary period.

POLICY STATEMENT

There can be several reasons for sickness absence and the Council's approach to dealing with sickness absence will recognise this.

Employees are essential to the provision of good quality services. Skegness Town Council has a responsibility not only to the public which receives its services, but also to the employees who provide those services. It is important to achieve a balance between meeting the needs of employees, in a fair and consistent way, and maintaining service delivery.

The Town Clerk and Senior Managers have roles to play in promoting the health of employees. This can be done through the elimination of unsafe practices, the provision of safety equipment, health education, direct staff support and mentoring. The Town Council will work in a positive manner to achieve the conditions necessary for high attendance levels and ensure procedures are effective and fair.

When an illness or injury prevents staff from doing their job, it is reasonable for staff to stay away until they are better. However, absence can become a serious problem:

- When it is intentional
- when it is frequent or prolonged
- when it is without good reason.

Absences from work are costly to the Council. In some cases, absence has to be covered by overtime or by employing temporary staff which effectively means paying more than twice for the same amount of work. The load on other staff increases which can cause extra pressure, resentment and sometimes stress.

The Council prides itself on being a reasonable employer but it is sometimes necessary to act against regular absenteeism. In appropriate cases, medical opinion is sought where there are doubts about someone's ability to continue in their job. You may be warned about the consequences of not attending regularly and in some cases it may be necessary to terminate the employment of someone whose record does not improve after warnings. Please also see the Capability Policy

PROCEDURE

The policy is separate from the Town Council's policy on discipline. Action taken under the Sickness Absence Policy will not therefore be classed as disciplinary action under the Disciplinary Procedure.

Absences should be reported to the Line Manager on the first day of absence as early as possible and no later than noon. You must inform your line manager if you have any symptoms of Covid 19. If you have symptoms you must take a Covid 19 test and not return until you have received a negative result or have recovered from your illness and been off work for the recommend government time. You must also inform you line manager if you have been advised to isolate through track and trace and follow the recommendations.

The guidelines are designed to help managers/supervisors who have responsibility for ensuring the regular attendance of employees under their control. It is also guidance for all employees.

The Council considers that effective absence management involves accurate recording procedures, supported by appropriate management action, in order to achieve high levels of attendance, as well as a thorough understanding by employees, of their rights and obligations in this area.

Whatever the circumstances surrounding absence from work, all information relating to an individual must be treated confidentially by all those involved. The Town Council will adhere to the requirements of The General Data Protection Regulations 2018.

Whilst employees are entitled to expect fair treatment, the Council is entitled to be firm in dealing with abuse of the sick pay scheme which may include the right to stop sick pay and disciplinary action including dismissal.

All employees will receive a copy of the Sickness Absence Policy and procedures as part of the Induction process.

This document sets out the procedure to be followed by all staff when dealing with sickness absence. Sickness absence needs to be managed effectively and consistently and falls into two main types:

- Frequent and non-frequent intermittent short/medium term absence which may or may not follow a pattern or
- Long term absence being absence longer than 15 working days.

Overall sickness absence will be monitored by the Town Clerk who will ensure that a consistent approach is being taken to all employees.

Appendix A to this document provides clarification as to the procedure to be followed in respect of the notification of sickness

Frequent and Persistent Short Term Absence

In order to monitor short term absence, it is essential that accurate records are kept and reviewed to ensure that all cases are considered. Concern may be caused by such factors as the number of occasions, the pattern, or the total number of days absence.

On each occasion that a member of staff returns from a period of sickness he or she will report to their supervisor. Those officers will then hold a return to work interview to establish the cause of the absence, to register that an individual's absence was noticed and they were missed and to ensure that the individual is made aware of any factors affecting their work which have arisen during the absence and to see if any help is needed. A file note of the return to work meeting should be made and signed by both parties.

A sensitive approach should be adopted to return to work interviews and it should be acknowledged that some individuals may find discussing health-related problems embarrassing.

Should environmental factors appear to be relevant to the absence, necessary action should be taken as soon as is practicable.

Preliminary Investigation

If the periods of absence are either frequent, forming a pattern, unexplained or from recurring ailments action may be necessary. In these circumstances a preliminary investigation into the circumstances surrounding the absences is required to determine if further action is necessary.

Fact Finding Interview

If, following the preliminary investigation, it is considered necessary to convene a fact finding interview, the individual should be seen to discuss the situation.

The fact finding interview should involve the following stages:-

- Both parties should attempt to establish the cause of the absence and to consider possible action to help resolve the problem.
- The interviewer should ensure that the member of staff is clear about the action agreed and what changes are required.

Following the interview a file note should be written to confirm the outcome of the interview; this should be copied to the member of staff.

If it is considered appropriate, the member of staff may be referred for an independent medical examination.

If it is determined that the absences are due to a single underlying medical cause, further action could be taken following the procedure outlined in the section relating to long term sickness due to ill health.

Formal Interview

If the member of staff's attendance record does not improve sufficiently a formal interview should be called to discuss the matter further. A letter should be sent to the member of staff outlining the purpose of the interview and confirming the right to be accompanied by a colleague or trade union representative.

At the interview, it should be indicated that the level of sickness is unacceptable and the member of staff should have the opportunity to respond. Further attempts to resolve the matter should be made at this stage. However, the potential seriousness of the situation should be stressed and the possible consequences detailed.

The outcome of the interview should be confirmed in writing. Depending on the circumstances the letter might be in the form of a formal written warning indicating that the employee has a right of appeal.

Further Formal Interview

If the member of staff's attendance record continues to be unacceptable a further formal interview will be held in accordance with the arrangements already set out.

At this stage the individual will be advised of the serious concern that is being caused and that should matters not improve further action will be taken which may result in dismissal.

Once again, the outcome of the interview should be confirmed in writing and will normally constitute a formal written warning.

Dismissal

If, ultimately, following all the stages outlined above, the member of staff's attendance record does not improve to the required standard, a formal interview will be held and the

situation will be outlined by the manager who will confirm that the likely outcome of the interview will be dismissal. The member of staff will be given the opportunity to respond and present any evidence in mitigation as they consider appropriate.

Dismissal can only be decided upon by those empowered to dismiss under the terms of the disciplinary procedure – the Town Clerk or Full Council. The letter of dismissal will confirm:

- The date and outline details of the interview
- Reference to records of any previous related valid warnings
- The effective date of dismissal
- The employee's right of appeal

Appeals against dismissal will be heard in accordance with the arrangements set out in the Disciplinary Procedure.

Long Term Absence due to Ill Health

For this procedure long term sickness absence is defined as a continuous period of sickness absence more than 3 working weeks.

Investigation

The absence situation should be fully investigated to determine the likely outcome for the member of staff concerned. If the outcome is uncertain or it becomes clear that the member of staff is unlikely to return to their present job, the manager should arrange an interview with them.

The interview should normally cover the following points:

- The manager should outline his or her initial assessment of the situation
- The member of staff should be asked for their assessment of the situation
- The manager should ask for the member of staff's permission to seek medical advice from an independent medical expert
- The manager and member of staff should agree to meet again to discuss alternative options once the medical report has been obtained

A file note of the meeting should be kept and copied to the member of staff.

Further Interview

Having obtained all the available information concerning the member of staff's condition (most importantly the medical advice) a further meeting should be convened in the same way as outlined above.

At this stage the following points would normally be considered:

- The manager's assessment of the situation
- The member of staff's assessment of the situation
- A discussion of the likely outcome (e.g. return to full duties, early retirement or dismissal)
- Determine an appropriate course of action which may result in further meetings.

Possible Outcomes

Considering all the evidence and in consultation with the Town Clerk one or more of the following options may be followed:

- The possibility of alternative employment within the Town Council
- Consider the member of staff's return to work for a limited period under medical advice on restricted duties and/or reduced working hours
- If medical opinion is that the member of staff is unlikely to be fit to return to undertake the full range of duties within an appropriate timescale and suitable alternative employment is not available, then dismissal on the grounds of incapacity due to continuing ill health should be considered. Where possible this should be achieved through the procedure for early retirement on the grounds of ill health.

Dismissal on the Grounds of Incapacity due to Ill Health

- Before dismissing a member of staff on the grounds of incapacity due to ill health, the following points should have been adequately covered:
- The member of staff has been regularly consulted and at each stage the employee has been informed of the likely outcome including the possibility of dismissal
- A medical opinion has been obtained and the member of staff has been given the opportunity to comment on this opinion
- The member of staff has been given the opportunity of discussing the situation and has been made aware of their right of representation
- Consideration has been given to alternative employment
- Consideration has been given to early retirement on the grounds of ill health.

Dismissal can only be decided upon by the officer empowered to dismiss under the terms of the disciplinary procedure – the Town Clerk or Full Council.

It should be stressed that all employees dismissed on the grounds of incapacity have rights to paid notice and rights of appeal as set out in the Disciplinary Procedure.

POLICY APPROVAL

Approved by Council 7th October 2020.

POLICY REVIEW

September 2022

GENERAL PROCEDURE FOR NOTIFICATION OF SICKNESS ABSENCE

On the first day of sickness absence the member of staff should contact their supervisor, or if unavailable, another supervisor/manager, informing them of their sickness. This should be done as early as possible before work starting time and no later than 10am. Some indication as to the likely length of absence should be given at this stage.

For continuing absence, it is not necessary to contact the office every day but contact should be maintained and the supervisor/manager may make courtesy calls to the member of staff to find out how things are going, to offer support etc.

On return from sickness, the member of staff should report to their supervisor who will conduct a return to work interview as set out in the sickness absence policy and procedure document.

A medical certificate is not required for the first seven days of absence (including weekends) but a self-certification of sickness form should be completed.

If sickness absence continues for longer than seven days (including weekends) then a medical certificate is required and should be sent to the Payroll Officer. Medical certificates should cover ALL periods of absence following the first seven days. If not, the absence will be classified as unauthorised and the appropriate action taken.