

# UCKFIELD TOWN COUNCIL



## SICKNESS ABSENCE POLICY

Policy Number 14		
Issue No.	Date Agreed	Details of amendments
1.	11.03.25	Consideration of draft at Personnel Sub-Committee
2.	17.03.25	GP45.03.25: Ratification at General Purposes Committee
3.	07.04.25	Adoption at Full Council

## **1.0. Aims and Objectives**

The Council operates a standard procedure for the recording of sickness absence. It is hoped that in so doing, it will quantify the level of sickness absence and, if appropriate, take steps to reduce it.

Equally important is the need for the Council to ensure a fair and consistent approach to the management of sickness absence. Other objectives are:

- the promotion of employees' health, safety and welfare;
- the saving of resource;
- the identification of changes necessary in working practices or environment;
- ensuring that the Council complies with the Equality Act (2010);

It should be stressed that responsibility for applying the provisions of the policy lies with the Town Clerk, Assistant Town Clerk & RFO and line managers.

## **2.0 Application of Policy**

The main principles of the policy will apply to all staff, although we do recognise that reporting timescales may need to differ for frontline service areas such as Caretaking and Luxfords Restaurant, particularly if the staff member is due to open the Civic Centre or Restaurant.

## **3.0 Recording of Sickness Absence**

### **3.1 Introduction**

The Council has well established procedures for recording absence for the purpose of paying employees under the terms of its various sick pay schemes in accordance with NJC terms and conditions relating to sick pay.

The Council has a standard procedure for monitoring sickness absence. It will also provide an accurate overview when reporting sickness statistics to Councillors.

### 3.2 Reporting Procedure

#### (i) Notification – what to do if a staff member is unwell

Day	Procedure
Day 1 (and prior to)	<p>Employees are required to telephone their line manager before their contractual start time for work, and:</p> <ul style="list-style-type: none"> <li>(i) provide details of their condition, and an;</li> <li>(ii) estimation of how long they expect to be off.</li> </ul> <p><i>If they are unable to call personally, someone else may call for them. It is the employee's responsibility to ensure the Council is notified.</i></p> <p>Please note if the employee's role sits within Luxfords Restaurant or within the Civic Centre (caretaking and cleaning functions), as these individuals are likely to be responsible for opening up the restaurant or building, if they start to feel unwell the evening before their shift, they should notify their line manager at that stage using a brief form of communication (i.e. message/whatsapp). This will enable the manager to arrange for appropriate cover. The employee can then converse by telephone later on that first day of their sickness as and when they can.</p>
Following days of sickness absence	<p>Employees are required to telephone again each day, unless otherwise agreed with their line manager, or out of hours.</p>
Day 7	<p><u>Seven days or less</u></p> <p>If the employee is away for seven days or less (including weekends and other non-working days), it is considered self-certification, and staff should complete a self-certification form and provide it to their line manager when they return to work.</p> <p><u>Seven days or more</u></p> <p>If the employee is away for more than seven days (including weekends and other non-working days), they must obtain a 'fit to work' statement from their doctor and continue to do so as each certificate runs out.</p> <p>This certificate gives details as to whether the employee is too ill to work or whether they are well enough to work with suitable support from the Council.</p> <p>This also gives the employee and the Council the opportunity to discuss suitable arrangements which will support their return to work. The form gives space for the doctor to provide information about the condition and helpful tick boxes to suggest common ways to help their return to work.</p>

## **(ii) Discuss – returning to work**

On the first day back at work after a period of sickness absence, the line manager will arrange an informal meeting. If this is not possible on their first day back, the meeting may take place later.

The return-to-work meeting should take place in a private place, and all discussions should be private and confidential. The meeting would normally include:

- a welcome back to work;
- outline the purpose of the return-to-work meeting; which is to manage and monitor absence and attendance to identify any problem areas; offering support where appropriate;
- a discussion about the reasons for absence;
- explain that the absence will be recorded;
- establish if medical advice has been sought (if appropriate);
- ensure the self-certification form has been completed or a 'fit to work' note from the doctor has been provided;
- a discussion on absence over the last 52 weeks, the impact on pay and any next steps; and where the council can support the employee, and;
- a handover of work where appropriate.

## **(iii) Consider (eligibility for sick pay)**

### **Council's Sick Pay (Occupational Sick Pay)**

The Town Council works to the Green Book (see appendix A). It is the Council's policy to pay staff their normal basic rate of pay exclusive of overtime/allowances during periods of sickness absence.

This occupational sick pay will be for absences due to sickness calculated over the previous 52 weeks and will include their entitlement to SSP if this is required (depending on the length of time they have worked for the Town Council).

#### Please note:

Payment is, however, conditional upon the employee complying with the council's procedure for:

- (i) notifying their manager of the absence;
- (ii) attending an interview with their line manager on request to discuss the absence, and;
- (iii) completing a self-certification form on return to work or providing a 'fit to work' note when requested.

The Town Council may also ask the employee to attend an interview/examination with a nominated doctor or medical professional at the request of the Council. This would be in cases where further understanding needs to be obtained on the staff member's condition.

Uckfield Town Council may not pay occupational sick pay where:

- the employee has failed to comply with the Council's sickness absence notification and evidence requirements;
- the employee unreasonably refuses to attend a sickness absence meeting with the Council on request;
- the employee is unable to work because they hurt themselves in a dangerous sport/activity or occupation;
- the employee has misled the council about their fitness to work;
- they have resigned, or;
- where disciplinary proceedings are pending against them.

### **Statutory Sick Pay**

In certain circumstances, such as a new member of staff who is yet to qualify for Council sick pay, they may be entitled to Statutory Sick Pay (SSP). SSP is currently paid after four qualifying days absence from work. The qualifying days are their normal working days within their contract. Tax and National Insurance will be deducted from SSP and if they earn below the lower earnings limit, they will not qualify for SSP.

## **3.3 Recording Procedure**

An Employee Sickness Record form should be used to record all employee sickness absence including appointments with a GP or at hospital. The form records each incidence of sickness absence.

Specific information to be recorded:

- the reason for each absence;
- the length of each absence in working days, including half days;
- whether the absence is self-certified or authorised by a doctor's 'fit to work' certificate.

It should be emphasised that employees have the right to confidentiality regarding illness. Considerable care should, therefore, be given to the security of records. Those responsible for maintaining sickness records must ensure that absence records are held in a secure place and made available only to authorised staff.

Please note that employees should be permitted to see a copy of their own sickness record on request.

## **4.0 Monitoring of Short-term Sickness Absence**

### **4.1 Introduction**

As an employer the Council has a responsibility to ensure that its sick pay scheme is not abused. The Council should also raise awareness of the effects of absence on fellow colleagues and service delivery.

Monitoring absence can also help indicate what may be contributing to the periods of sickness absence.

### **4.2 Monitoring Procedure**

In dealing with sickness absence, the Council should ensure a consistent approach between departments.

The Assistant Town Clerk & RFO will, therefore, play a major role in advising departments of how to manage a particular case.

Line managers should review the sickness records of employees at the end of each quarter.

#### **Persistent short-term absence**

Persistent short-term absence is where an employee is frequently absent from work for relatively short periods due to sickness. The Town Council understands most employees will have some short-term sickness from time to time. However, if an employee is frequently and persistently absent from work, this can damage productivity, and place additional burden on the work of colleagues.

It is essential that frequent absence is dealt with promptly and consistently. In some circumstances, the Council may be required to begin a capability or disciplinary procedure as part of the absence management process.

If the Town Council starts this procedure, they will meet with the employee:

- (i) to set attendance targets, and;
- (ii) following a review meeting they may issue a formal warning if targets are not met.
- (iii) the employee will be given written notice in advance of any formal meeting and they can be accompanied by a work colleague or trade union representative. They may appeal against a formal warning.
- (iv) If their absence remains unacceptable after a second formal warning, the council may bring the employment to an end following consultation with the employee.

If frequent absence is due to an underlying long-term health condition then the Town Council may also request, with consent, a medical report either from an Occupational Health Physician, their G.P. or consultant to establish further information about their health and how the council can support their attendance.

When considering the reasons for absence, and deciding on whether a formal meeting is appropriate, the council will not consider any pregnancy related absence.

The council will consider alternative employment options before making a decision about ending employment. The employee will have the right to be accompanied by a work colleague or trade union representative at formal meetings and a right of appeal against a formal warning or dismissal sanction.

The monitoring of absence operates on a rolling 52-week period.

Where it appears that there is no acceptable reason for absence or if the employee has not followed the correct absence notification procedure, the matter should be treated as a conduct issue and dealt with under the disciplinary procedure.

## **5.0 Approaches to high levels of sickness absence**

Sickness absence falls into four categories and each demands a different response. When a line manager refers a case to the Assistant Town Clerk, examination of records should determine into which of the following categories, the case falls:

- a one-off absence (e.g. minor operation);
- a series of absences due to one diagnosed cause;
- serious long-term illness;
- multiple absences due to minor unrelated illnesses.

The approach adopted will differ according to the nature of the absence(s). Early Occupational Health intervention after 10-15 days absence has been shown in many cases to have dramatic effects on long-term sickness, by starting to find solutions whilst the psychology remains one of temporary absence.

In the first case, for example, a minor operation will have usually remedied an employee's ill health and no further action will be necessary. The Council may, however, want to satisfy itself that the health issue will not recur or be further exacerbated by the duties of the employee's job, by writing to an employee's GP when they return to work. Permission needs to be obtained from the employee. The Council reserves the right to refer the employee to its own doctor for a second opinion, under the NJC terms and conditions.

Absences falling into the second category may require an exploration of the possibility of redeployment of an employee into another job or job re-design.

Absence cases falling into the third category, which do not lend themselves to adaptation of job duties or redeployment, may lead to ill-health early retirement or termination of employment on grounds of capability and will be dealt in accordance with NJC terms and conditions.

Absences in category four may be the most common, and may also form recognisable patterns, e.g., where someone calls in sick with a variety of ailments on the last week of the month or during school holidays. These

absences may be the hardest to address and in some cases will need to be dealt with using the Capability Policy or the Disciplinary Policy.

## **6.0 Long Term Sickness Absence and Referrals to General Practitioner**

### **6.1 Definition**

Any single absence of the duration of four (4) or more weeks is considered long-term. It is recommended that the line manager should liaise with the Assistant Town Clerk & RFO in order to discuss an approach to the case and consider the potential reasons for this absence.

### **6.2 Approach**

In all cases of long-term absence, it is essential for the Council to maintain contact with the employee. In cases where the return date is less certain the line manager and Assistant Town Clerk should ensure:

- Discussions are maintained at the start of the absence and periodically throughout;
- Obtaining better information on their health and likely prognosis, ideally through an Occupational Health Physician;
- Where appropriate alert the employee to the fact that their absence is becoming an issue, and;
- The employee has the opportunity to state their opinion of their condition and give consideration to that opinion.

Where ill-health means that they are unlikely to return to work for a long period of time, the council may need to consider bringing their employment to an end. In these circumstances, the council will:

- Review their absence record to assess whether or not it is sufficient to justify dismissal;
- Consult with the employee;
- Obtain up-to-date medical advice;
- Advise the employee in writing as soon as it is established that termination of employment has become a possibility;
- Discuss whether they may be able to access benefits from the Local Government Pension Scheme (where appropriate);
- Meet with the employee to discuss the options and consider their views on continuing employment before any decisions are made, allowing the employee to be accompanied by a work colleague or trade union representative;

- Review if there are any alternative jobs that the employee could do prior to taking any decision on whether or not to dismiss;
- Allow a right of appeal against any decision to dismiss the employee on grounds of long-term ill health;
- Following this meeting, inform the employee of the final decision;

### **6.3 Redeployment and Accommodation of Disability**

Where a staff member experiences sickness absence as a result of a disability it will be treated in line with the provisions contained within the Equality Act 2010. This will include considering whether any reasonable adjustments can be made.

Accommodation may involve re-designing the individual's job, adapting the working environment or changing the hours of work. If accommodation proves impossible, every attempt will be made to redeploy the employee into a position for which they are capable.

In pursuing its policy of attempting to accommodate or redeploy staff the Council will make full use of the advice and assistance of external agencies such as Sage HR and ACAS or the advice of an Occupational Health Practitioner. Employees will also be fully consulted regarding such options.

### **6.4 Ill Health Early Retirement. Termination of Employment on Grounds of Capability Incapacity**

Where accommodation and redeployment are not viable options, ill health early retirement or termination of the individual's employment will be the only options. No decision to pursue these options would be taken without reviewing the medical evidence and consulting personally with the employee.

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#### **Data Protection**

The Council will treat personal data collected in accordance with its data protection policy. Information about how data is used and the basis for processing data will be provided in the council's employee privacy notice.

#### **This is a non-contractual procedure which will be reviewed from time to time.**

Date of policy: March 2025

Approving committee: General Purposes Committee/Full Council

Date of committee meeting: 17 March 2025/7 April 2025

Policy version reference: v2

Supersedes: [The Management of Sickness Absence Policy)

Policy effective from: 1 April 2025

Date for next review: 1 April 2026

## **Appendix A – Guidance for Senior Management Team**

### 1.0 Return to work interview:

These notes are intended as guidelines to assist line managers with conducting return to work interviews with employees:

- arrange to have a meeting with them as soon as is convenient, but certainly this meeting should be on the day they return to work;
- advise the individual that the meeting will be recorded and that a copy will be placed on their personnel file;
- the meeting should be held away from the individual's usual work environment (for instance, for kitchen staff the meeting should be held away from the kitchen);
- you should enquire sympathetically as to the person's health, initially to ascertain whether or not they are fully fit to return to work, and as to the nature of the illness;
- if you have concerns that there are either work related or external factors that are affecting the person's health, you may want to make a tactful enquiry. It may be that the person may benefit from counselling by a qualified practitioner or by visiting their GP for additional advice and support;
- you should share any concerns you may have with the employee about their level of sickness absence where there have been a number of absences due to minor and unrelated illnesses;
- In serious cases, where there is no improvement, this could lead to disciplinary action being taken. In no case, however, would the Council issue a warning before first discussing the matter with an employee and, where appropriate, referring them for medical opinion;
- At the end of the meeting, advise the employee again that a record will be kept on their personnel file and that they have the right to see their file should they so wish;
- After the meeting, you should ensure that the notes from the meeting are placed on the employee's personnel file. If this is not immediately possible, the form should be placed in an envelope and clearly labelled "confidential".

### 2.0 Green Book terms

The Town Council adopts the Green Book terms and conditions of employment. Employees are entitled to receive sick pay for the following periods: -

#### During 1st year of service

1 month's full pay (after completing 4 months service) followed by,  
2 months half pay

#### During 2nd year of service

2 months full pay, followed by,  
2 months half pay

#### During 3rd year of service

4 months full pay followed by,  
4 months half pay

#### During 4th and 5th year of service

5 months full pay followed by,  
5 months half pay

#### After 5 years' service

6 months full pay followed by,  
6 months half pay

Periods of full pay will include SSP. In periods of half pay, employees receive half pay in addition to SSP provided the total does not exceed normal pay.

If an employee abuses the sickness scheme or is absent on account of the following, sick pay may be suspended:

- (i) sickness attributable to deliberate conduct prejudicial to recovery;
- (ii) the employee's own misconduct or neglect, or;
- (iii) active participation in a professional sport, or;
- (iv) injury while working in the employee's own time for another employer or for private gain;

#### 3.0 Council's Sick Pay

The legal requirement is to pay Statutory Sick Pay (subject to eligibility) and anything additional is for the council to decide. Any additional sick pay is known as 'occupational sick pay' (OSP). The council will need to commit to paying any OSP it decides to offer and take into account the cost of National Insurance and the cost of any temporary staff required to cover the absence. It would be unusual to bring an employment contract to an end before the occupational sick pay expires.

If an employee already has a paid sick leave entitlement, you cannot unilaterally change their entitlement. Councils can change the policy for all new staff joining after a defined date provided this is consistently applied.

#### 4.0 Medical appointments

There is no legal requirement to pay time off for medical appointments, except antenatal appointments. Please see the Maternity and Parental leave policies for details.

The council would prefer staff to make up the time. If a council decides to offer payment for medical appointments, it is sensible to put some limit on this.

#### 5.0 Medical advice

Health information is considered to be personal sensitive information under Data Protection legislation and particular care must be taken when processing medical information.

An Occupational Health report can comment on an individual's health in relation to the employee's role. It will be important to provide the OH physician or nurse a referral form with full details of the employee's job, the concerns you have about their health in relation to their work and be specific about the questions you need answering. Any report should then be discussed with the employee before the council decides on any follow up actions. If the report makes recommendations, these must be carefully considered and discussed with the employee.

#### 6.0 Health and wellbeing

All employers have duty to provide a safe place of work which includes the physical environment as well as mental health.