



## **ABERGAVENNY TOWN COUNCIL**

### **SICKNESS ABSENCE POLICY & PROCEDURE**

#### **1. INTRODUCTION**

- 1.1 The purpose of this policy is to specify the formal procedure for reporting, monitoring and responding to sickness absence.
- 1.2 Absence problems fall into two main categories:
  - Frequent and persistent short term absence
  - Longer term absence due to ill health.

#### **2. OBJECTIVES**

- 2.1 This policy provides a framework to assist with:
  - Dealing with sickness and absence fairly and consistently
  - Exploring remedies which will assist the individual as well as assisting employer to provide an effective service
  - Compliance with relevant legislation
- 2.2 In all cases it is essential that appropriate medical advice is sought to determine if the absence is due to an underlying medical condition or in the case of long-term absence, to obtain a medical opinion on the likely prognosis.
- 2.3 Where there are reasonable grounds to believe that an individual is abusing the procedure or regulations for sickness absence, disciplinary action will be considered in accordance with the Council's Disciplinary Policy.
- 2.4 The Council accepts that matters involving ill health of individuals require sensitive handling and any information relating to the health of an individual will be treated confidentially.

#### **3. ROLES & RESPONSIBILITIES**

- 3.1 As an employee you are responsible for your health and wellbeing and for minimising your absence from work. You are responsible for adhering to the requirements states within this policy, particularly in terms of sickness notification, providing statements and keeping in regular contact during longer term absence.

- 3.2 Employers have a duty of care for the health, safety and welfare of their staff and should work supportively in conjunction with the Town Clerk to support staff with genuine sickness absence.
- 3.3 Managers are responsible for monitoring sickness absence effectively and ensuring absence is monitored. The manager is responsible for carrying out return to work discussions and other review meetings, promoting a positive working environment, motivating and managing staff to maximise attendance.

#### 4. GENERAL PROCEDURE

- 4.1 Appendix A provides clarification as to the procedure to be followed in respect of reporting sickness absence and Appendix B is the self-certification sickness reporting form to be completed for periods up to seven days (including weekends)
- 4.2 The Council will pay the following occupational sick pay in accordance with the requirements stated within this policy and payment includes any entitlement to SSP. Benefits will be paid pro rata for part time staff.

during 1st year of service	<ul style="list-style-type: none"> <li>one month's full pay and (after completing 4 months' service) 2 months' half pay</li> </ul>
during 2 <sup>nd</sup> year of service	<ul style="list-style-type: none"> <li>2 months' full pay and 2 months' half pay</li> </ul>
during 3 <sup>rd</sup> year of service	<ul style="list-style-type: none"> <li>4 months' full pay and 4 months' half pay</li> </ul>
during 4 <sup>th</sup> & 5 <sup>th</sup> - year of service	<ul style="list-style-type: none"> <li>5 months' full pay and 5 months' half pay</li> </ul>
after 5 years' service	<ul style="list-style-type: none"> <li>6 months' full pay and 6 months' half pay</li> </ul>

NB. For the purposes of calculating "half" pay, the rate of pay for the agreed salary month will be used.

- 4.3 If you receive any benefits due to illness or injury, these will be deducted or reclaimed by the Council. You must notify the Council of these benefits as a failure to disclose these may be considered a disciplinary matter and may result in disciplinary action including dismissal.
- 4.4 If you work for more than one employer and sustain an injury whilst working for another employer, you may not be entitled to receive occupational sick pay from the Council.
- 4.5 During periods of sickness absence, within any leave year, annual leave will continue to accrue. The annual leave rules apply to accrued leave at the end of the leave year i.e. only 5 working days accrued leave may be carried into the following year. All leave accrued is pro rata to the hours worked.

## **Withholding occupational sick pay**

4.6 In some cases, the Council may take a decision to withhold or suspend occupational sick pay where:

- the notification of sickness absence procedures and certification requirements are not adhered to;
- recommended treatment is not followed;
- self-certificated absence is persistent / short term and becomes a disciplinary matter;
- sickness absence follows notification of a disciplinary or capability hearing or investigation;
- there is a failure to cooperate with, or abuse of, the absence policy and procedure.

4.7 You will be given notice in writing that your occupational sick pay will be suspended or withheld. We will try to ensure that overpayments do not occur as a result of the benefits under the Scheme ending. Nevertheless, should an overpayment occur you will be expected to reimburse the sums overpaid by deduction from the following months' pay or at an agreed rate. Occupational sick pay will cease if you do not adhere to the requirements stated within this policy; when your employment ends or if payments under the Council's occupational sick pay scheme are exhausted, whichever is sooner.

## **5. MEDICAL AND DENTAL APPOINTMENTS**

5.1 Requests for time off to attend such appointments will be dealt with sympathetically, however, it is expected that you attend medical or dental appointments in your own time where possible. Where this is not possible, appointments should be arranged to minimise any absence from work, for example, at the beginning or end of your normal working day.

5.2 If you are undergoing a period of medical treatment involving regular appointments, reasonable time off will be given. Medical and dental appointments that take up more than 70% of your normal working day (5 hours for full time staff and pro rata for part time staff) will be recorded as sick leave.

5.3 Medical appointments related to a disability or underlying health condition will not normally be recorded as sick leave.

5.4 You may be asked to provide your appointment card or evidence of medical or dental appointments.

5.5 Appointments related to pregnancy or maternity are dealt with under the maternity policy and such leave is paid.

## **6. FREQUENT AND PERSISTENT SHORT TERM ABSENCE**

- 6.1 In order to monitor short term absence it is essential that accurate records are kept and monitored in order to identify any persistent patterns of absence.
- 6.2 On each occasion that a member of staff returns from a period of sickness he or she will report to their line manager. A return to work meeting will take place to establish the cause of absence and to discuss if any help is required. A file note of the return to work meeting should be made and signed by both parties.
- 6.3 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 difficult.

### **Preliminary investigation**

- 6.3.1 If periods of absence are either frequent, forming a pattern, unexplained or from recurring ailments then action may be necessary. In these circumstances, a preliminary investigation by the Town Clerk into the circumstances surround the absences required to determine if further action is necessary. If the investigation is regarding the Town Clerk's absences, this will be carried out by the Chair of Policy & Resources Committee. When action is appropriate the following procedure must be followed:

### **Fact finding interview**

- 6.3.2 An interview between the line manager and employee should be arranged, to cover:
  - Both parties should attempt to establish the cause of 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
- 6.3.3 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
- 6.3.4 If considered appropriate, the member of staff may be referred for an independent medical examination.

### **Formal Interview**

- 6.3.5 If the member of staff's attendance record does not improve sufficiently, the matter will be dealt with in accordance with the Disciplinary Policy.

## **7. LONG TERM ABSENCE DUE TO ILL HEALTH**

- 7.1 For the purpose of this procedure, long term sickness absence is defined as a continuous period of sickness absence of six working weeks or more.

- 7.2 An assessment of the situation will be carried out by the Town Clerk. If the outcome is uncertain or unclear if the member of staff will return to their present job, the manager should arrange an interview with them.
- 7.3 The interview should normally cover the following points:
- The manager should outline their 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.
- 7.4 A file note of the meeting should be kept and copied to the member of staff
- 7.5 During longer term sickness absence and if your absence is likely to be 4 weeks or longer, it is important that you keep in touch with your manager at agreed regular intervals and let them know of any changes in your health or expected date of return. In the case of the Town Clerk, regular contact should be with the Mayor.
- 7.6 Monthly meetings will normally be held at an agreed location.

#### **Further interview**

- 7.7 Having obtained all the available information, a further interview should be arranged. 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 eg return to full duties, early retirement, phased return to work, dismissal
  - Determine an appropriate course of action which may result in further meetings
- 7.8 If the decision is taken to end your employment, you have a right of appeal. This will be held by a sub group of the Policy & Resources Committee.

Adopted: 13 October 2019

Policy Due for Review: October 2022

## Appendix A

1. If you are absent due to sickness on a normal working date you must notify the Town Clerk or other designated member of staff by telephone within one hour of the usual start time and state reason for absence and expected duration of the sickness absence.
2. If you are unable to call yourself, you may ask someone to make contact on your behalf.
3. If we do not hear from you within one hour of your usual start time, your manager will attempt to contact you.
4. For the first 7 calendar days of continuous sickness absence you can self-certify. On return to work a self certification form should be completed.
5. For absences that exceed 7 continuous days (including non working days) you must provide a doctors statement which may state that you are fit for work or unfit for work for a specific period or until a specific date.
6. If you are fit for work, the Town Council will consider any advice from your GP to facilitate a return to work. This may include amended duties, phased return, workplace adaptations, altered hours.
7. If your absence continues you will need to ensure all absence is covered by the statement.

**Appendix B  
SELF CERTIFICATION OF SICKNESS**

*This form should be completed on your first day back at work and returned to the Town Clerk.*

Name .....

Date you first became unfit for work .....

Date returned to work .....

Number of days absent through sickness .....

Please give details of your sickness .....

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.....  
.....

Did you consult a Doctor? .....

If you did consult a Doctor, was a medical certificate issued (if yes please attach)?

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**I hereby certify that I was absent from work due to sickness as detailed above:-**

Signed..... Date.....