



# Sickness Management Policy

Short Term Sickness

Human Resources

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# 1. Introduction

## 1.1 Purpose

The council aims to encourage all its employees to maximise their attendance at work while recognising that employees will, from time to time, be unable to come to work because of ill health.

While the council understands that there will inevitably be some sickness absence among employees, it must also pay due regard to its operational needs. If an employee is persistently absent from work, this can damage efficiency and productivity, and place an additional burden on the employee's colleagues.

By implementing this policy, the council aims to strike a reasonable balance between the pursuit of its operational needs and the genuine need of employees to take time off work because of ill health.

This policy does not form part of employees' terms and conditions of employment and may be subject to change at the discretion of the management.

## 1.2 Definitions

The following definitions are used in this policy:

**"Period of sickness absence"** or **"instance of sickness absence"** means any continuous period of sickness absence, of whatever length, during which the employee does not work.

**"Short-term sickness absence"** means any period of sickness lasting between one and 27 calendar days.

**"Long-term sickness absence"** means any period of sickness lasting 28 calendar days or more.

**"Formal review period"** means a defined period during which an employee is required to show an improvement in their sickness absence levels under the council's Sickness Absence Management procedure.

## 1.3 Scope

This policy applies to employees of New Forest District Council. It does not apply to workers, contractors, consultants or any self employed individuals working for the council.

This policy covers short-term sickness absence. The council operates a separate policy on long term sickness absence. Once an employee's sickness has lasted 28 calendar days, the council's long-term sickness absence policy applies.

Where an employee's absences are being managed under this policy and they then go off on long-term sickness absence, management of their sickness absence will be switched over to the council's separate policy on long-term sickness absence.

## 1.4 Misconduct

This policy is formulated on the assumption that, if the council suspects there to be misconduct, its separate disciplinary procedure will apply. For example, the council may take disciplinary action if there is evidence that:

- absence is not genuine or not for the reason provided.
- the employee is undertaking inappropriate activities while off sick, such as carrying out work for another council; or another business including self-employment, or
- the correct sickness absence notification and evidence procedure has not been followed.

## 2. Responsibilities

### 2.1 Guidelines for Employees

As an employee, you are responsible for ensuring that:

- attend work unless unfit to do so.
- if you are unable to attend work because of ill health, or a workplace accident, you notify your manager by telephone as soon as reasonably practicable, preferably before you are due to start work and, in any event, no later than one hour after you are due to begin work;
- continue to notify and keep in touch with your manager while unable to attend work.
- you give your manager a clear reason (i.e. the nature of the illness or injury) why you cannot attend work, and estimate how long you think the absence will last;
- provide medical evidence for sickness of more than seven calendar days.
- attend a return-to-work meeting with your manager each time you return from a period of sickness absence.
- be open with your manager about the reasons for your absence, to give your manager the opportunity to provide support where possible.
- tell your manager of any extenuating circumstances, for example personal or family problems or an unmanageable workload.
- you bear in mind that the council may seek a medical report, for example from your doctor or the council's occupational health advisers; and
- you cooperate with the council regarding the possible implementation of any adjustments to job duties, hours or working conditions, particularly those suggested by a healthcare professional.

### 2.2 Guidelines for Managers

As a line manager, you are responsible for ensuring that you:

- manage attendance and absence in accordance with this policy.
- maintain a proper record of each employee's sickness absences by recording the absence correctly on the Council's HR System.
- require the employee to provide medical evidence (normally a Dr's certificate) for sickness of more than seven calendar days.
- conduct a return-to-work meeting each time the employee returns from a period of sickness absence.
- speak to the employee about the absence and the reason for it in a fair and factual way.
- be supportive towards the employee and, where appropriate, seek to identify ways in which to assist the employee to improve their attendance in the future.
- be alert to patterns of absence, for example frequent absences on Fridays or Mondays, or immediately before or after bank or public holidays.
- try to establish any underlying reasons for frequent absences and, where the underlying cause is identified, take steps to help the employee to manage the cause.
- seek medical advice, if appropriate, to determine whether there is any underlying medical cause for the employee's frequent absences.
- be particularly sensitive when absences are caused by personal or family problems.
- show a reasonable degree of tolerance and sympathy towards the employee's sickness absence, while at the same time making clear that continuing frequent absences from work are unacceptable.

- check whether the employee's absences are in any way work related, for example because of workplace stress.
- bear in mind that the council may seek a medical report on an employee, for example from the employee's doctor or the council's occupational health advisers.
- keep confidential records of all absences, including discussions and medical certificates, and make sure that the records clearly identify the reasons for the employee's various absences.
- be aware of the potential for discrimination when managing absence, particularly where the employee's ill health is related to pregnancy or disability.
- keep in mind the council's duty to make reasonable adjustments for disabled people when managing absence; and
- consult with Human Resources if unsure about anything or special circumstances arise, for example if it appears that the employee may have a disability.

## 2.3 Notification and Evidence of Sickness Absence

### *Reporting absence*

On the first day of sickness absence, you must inform your manager as soon as reasonably practicable that you will not be working because of illness or injury. You should notify your manager of non-attendance before you are due to start work and, in any event, no later than one hour after you are due to begin work. If your manager is unavailable, you should contact the next most appropriate person within the department. Managers may agree in advance different reporting requirements however this must take into account the requirements of the business and ensure that service to our customers is maintained.

You should provide a clear reason (ie the nature of the illness or injury) why you cannot attend work and estimate how long you think the absence will last. You should also be prepared to briefly discuss any consequences of your absence, for example if customer appointments need to be cancelled or any essential work needs to be covered.

Notification of sickness absence must be via telephone, rather than text message, email, or social media platform, unless alternative arrangements have previously been agreed with your manager. In exceptional circumstances where you are unable to telephone (for example, because of hospitalisation), another person such as a friend or relative can contact the council on your behalf.

Once notified your manager will enter your absence details onto the council's HR system.

If you come to work but need to leave during the day because of ill health, you should inform your manager before leaving work. If your manager is unavailable, you should inform the next most appropriate person within the department.

Sickness absence that begins part way through the day will count as one full day's sickness absence if you leave before completing 50% of your working day. Where sickness absence begins after you have completed 50% of your working day, this should be recorded as half a day's absence. It is important that the half day AM or PM is selected for this to be recorded as half a day sick. If the 'part day' option is selected the entry will show as a whole day sick.

For each subsequent sick day after the first day of absence, you must telephone your manager as soon as reasonably practicable in the morning, unless alternative arrangements have been agreed. Managers should use their discretion and can agree different

arrangements with you, for example depending on the nature of your illness or if you are hospitalised.

## 2.4 Self certification of Sickness Absence

If you are absent for seven calendar days or less, on the first day of your return to work you must update your sickness record on the HR System ensuring the dates of absence and the nature of the illness or injury are correct. If amendments are required, you should raise this with your manager. If you are unable to do this yourself then please speak to your manager.

Your manager will be alerted by email that the sickness entry has been updated. They must then approve the entry on the HR System which will inform the HR / Payroll department that you have returned to work.

## 2.5 Statement of Fitness for work (fit note or Dr's certificate)

While the first seven calendar days of sickness do not require a certificate, all periods of sickness absence that lasts longer than seven calendar days requires medical evidence. Medical evidence will normally be in the form of a fit note, also known as a "statement of fitness for work".

If you are absent for eight consecutive days or more (including weekends) you must provide your manager with a fit note as soon as possible. If your absence persists beyond the end of the first fit note, you must continue to submit further fit notes to cover the whole period of your absence. It is your responsibility to keep the council informed of your progress and your likely date of return to work.

If you feel well enough to return to work before the end date of your Dr's note then this may be possible and you should discuss this with your manager/supervisor in the first instance.

Fit notes can be issued by nurses, occupational therapists, pharmacists, and physiotherapists if they have conducted an assessment of your fitness for work.

A fit note may state that:

- you are "not fit for work", in which case you should remain off work; or
- you "may be fit for work", if the healthcare professional's recommendations are followed (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations).

While there is no legal obligation on the council to follow the recommendations in the fit note, your line manager will take the recommendations seriously and give fair consideration - in consultation with you and HR - as to whether any of the changes recommended can be accommodated.

## 2.6 Keeping in touch

It is important that we maintain regular contact with you while you are absent to:

- see how you are progressing in terms of your health;
- support you and actively maintain your engagement with us;



- provide information to you so that you may make informed decisions (for example, in relation to health-related benefits);
- provide practical support including from our occupational health advisers;
- encourage a return to work as early as possible;
- facilitate a phased return to work if required, by making appropriate temporary or permanent adjustments; and
- ensure that you are kept up to date about events in the workplace.

You and your line manager are both jointly responsible for maintaining contact with each other. When you are ill it is your responsibility to notify your manager. You can agree between you how often you will make contact in the first month. Once you are absent on sick leave for 28 continuous days we will manage your absence under the Council's Long Term sickness policy. Contact will be on a regular basis and at least monthly.

## 3. Sick Pay

### 3.1 Eligibility

Eligible employees are entitled to statutory sick pay (SSP), if you follow the council's usual notification and evidence requirements.

Statutory sick pay is payable for up to 28 weeks in any one period of sickness absence, at a weekly rate set by the Government for the relevant tax year.

#### 3.1.1 Contractual sick pay scheme

The council operates a contractual sick pay scheme that is more generous than statutory sick pay (SSP).

Details of the council's sick pay scheme are indicated in your contract of employment. The Council's occupational Sick Pay Scheme is:

|                                  |  |
|----------------------------------|--|
| during 1st year of service       | During first 3 months - No sickness payments<br>After 3 months - One week full pay<br>After 6 months - Additional two weeks half pay |
| during 2nd year of service       | 2 months' full pay + 2 months half pay   |
| during 3rd year of service       | 4 months' full pay + 4 months half pay   |
| during 4th & 5th year of service | 5 months' full pay + 5 months half pay   |

|                        |  |
|------------------------|--|
| after 5 years' service | 6 months' full pay + 6 months half pay |
|------------------------|--|

The allowance shown above is reduced by the total of paid sick leave in the 12 months immediately preceding the first day of sickness. All employees both full-time and part-time shall have 7 qualifying days in each week for statutory sick pay purposes.

If you have exhausted your contractual sick pay and have any SSP remaining, you will move to SSP until this has also been exhausted.

Sick pay under the council's scheme is subject to the usual deductions for PAYE, national insurance, pension contributions, etc.

Payments under the council's scheme will be calculated by reference to your basic salary including any market supplement only and any payments made under the council's scheme are inclusive of any entitlement to SSP for the same period of absence.

### 3.1.2 Absence because of an Accident involving a Third Party

All employees who are absent because of an accident shall not be entitled to an allowance if damages may be receivable from a third party in respect of that accident. In this event, the Council will normally advance to the employee a sum not exceeding the sickness allowance set out above, provided the employee undertakes to refund to the Council the total amount of such allowance or the proportion of it which is represented in the amount of damages that are eventually received. Payroll will be happy to provide sufficient information to enable you to make your claim.

Any period of absence in such a case where a refund of the money advanced is made in full, shall not be recorded for the purposes of the Occupational Sick Pay scheme. If, however, the refund only represents part of the money advanced the Council will, at its discretion, decide to what extent the period of absence will be recorded.

### 3.1.3 Other employment or work whilst in receipt of sick pay

If you are in receipt of Sick Pay (including SSP) you are not allowed to undertake any form of paid alternative employment, self-employment, or voluntary work. Any breach of this rule would be regarded as gross misconduct which could result in dismissal.

### 3.1.4 Sickness due to sporting activity

The council encourages all staff to look after their own health and wellbeing however, if your sickness absence occurs as a result of active participation in sport as a profession, or in cases where the absence is as a result of your own misconduct then the sickness allowance is not payable.

### 3.1.5 Industrial Disease, Accident or Assault

Absence in respect of normal sickness is entirely separate from absence through industrial disease, accident or assault arising out of or in the course of employment with a local authority. Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements under the scheme.

### 3.1.6 Withholding or Suspending Sick Pay

The council reserves the right to withhold or suspend sick pay under its contractual sick pay scheme at its discretion. Circumstances in which contractual sick pay may be withheld include where:

- you have failed to comply with the council's sickness absence notification and evidence requirements.
- you refuse to attend a medical examination at the reasonable request of the council.
- your incapacity has been caused by participation in dangerous sports or activities or any other occupation that you have.
- you make or produce any misleading or untrue statement or document concerning your fitness to work.

You will normally be entitled to receive SSP when contractual sick pay is withheld or suspended, although the council can withhold or suspend SSP if it is not satisfied that you are ill, and no evidence of sickness is provided.

You will be given written notice if your SSP or contractual sick pay is being withheld or suspended.

## 3.2 Medical Appointments

The council recognises that employees will, from time to time, need to attend medical appointments.

You should endeavour to arrange medical appointments in your own time or, if this is not possible, at times that will cause the minimum amount of absence from work or inconvenience to the council.

However, we recognise that it is not always possible or practical to arrange medical appointments outside working hours, it is the council's policy to permit reasonable time off work for such appointments.

To make a request for time off to attend a routine medical or dental appointment, you should contact your line manager. You should provide them with as much notice as possible of when you need the time off and wherever possible arrange your appointments outside of your normal working hours or as near as possible to the start or end of the working day. If your working day finishes within the normal opening hours of a doctor or dental surgery, then you must endeavour to make an appointment at the end of your working day.

Your manager may ask you to provide proof of the date and time of your appointment.

Every effort will be made to meet your request. However, there may be circumstances where your line manager may turn down your request due to operational needs or where there is insufficient capacity within the council to accommodate high levels of leave.

Provided that you give your line manager reasonable notice of the date and time of an appointment, time off with pay will normally be granted, although this is subject to the discretion of your line manager.

Where time off for medical appointments becomes frequent or regular, or starts to cause difficulties for your department, your line manager has the discretion either to require you to make up for the time off by working extra time on another occasion, or to grant any further time off without pay.

If you have a disability or long-term health issues, we understand that you may need to attend regular appointments. Wherever possible these should be permitted, provided you have given advance notice.

If you are pregnant, you have the statutory right not to be unreasonably refused paid time off work for antenatal appointments where your attendance has been recommended by a registered medical practitioner, midwife or nurse. Paid time off in such circumstances will automatically be granted, although you should endeavour to arrange appointments outside working hours.

If you are a prospective father, or partner of a pregnant woman, the council allows you to take paid time off to attend up to two antenatal appointments.

Medical or dental emergencies requiring urgent, unforeseen medical or dental attention and cases where you are admitted to hospital for emergency surgery will be treated as sickness absence in accordance with this policy.

### 3.3 Returning to work.

#### 3.3.1 Actions required by you and your line manager.

On your first day back at work after any period of sickness absence, or as soon as is reasonably practicable, your line manager will arrange to meet with you to conduct a return-to-work meeting. The purpose of the meeting is to provide you with an opportunity to discuss the reasons for your absence and whether you need any particular support.

The manager should check absences 12 months prior to the date of your return to work. For example, if you return to work on 1 April, your manager should examine the period from 1 April the previous year to 31 March.

When checking your absence record, your line manager should also review whether your absences have been frequent, regular or repeated. Your manager should be alert to the possibility of any pattern, for example frequent absences on Fridays or Mondays, or immediately before or after bank or public holidays. Managers should, however, remain open minded and not jump to any hasty conclusions about your absences.

If you feel well enough to return to work before the end date on your Dr's certificate you should let your manager know. In most circumstances it will be possible to allow you to return in these circumstances.

Your manager should bear in mind that special considerations apply to absences related to pregnancy and disability.

Your line manager should invite you to an informal return-to-work meeting each time you return from a period of sickness absence.

When you return to work you should close your sickness entry on the HR System. This should be done quickly as failure to do so could affect your pay.

### 3.3.2 Return-to-work meetings

On the first day back at work after any period of sickness absence, your manager will arrange to meet informally with you.

If this is not possible on your first day back (for example, for operational reasons or because your manager is not available), the informal meeting should take place as soon as reasonably practicable.

At the meeting, your line manager will inform you if they have any concerns about your absence record and if there is a need for formal action under the council's sickness absence management procedure has been triggered.

The return-to-work meeting should take place in a private place, and all discussions between the you and your manager should be private and confidential.

Your manager should:

- welcome you back to work.
- explain to you that the purpose of return-to-work meetings is to manage and monitor your absence and attendance to identify any problem areas and offer support where appropriate.
- inform you that your absence will be recorded.
- ask you about the reasons for your absence, ensuring that the question is asked in a supportive way without any suggestion that you are "to blame" for the absence.
- ask you whether you have consulted a healthcare professional or attended hospital.
- if your sickness lasts for eight calendar days or more, ensure that you have provided a fit note, and this has been passed on to the HR team; and
- inform you if you have hit a trigger point, and the consequences of having done so (see section four below)
- The relevant forms should be completed by your manager. You should ensure that you take the time to read through the forma and raise any concerns that you have. Both you and your manager should sign the form and then you manager will save a copy to your HR file.

### 3.4 Updating your absence record.

When you return you should close your sickness entry on the HR System. Once alerted that this has been completed your line manager should confirm your absence record in the HR System. This should record the dates of your absence, and the reasons for the absence (ie the nature of the illness or injury that has led to your absence). It is very important that your manager completes this action each time you return to work, so that the council can keep track of your pattern of absence. Failure to record sickness absence correctly in the HR System can affect your pay.

There may be occasions when the underlying reason for your absence is not easily classifiable. For example, you may have more than one health condition, or you may have been feeling unwell because of a bereavement. If there is any doubt as to the reasons for your absence, the manager should consult the HR Advisory team to determine the most appropriate category to place on the absence.

### 3.5 Other Considerations

#### 3.5.1 Pregnancy-related absences

If you are off work because of pregnancy-related ill health, you must abide by the council's absence reporting procedure. For example, you are still subject to the usual notification and evidence requirements and can be asked to attend a return-to-work meeting when returning to work.

However, any sickness absence for a pregnancy-related reason should not be included when checking to see if the need for formal action under the council's absence management procedure has been triggered.

If your manager is in any doubt as to whether your absence is related to your pregnancy, they should contact the HR Advisory Team for clarification.

#### 3.5.2 Disability related absences

If you state that the reason for absence relates to an underlying health issue that could amount to a disability under the Equality Act 2010, your manager must seek advice from the HR Advisory team. This includes if you state that you are suffering from stress.

Managers should remember that the council is under a duty to make reasonable adjustments for disabled employees. The legal definition of a "disability" is wide, and managers should refer to Human Resources for further information. Where the absence is wholly or partly for a disability-related reason, the trigger points referred to in this policy may need to be modified to take proper account of the employee's disability, and other adjustments to the procedures set out in this policy may need to be made. If in doubt, the manager should contact Human Resources for clarification.

The council has in place a reasonable adjustments procedure. If you feel this is relevant and may help to support you then please speak to your manager. Full details of the procedure

including the form to record your Reasonable Adjustments Plan can be found on Forestnet under 'working here'.

## 3.6 Sickness Absence and Annual Leave

### 3.6.1 Sickness during holiday

If you fall sick or are injured while on holiday, the council will allow you to transfer to sick leave and take replacement holiday later. This policy is subject to the following strict conditions:

- The total period of ill health must be fully certificated by a qualified medical practitioner.
- You must contact the council (by telephone if possible) as soon as you know that there will be a period of sickness during a holiday.
- You 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 you wish to take at another time.
- If you are overseas when you fall ill or are injured, evidence must still be produced that you were ill by way of a medical certificate.

If you fulfil all the above conditions, the council will grant you the same number of days' replacement holiday leave as the number of holiday days lost due to sickness or injury.

If you are ill or injured before the start of a period of planned holiday, and are consequently unable to take the holiday, the council will agree to you postponing the holiday dates to another mutually agreed time. Any period of sickness absence will then be treated in accordance with the council's normal policy on sickness absence. You must submit a written request to postpone the planned holiday, and this must be accompanied by medical evidence confirming that you are unfit, or are likely to be unfit, to take the holiday.

### 3.6.2 Holiday during sick leave

If you are absent on sick leave you continue to accrue your contractual holiday entitlement and will be given the opportunity to take this at a later date, including in the subsequent leave year, if you do not take your contractual holiday entitlement due to being on sick leave.

If you wish to, you may apply to take your holiday entitlement while on sick leave. The holiday dates must be approved in accordance with the procedure set out in the council's Annual Leave Policy

## 3.7 Medical Advice – Occupational Health

### 3.7.1 Occupational health referrals

At various stages of managing sickness absence, your manager may want to obtain advice on your fitness for work from occupational health advisers.

Examples of when a line manager might refer to occupational health include to:

- seek a medical report on you;
- establish when you might be able to return to work;
- ask for guidance on your condition, for example if there is a possibility that you are disabled or ambiguity as to the exact nature of the condition; and
- if you are disabled, discuss any adjustments that could be made to accommodate your disability.

The council will treat personal data collected during the absence management process in accordance with its HR Privacy Notice. Information about how your personal data is used and the basis for processing their data will be provided in the council's HR Privacy Notice. Where the council is relying on its legitimate interests as the legal ground for processing your data, you can object to the processing.

### 3.7.2 Report from a medical practitioner who has been responsible for the employee's clinical care.

Where a report from your medical practitioner is necessary, your permission will be sought for the report to be obtained.

Your permission will be sought to contact the medical practitioner by the HR Team. You will be asked to complete a consent form.

You have the right to access the report before the council sees it. If you wish to see the report, you should inform the council of this, so that it can inform the medical practitioner. You will then have 21 days to contact the medical practitioner to see the report. If you do not contact the medical practitioner within this period, the medical practitioner can pass the report on to the council.

When requesting a report, the council will provide the medical practitioner with as much information as possible on your role and explain why the report is being sought. The council will provide the medical practitioner with:

- a copy of your signed form consenting to the request to seek a medical report;
- confirmation that you are aware of their rights under the Access to Medical Reports Act 1988; and
- details of the major features of your job.

The council will ask the medical practitioner to identify:

- the nature of your illness or injury;
- whether or not there are any underlying medical conditions that explain your pattern of absences; and
- what reasonable adjustments could be made to working conditions or work premises to facilitate a return to work.

Where you refuse permission for the council to contact your medical practitioner, the council will explain to you the reasons behind the request and inform you that a decision relating to



your employment may be made without the benefit of access to medical reports. The same procedure will be followed where you delay in giving your consent.

Where you feel that the report is misleading or incorrect, you may ask the medical practitioner to amend it. If the medical practitioner does not agree with you and does not alter the report, you may attach a statement to the report to reflect your views.

Alternatively, having seen the report, you may request that access to the report be withheld from the council. In this instance you will be informed that a decision relating to employment may be made without the benefit of access to medical reports.

## 4. Sickness Absence Management

The trigger points that are used to decide when action needs to be taken to tackle an employee's sickness absence record are set out below. These provide a framework for managers to use and when applying these trigger points, the special rules that apply to pregnancy and disability must always be borne in mind. The stages set out below are guidelines only.

### 4.1 Stage 1

#### 4.1.1 Stage 1 trigger point

The trigger point for a "stage 1" short-term sickness absence formal review is:

- More than one unrelated episode in a one month rolling period.
- Three or more episodes in any three-month rolling period.
- Three or more episodes in any twelve-month rolling period, totalling six or more working days of sickness.
- Any other recurring, recognisable patterns such as frequent absenteeism on a Friday or Monday, before or after public holidays or during school holidays.

#### *Stage 1 invitation*

If you reach a stage 1 trigger point, your line manager will invite you in writing to a stage 1 short-term sickness absence formal review meeting. In advance of the meeting, your manager will provide all parties with a copy of all documents relevant to your case, including:

- your absence record form.
- any letters previously sent to you about your absence levels; and
- any other medical evidence [such as occupational health reports].

If you would like to submit any further evidence that you consider would be relevant, then please advise your manager as soon as possible and no later than 3 working days before the meeting.

The written invitation to the stage 1 short-term sickness absence formal review meeting should give you at least five days' notice of the meeting. The letter should advise you who will be present and that you can be accompanied by a fellow worker or trade union representative.

The letter should explain to you that the purpose of the meeting is to review your unsatisfactory attendance level.

The letter should warn you that a possible outcome of the meeting is that you may be given a warning and moved to a formal review period.

The letter should also warn you that a possible outcome of the sickness procedure is that you may be dismissed by reason of capability.

#### 4.1.2 Stage 1 meeting

The "stage 1" short-term sickness absence formal review meeting will normally be chaired by your line manager. The line manager may be accompanied by a member of the HR team. Notes of the meeting should be taken.

At the meeting, the line manager will:

- explain to you that the purpose of the meeting is to discuss your attendance in the previous 12 months, or that you have hit another trigger.
- make clear to you that the aim of the meeting is to find ways to improve your attendance.
- allow you to share your views.
- explain the impact of your non-attendance on the team.
- try to establish any underlying reasons for your poor attendance level, for example a health issue or personal problems.
- gather as much information as possible on any underlying reasons identified, without putting undue pressure on you to reveal more information than you want to.
- discuss and agree any steps that can be put in place to help you to improve your attendance.
- if there is an underlying health problem, refer you to occupational health/encourage you to book an appointment with a healthcare professional, if this has not already been done.
- remind you of the support that is available to you, including the employee assistance programme; and
- at the end of the meeting, having considered the points discussed your manager will inform you of the outcome of the meeting and state that the outcome will be confirmed in writing to you within five working days.

#### 4.1.3 Stage 1 outcome

After the meeting, your manager will set out in writing what has been decided as a result of the stage 1 meeting, for example if a warning is being issued and you have been placed on a formal review period, or if the decision is that no further action will be taken. The letter, which should be provided to you within five working days of the meeting, should include details of any steps or targets that have been agreed to help you to improve your attendance, and any support that the council is providing for you.

##### No further action

In limited circumstances, for example if there are extenuating reasons for the absences, the outcome of a stage 1 short-term sickness absence formal review meeting could be that your manager decides that it is not appropriate to move you to a formal review period.

If the decision is that no further action will be taken, the letter should inform you of this and provide an explanation for the decision.

##### Formal review period

An alternative outcome of a stage 1 short-term sickness absence formal review meeting could be that your manager decides that you should be given a warning and moved to a formal review period.

The letter should explain that you have normally 3-6 months to show an improvement in your attendance levels. The period set begins on the day after the warning is issued.

The letter should warn you that, while on the formal review period, the consequences of not showing an improvement in your sickness levels or taking more sickness than agreed in your outcome letter will mean that you move to stage 2 of the council's absence management procedure.

The letter should give you the right to appeal against the warning (see point 5 below).

## Stage 1 improvement

If your sickness absence levels improve during the formal review period, and you do not exceed the absence level set at the formal review, no further action will be taken. Your manager should write to you explaining to you that you have completed the formal review period.

If during the formal review period, your sickness absence exceeds the sickness standards set then you will be moved to stage 2. This may be brought forward and there is no need to wait for the end of the review period.

## 4.2 Stage 2

### 4.2.1 Stage 2 *trigger point*

The trigger point for a stage 2 formal review if you are on a stage 1 formal review period is:

- If you hit any of the other trigger points laid out in 4.1.1; or
- If you exceed the absence trigger laid out in your letter after the Stage 1 meeting.

### *Stage 2 invitation*

On reaching a stage 2 trigger point, your line manager will invite you in writing to a stage 2 short-term sickness absence formal review meeting.

The meeting will normally be chaired by your line manager and a member of the HR team will be present at the meeting. In advance of the meeting, your line manager should provide all parties with the documents relevant to your case, including:

- your absence record form.
- any letters previously sent to you about your absence levels, particularly the letter setting out the outcome of the stage 1 short-term sickness absence formal review meeting; and
- any other medical evidence [such as occupational health reports].

The written invitation to the stage 2 short-term sickness absence formal review meeting should give you at least five working days' notice of the meeting. The letter should advise you who will be present and that you can be accompanied by a fellow worker or trade union representative.

The letter should explain to you that the purpose of the meeting is to review your continued unsatisfactory attendance level while on a stage 1 formal review period.

The letter should warn you that a possible outcome of the meeting is that you may be given a second, and final, warning and moved to a second formal review period.

The letter should also warn you that a possible outcome of the sickness procedure is that you may be dismissed by reason of capability.

#### 4.2.2 Stage 2 meeting

The "stage 2" short-term sickness absence formal review meeting will normally be chaired by your line manager. The line manager will be accompanied by a member of the HR team. Notes should be taken of the meeting.

At the meeting, your manager will:

- explain to you that the purpose of the meeting is to discuss your continued unsatisfactory attendance.
- make clear to you that the aim of the meeting remains to find ways to improve your attendance.
- allow you to share your views.
- try to establish any underlying reasons for your poor attendance level, for example a health issue or personal problems.
- gather as much further information as possible on any underlying reasons identified, without putting undue pressure on you to reveal more information than you want.
- discuss and agree any further steps or targets that can be put in place to help you to improve your attendance.
- if there is an underlying health problem, refer you to occupational health, if this has not already been done.
- remind you of the support that is available to you, including the employee assistance programme; and
- inform you of the possible outcomes of the meeting, and that the outcome will be confirmed in writing to you within five working days.

#### 4.2.3 Stage 2 outcome

After the meeting, your manager will set out in writing what has been decided as a result of the stage 2 meeting, for example if a warning is being issued and you have been placed on a formal review period, or if the decision is that no further action will be taken. The letter, which should be provided to the you within five working days of the meeting, should include details of any further steps or targets that have been agreed to help you to improve your attendance, and any support that the council is providing for you.

#### No further action

In limited circumstances, for example if there are extenuating reasons for the absences, the outcome of a stage 2 short-term sickness absence formal review meeting could be that your manager decides that it is not appropriate to move you to a second formal review period.

If the decision is that no further action will be taken, a letter should inform you of this and provide an explanation for the decision.

### Formal review period

An alternative outcome of a stage 2 short-term sickness absence formal review meeting could be that your manager decides that you should be given a final written warning and moved to a second formal review period.

The letter should explain that you have 6 months to show an improvement in your attendance levels. The 6-month period begins on the day after the warning is issued.

The letter should warn you that, during the formal review period, the consequences of reaching sickness absence levels that either, exceed the target set for your review period or hit any of the trigger points laid out in 4.1.1 over a rolling period of 6 months will be that you move to stage 3 of the council's absence management procedure.

The letter should give you the right to appeal against the warning (see Point 5).

### Stage 2 improvement

If your sickness absence levels improve and you do not hit a trigger point in the Councils procedure during the formal review period, and do not exceed the target set as laid out in your letter then no further action will be taken. Your manager should write to you explaining that you have completed the formal review period.

If during the formal review period, your sickness absence reaches one of the trigger points as set out in 4.1.1, or exceeds the target you have been set you will be moved to stage 3.

If the outcome is to end the procedure, you will be made aware that any further absence that hits the trigger within 12 months will mean that you would be put back on the formal process at the step it ended at.

## 4.3 Stage 3

### 4.3.1 Stage 3 *trigger point*

The trigger point for a stage 3 final formal review if you are on a stage 2 formal review period is:

- If you hit any of the other trigger points laid out in 4.1.1; or
- If you exceed the absence trigger laid out in your letter after the Stage 2 formal review meeting.

### *Stage 3 invitation*

On reaching a stage 3 trigger point, a senior manager will invite you in writing to a stage 3 short-term sickness absence final meeting.

The meeting will be chaired by the senior manager and a member of the HR Advisory team must be present at the meeting. In advance of the meeting, the line manager should provide all parties with the documents relevant to your case, including:

- your absence record.
- any letters previously sent to you about your absence levels, particularly the letter setting out the outcome of the stage 2 short-term sickness absence formal review meeting; and
- any other medical evidence [such as occupational health reports].

The written invitation to the stage 3 short-term sickness absence formal review meeting should give you at least ten days' notice of the meeting. The letter should advise you who will be present and that you can be accompanied by a fellow worker or trade union representative.

The letter should explain to you that the purpose of the meeting is to review your continued unsatisfactory attendance level while on a stage 2 formal review period.

The letter should warn you that a possible outcome of the meeting is that you may be dismissed by reason of capability.

#### 4.3.2 Stage 3 meeting

The "stage 3" short-term sickness absence final formal review meeting will be chaired by a Service Manager or above, together with a member of the HR Advisory team. Notes of the meeting must be taken. Wherever possible the Service Manager will be from the same Directorate as you.

At the meeting, the manager will:

- explain to you that the purpose of the meeting is to discuss your continued unsatisfactory attendance.
- allow you to share their views.
- try to establish any underlying reasons for your poor attendance level, for example a health issue or personal problems.
- gather as much further information as possible on any underlying reasons identified, without putting undue pressure on you to reveal more information than you want.
- discuss and agree any further steps or targets that can be put in place to help you to improve your attendance.
- if there is an underlying health problem, refer you to occupational health if this has not already been done.
- remind you of the support that is available to you, including the employee assistance programme; and
- inform you of the possible outcomes of the meeting, and that these will be confirmed in writing to you within five working days.

#### 4.3.3 Stage 3 outcome

Within five working days of the meeting, the manager will set out in writing the outcome of the stage 3 final meeting.

The outcome of the meeting could be:

- a decision to take no further action.
- an offer to make adjustments to your work.
- redeployment with your agreement; or
- a decision to dismiss you.

You will have a right of appeal. You will be informed of your right of appeal in the outcome letter.

If the outcome is to end the procedure and take no further action at this point, you will be made aware that any further absence that hits the trigger within 12 months will mean that you will be put back on the formal process at the step it ended at.

## 5. Right of Appeal

If you are given a warning or are dismissed under this procedure you have the right of appeal. The appeal should be sent in writing to the Service Manager HR and set out the grounds on which you believe that the decision was flawed or unfair.

You should lodge your appeal within five working days of receiving written confirmation of the sanction imposed on you by the council.

An appeal hearing will be convened at least 10 working days, and within a reasonable period, after the appeal is lodged.

If the appeal is against a sanction other than dismissal then the appeal may be heard by another Service Manager, accompanied by a member of the HR Advisory team.

If the appeal is against your dismissal, then the appeal hearing will be chaired by a Strategic Director who is not responsible for the area that you worked within, who will be accompanied by a member of the HR Advisory Team. Notes of the meeting must be taken.

You will be entitled to be accompanied by a fellow employee or a trade union representative.

At the hearing, the decision to impose the sanction will be reviewed and you will be entitled to make representations about the appropriateness of that decision.

The outcome of the appeal will be confirmed to you in writing, within 5 working days, explaining the grounds on which the decision was reached. The outcome of the appeal will be final.

## 6. Unauthorised Absence

If you fail to attend work without permission, or you do not comply with the sickness absence reporting procedure or the evidential requirement set out in this policy, this will be treated as a disciplinary offence and dealt with under the council's disciplinary procedure.

In this situation your pay will be suspended, and this will be recorded as Absent without Permission on the HR System.