# TREWERN COMMUNITY COUNCIL / CYNGOR CYMUNED TREWERN

## SICKNESS ABSENCE POLICY

### 1. Purpose

1.1 The purpose of the policy is to outline the responsibilities of the employee and the Council when sickness occurs.

### 2. Policy

2.1 The Community Council aims to secure the attendance of all employees throughout the working week. However, it recognises that a certain level of absence may be necessary due to sickness.

2.2 It is the Community Councils policy to offer security of employment during suck periods, subject to operational requirements and the conditions below.

### 3. Procedure

3.1 Notification and certification.

3.2 If the employee is unable to attend, he or she must notify the Chair or Vice-Chair as soon as possible but no later than the end of the first day of absence, indicating if possible when he or she expects to return to work.

3.3 Up to 7 days the employee has to inform the line manager of the sick leave (verbal self-certification).

3.4 If the employee is absent by the eighth day (including Saturday and Sunday), they must send a fit note, issued by their GP, to their line manager. Current fit notes must cover subsequent periods of absence. The employee should also keep in touch with their line manager regarding their condition and likely return to work date.

3.5 If the employee does not follow this procedure, they may be dealt with under the Community Council disciplinary procedure. Furthermore the employees occupational sick pay and statutory sick pay (SSP) may be withheld.

### 4. Private medical certificates

4.1 In some circumstances the Community Council may require the employee to provide private fit notes for all absences from work due to sickness, regardless of their duration. The Community Council will reimburse him or her fully for the cost of obtaining these certificates.

Examples of such circumstances include:

- A history of exceptional absenteeism
- An appearance or disposition or disposition such that management are concerned that the employee may not be receiving adequate medical attention.

### 5. Return to work

5.1 The employee will not be allowed to return to work until their GP deems that they are fit to return.

5.2 Requests for temporary adjustments to the employees working conditions with be considered b the Community Council and will be accommodated wherever possible and if organisational circumstances permit.

5.3 Regardless of their length of absence, the employee will be interviewed by their line manager on their return to work in order to (by conducting a return to work interview – see appendix 1):

- Check on employees fitness to return
- Ensure all the support the employee needs is in place
- Bring the employee up to date on any changes

**6. Fit Notes**

6.1 An employee's GP might indicate on a fit not that the employee "may be fit for work". If this option is selected the GP will also identify potential amendments that should be made, selecting from:

- Phased return to work
- Amended duties
- Altered hours
- Workplace adaptions

6.2 If a fit note is received the line manager will contact the employee and arrange for a meeting between the employee and the line manager. At this meeting the suggested amendments will be discussed with the aim of facilitating the employee's return to work.

6.3 If the suggested amendments are not possible the employee will remain on sick leave. If the amendments are possible, the employee will return to work, but regular reviews will be carried out to ensure the amendments are adequate. It should be noted that any amendments are not to be viewed as a permanent change to the employment of contract.

**7. Medical examination**

7.1 The Community Council reserves the right to require the employee to be examined by a practitioner of its choice in order to seek a medical opinion. (A refusal to be examined may lead the Community Council to take disciplinary action against the employee, up to and including dismissal).

**8. Access to medical reports**

8.1 In order to gain as much information about the employees medical condition as possible, the Community Council may also request the employees permission to contact his or her GP and ask for a medical report on the employees condition. The employee may ask to see this report.

**9. Extended absences**

9.1 The Community Council will be sympathetic when an employee is ill, but the employee should appreciate that if they are persistently absent through ill-health or long-term injury or incapacity, it will not be possible for the situation to continue indefinitely, and their employment may be reviewed or terminated. Termination will not take place without:

- Full consultation with the employee
- Medical investigation
- A consideration of alternative employment

9.2 Where a return to work does prove possible, the Community Council may require that the employees fitness to return is confirmed by a practitioner of the Community Councils choice.

**10. Meeting/home visits**

10.1 During any absence it is important that the employee keeps in touch so that their lone manager is kept informed of the employees health and likely return to work date. The employee will therefore be periodically asked to attend meetings with their line manager on work premises, for the purpose of providing information and facilitating an effective return to work.

10.2 If the employee is too unwell or physically unable to attend work premises, the Community Council reserves the right to visit him or her at home.

**11. Disability**

11.1 If the employee has a condition that means they might be considered disabled within the meaning of the Disability Discrimination Act 1995 (DDA), the Community Council will attempt to make reasonable adjustments to their job to accommodate their requirements. The employee will be fully consulted at all times. If reasonable adjustments or alternative employment prove not to be viable options, and there is no likelihood of a return to work in the near future, a decision to dismiss may be the inevitable outcome.

**12. Dismissal and the right to appeal**

12.1 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 the receipt of the dismissal letter., to the Community Council, stating the grounds on which they wish to appeal.

12.2 The appeal will be heard in accordance with the Community Councils disciplinary appeals procedure. This right also applies to ‘action short of dismissal’ such as alteration of duties.

**13. Payment arrangements and insurance**

13.1 Statutory sick pay (SSP)

13.2 The employees SSP qualifying days are either Monday to Friday or, in the case of part-time employees, those days that he or she normally works. If the employee is eligible for the payment of the SSP, it will be subject to the dedication of tax and National Insurance contributions.

13.3 Occupational sick pay

13.4 The arrangements for the payment of occupational sick pay are documented in the employees contract of employment.

**14. Unpaid sickness**

14.1 There are circumstances where the employees absence due to sickness will be unpaid, e.g. when:

- He or she is ineligible for occupational sick pay
- He or she has exhausted the provisions contained in the scheme

14.2 The employee should note that during periods of unpaid sickness he or she will receive neither basic salary nor viable payments. Further, holidays will only accrue at a rate that is commensurate with his or her statutory entitlement under the Working Time Regulations 1998, i.e. pro rata up to a total of 28 days per annum, including public holidays.

**15. Miscellaneous**

15.1 Return of the Community Councils equipment

15.2 If the employee is off sick for an extended period of time (e.g. one month or more) the Community Council may require them to return equipment or documentation until they are well enough to return to work.

15.3 If the employee does not return to work following a period of sickness absence, they will be required to return all outstanding equipment belonging to the Community Council on the date of termination of his or her employment.

**16. Absences for reason other than sickness**

16.1 Requests for time off for reasons other than sickness will be considered in accordance with the provisions of the Community Councils special leave policy.

16.2 Unauthorised absences will be dealt with in accordance with the disciplinary procedure.

Trewern Community Council adopted/reviewed this Sickness Absence Policy at its meeting on:

……

Signed:……Date:…….……..

Print Name:…….……

Position:……..……..

Version No:……..……

Review Date = Annual

| Amended or Reviewed | Date | Version No | Who |
|---|---|---|---|
| Approved | | | |
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Appendix 1

GUIDANCE NOTES FOR CONDUCTING THE RETURN TO WORK INTERVIEW

For period of absence, a return to work interview should be conducted. The meeting is to enable a member of staff to share concerns about their illness and general state of health in relation to their job. It is essential in monitoring absence accurately and in reinforcing this message that the Council cares about members of staff and their sickness absence. The degree of formality and length of the interview will depend on the circumstances. If the member of staff is rarely on sick leave the meeting will brief.

However, should the member of staff be returning to work after succession of frequent intermitted absences or after along term of absence, the interview should be much more structured.

The purpose of the return to work interview is to:

- See how the member of staff is
- Establish the cause of absence

Where appropriate, discuss any further action

Should the Fit Note state that the member of staff is fit for work taking into account certain advice, this should be discussed and reviewed within the member of staff and it may be necessary for a referral to Occupational Health advisor for an opinion on the advice provided by the NHS Doctor. However you should be prepared to discuss any suggestions made by the GP and whether or not they are feasible or can be accommodated for the work that is undertaken.

e.g. Tell them they have been missed

If the member of staffs absence does not exceed the trigger points, then the interview can be terminated and signed off at the bottom of page 3.

The questions to be asked on Page 2 are for guidance only and do not have to be asked in the exact format as they are written, however it is important that the questions in some format are asked and a response received.

## RETURN TO WORK

Name of Member of Staff ……..

Name of Manager ……..

**Sickness Details**

First Day of Absence ……

Nature of Illness ……

Date Illness Ceased ……..

Total Number of Days Absent ……..

Has a Fit Note been received? Yes/No

Work Related Yes/No

Accident Book Completed? Yes/No

Absence Related to Third Party Claim? Yes/No

**Previous Absence**

Dates ……

Nature of Absence ……

Does this absence exceed the trigger points? Yes/No

(3 of more periods in excess of 10 working days/12 months; Persistent 7 days per absence (self-certified)/ 12 months; 3 or more self-certified periods in 4 months; Absences showing trends or patterns)

If no, the interview can be completed and can be signed off at the bottom of page 3

Has the member of staff been referred to Occupational Health previously? Yes/No

If yes, date ……...

**Questions**

How are you/Are you fully recovered? ……

Did you see your Doctor ……

When? ……..

Are you receiving any treatment/medication? ……...

……

How does it affect you? ……

……

Is there a possibility that the illness will re-occur? ……

Do you have another appointment? ……

Any further absence in the future, ie need for further treatment?.....

……

Were there any other reasons for the absence? ……..

……

Is this something you may suffer from again? ……...

Is there anything that the Council can do to prevent the absence re-occurring? ……

……

Do you feel this was connected with work? ……...

If so, how? ……...

Date for review ……

Any further comments/concerns ……..

……

Any action to be taken ……...

……

……

(Adjustments to work, OH referral, counselling, disciplinary action)

(a) Member of staff has been advised of his/her value to the team. He/ She has been advised that attendance by all staff is monitored.
(b) Member of staff has been advised that sickness continuing to be monitored and of next steps should sickness not improve

(Delete as appropriate using (a) or (b) depending on whether first absence or not)

Signed ……..… Signed …….…….

Line Manager Member of staff

Date ……... Time ……

Copies to:

Member of staff