

Sickness Absence Policy

Section: Health and Wellbeing

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Appendices: (1) [Getting It Right A Managers Guide to Absence](#) (Word 444 KB) (2) Employee Guide (3) [Absence Record Form](#) (Word 27kB)

1. Policy Statement

The Council has a duty to deliver high quality and value for money services to its customers; fundamental to such services are the Council's employees and their attendance at work.

The Council values the contribution made by its employees and believes that they should be treated fairly and should be given reasonable support to enable them to achieve high levels of attendance.

Elected Members and Management are therefore committed to managing attendance by the application of the Council's Absence Control procedure. This involves dialogue with employees, provision of reasonable support, active monitoring of attendance levels, recognition that the fullest possible attendance at work is expected from employees, and corrective action where attendance levels are unacceptably low and, therefore, hindering effective service delivery.

The Council, therefore, seeks the full co-operation of its managers and its employees in striving for the achievement of high attendance levels, for the benefit of all concerned.

2. Scope

The procedure applies to all employees other than teachers; it does not apply to employees in schools, although it is recommended for their use.

3. The Procedure

The following procedure details the action that is to be taken when an employee is absent due to sickness. At all stages in the procedure consideration must be given to the disability provisions contained within the Equality Act 2010. Further detailed information can be found in the Sickness Absence Guide.

a) Reporting Absence

Employees must notify their manager no later than 1 hour after normal start time if they are to be absent from work. The employee must specify the reason for absence, an indication of how long the absence is due to last and whether the absence is due to an injury at work. Please note that some areas, e.g. Leisure Centres, have

different notification procedures due to operational requirements. Should different notification requirements apply to employees, they will receive details and must comply with the requirements.

The employee must notify their line manager if they are to be absent beyond 3 days and must forward a Fit Note to cover them for the eighth and subsequent day of continuous absence.

A failure to follow the sickness absence reporting procedure must be brought to the employee's attention and persistent or extensive failure to comply may be treated as a disciplinary issue.

The manager should keep a note of conversations with the employee together with a log of all actions/decisions taken to manage the absence. An employee should keep in mind the need to advise of their fitness on an ongoing basis.

The manager and employee should arrange to keep in touch. As a guide contact should be made every two weeks but contact will be dependent on individual circumstances.

b) Back to Work Meetings

A back to work meeting must be conducted after each and every episode of absence. The content of the meeting will depend on the nature of the absence and the employee's overall attendance record. Further information can be found in Annex 4 of the Sickness Absence Guide.

c) Trigger Points

Action must be taken if an employee has had 3 episodes or 10 working days (pro rata for part time employees) of sickness absence in a rolling 6 month period. In all cases, this will be a trigger point and will lead to a review meeting.

d) Review meetings

Review meetings should be held where an employee reaches a trigger point, at the end of a previous review period or where there is a recurring recognisable pattern of absence. In the latter case this may lead to a review meeting and action even if the absence levels are below those that may lead to a review by virtue of a trigger point.

A review meeting will consist of a review of the absence history, any action taken and a discussion of how the absence will be managed going forward. Employees with an unacceptable level of absence must be informed that unless there is an improvement within a specific timeframe, formal action will be taken.

If it is obvious that targets are not going to be met within the designated review period, then further action (being a further review meeting or normally formal action) can be taken before the end of the period.

The employee has a right to representation at the review meeting.

e) Referrals to the Health Unit

Consideration should be given to making a referral to the Health Unit in the fourth week of absence. A common sense approach should be taken as there is little point in making a referral if an employee is absent with, for example, a broken leg. In most cases a referral should be made after 3 months if a return to work date has not been confirmed. In stress cases a referral should be considered in the second week of absence.

In cases of intermittent absence, a referral may be made if there is a pattern or an excessive number of absences.

Referrals can also be made before any absence as the Health Unit can offer rehabilitation services (counselling, psychotherapy and physiotherapy) that can help prevent absence, or to seek advice on matters such as reasonable adjustments and assisting with employee's health/performance at work.

The Health Unit, Occupational Health Co-ordinators or Personnel can give advice concerning medical referrals and any resulting medical report. Further information can be found in section 3 of the Sickness Absence Guide.

f) Formal Interview Following a Review

A formal interview should be held where attendance is unsatisfactory and there has not been a satisfactory improvement following a review.

The interview will be chaired by a senior manager, ideally accompanied by a representative from Personnel.

The employee must be given 5 days notice in writing of the interview advising them of their right of representation. The employee must be provided with details of the absences (which may include details of any occupational health referrals) and the impact.

At the hearing the Senior Manager will decide on suitable action which may involve seeking further support from Occupational Health.

The outcome of the interview must be confirmed to the employee in writing within 5 working days. Further information and supporting documentation regarding outcomes can be found in Section 4 of the Sickness Absence Guide.

At the conclusion of the formal interview an employee will receive one of the following outcomes:-

- (a) no action
 - (b) further review
 - (c) Formal Advice Notification (equivalent to a warning)
- i) At the first stage a formal advice level 1 will be given which will stay on file for 6 months. Should any further unsatisfactory absence occur an employee may progress to a further formal interview.

ii) Following a formal advice level 1, if a further formal interview should take place then a formal advice level 2 may be given which will stay on file for 12 months. Should any further unsatisfactory absence occur an employee may progress to a further formal interview.

Formal advice level 2 will normally be issued after a level 1 advice notification. However a level 2 may be issued as a first step where there is a history of lapsed level 1 notifications. A decision can be made to extend formal advice periods at any stage.

iii) If following a formal advice level 2, further unsatisfactory absence takes place the employee will be called to a formal interview at which the outcome may be dismissal.

The decision to dismiss may only be taken by a senior manager authorised to dismiss under the Disciplinary Procedure and advice must always be sought from Corporate Personnel.

h) Continuous Absence

Employees who are absent on longer term continuous sickness absence will not be subject to Advice Levels 1 and 2 as it is already known that attendance will not improve within an acceptable period.

Employees must be informed of the possible outcomes of sustained absence including the possibility of dismissal. Redeployment may also be considered in some cases. Cases must be treated sensitively, and the disability provisions of the Equality Act must be taken into account.

i) Dismissal

Where there is no predicted return date or where the return date is not in an acceptable period (or an acceptable or reasonable form) a formal interview may be held which may result in dismissal. This decision can be made at the formal interview provided the employee has previously been informed that the result maybe dismissal.

The decision to dismiss may only be taken by a senior manager authorised to dismiss under the Disciplinary Procedure and advice must always be sought from Corporate Personnel.

j) Ill Health Retirement

A referral to the Health Unit may result in a recommendation that the employee be retired on the grounds of permanent ill-health. The Health Unit may recommend that a case conference be convened to discuss the situation, particularly if the criteria are not met. Medical records will be forwarded for an initial assessment by an independent practitioner where it is confirmed that the criteria for ill health retirement are met, the appropriate forms will be completed to enable the pension to be paid immediately.

k) Return to Work and Rehabilitation

Phased Return

A phased return allows an employee to re-adjust to the workplace following a period of long-term sickness. These are not normally extensive and in most cases enable a return to full time duties within a couple of weeks.

Not all long term absences will require a phased return. This will depend on a number of factors including the reason for absence and the employee' job role. In most cases a manager can agree a phased return with an employee regardless of whether a referral to the Health Unit has been made. Any adjustments to working conditions or job roles must be confirmed in writing to the employee and monitored to ensure there isn't a detrimental effect on the employee. During a phased return the employee will be regarded as "at work" and given the normal rate of pay.

Physiotherapy, counselling and psychotherapy

Managers have the option to decide, based on advice from the Health Unit, whether or not to pay for these services either to maintain attendance, speed up return to work or reduce the risk of future absence.

Active Sefton

The Health Unit provides access to the Council's Active Sefton service (a free health and fitness programme which enables use of certain activities within Council Sports Centres) and employees will be advised of the benefits of the programme. All practitioners within the Health Unit can refer employees onto the programme provided the criteria are met.

4. Appeals

Employees have the right to appeal against formal advice and against dismissal, including dismissal on the grounds of permanent ill-health. Appeals must be submitted in writing to the Assistant Director within 10 working days from receipt of formal advice/dismissal setting out the employee's full grounds for appeal.

Appeals against formal advice issued by managers other than the Assistant Director will be heard by the Assistant Director within 15 working days on receipt of Appeal.

Appeals against dismissal and against formal advice issued by the Assistant Director will be heard by a nominated Chief Officer within one calendar month of receipt of the appeal letter.

The outcome of the appeal will be confirmed to the employee in writing within 5 working days of the hearing.

Appeals against the ill-health retirement decision are dealt with in accordance with the Internal Dispute Resolution procedure which forms part of the Local Government Pension Scheme regulations. Appeals relate to LGPS rules and their application and are separate from appeals against dismissal and can only made once an employee's employment has been terminated.

Further information can be found in section 5 of the Sickness Absence Guide.

5. Monitor and Review

The operation of this policy and procedure will be monitored and reviewed by the Corporate Personnel Department as appropriate in consultation with the Trade Unions and other appropriate bodies.

Advice as to levels of satisfactory attendance will be given to Departments by Corporate Personnel.