

Barnton Parish Council (BPC)

Policy Title: Absence & Sickness Policy	Ref: BPC 12
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Introduction

BPC is committed to improving the health, well-being and attendance of all employees, valuing the contribution employees make to BPC's success. When any employee is unable to be at work for any reason their contribution is missed.

This policy aims to minimise the disruption caused by employee absence by setting clear guidelines on absence notification, by encouraging regular communication to assist staff to return to work as soon and as safely as possible, and by assisting the Clerk or Councillors to handle absences due to illness or injury in a fair, consistent and effective way.

Scope

This policy applies to all BPC employees and the purpose is to make explicit our commitment to the fair, equal and consistent treatment of staff, in regards to sickness absence.

Policy

Absence reporting

If you are unable to attend work for any reason, please contact the Clerk of BPC Chair, as soon as possible, but in any event no later than one hour after your normal start time on your first day of absence. In order to minimise disruption, it is important you give us as much notice of your absence as practically possible.

In addition, please identify the reason for your absence, and an indication of its likely duration. The reason will be kept confidential if you request. It is then your responsibility to keep the Clerk/Chair informed of your situation on a regular basis. You should remain in contact, however, should you be away from home at any time during your absence, should provide full contact details. In addition, BPC may contact you or may visit you at home to discuss your health and progress towards return to work.

If you are absent through sickness or injury for more than seven days (including weekends), you must obtain a medical certificate from your doctor and forward it to the Clerk. If a period of medically certified absence is extended by a further medical certificate, you must again inform the Clerk and advise on the extension of the absence.

Returning to Work

Everyone returning from a period of absence, whatever the duration, must have a return to work interview. If the absence is three days or less the interview is carried out by the Clerk, if the absence is for more than three days the interview is carried out by the Chair of BPC.

The purpose of the interview is to:

- Welcome you back to work
- Ensure you are fully fit to return
- Identify the reason for the absence
- Confirm the length of absence
- Provide an update of anything which has taken place in your absence
- Discuss and/or identify any adjustments to the work place, duties or hours which may reduce/eliminate absences

Barnton Parish Council (BPC)

- Identify and address any problems (work related or otherwise) that may be causing or contributing to the absence
- Agree any priorities for the post-absence period.

The general purpose of the interview is to establish the facts and see if any action may be taken to reduce/eliminate future absence. The return to work interview is not a disciplinary interview. Discussions will be kept confidential so far as reasonably possible.

Where there have been **3 or more absences in a 3 month period** or intermittent absences amounting to more than **8 days in a rolling year** this will be classed as Frequent Intermittent Absence (FIA) and trigger a FIA meeting with the Chair of BPC or the Clerk.

If your absence is for reasons other than your own illness/injury or authorised holidays, you will not normally be entitled to payment for that period. Exceptions to this are detailed in our staff handbook.

Whilst absent from work due to illness or injury, you must not take on any other work, either paid or unpaid, without our consent, irrespective of whether you are still receiving contractual sick pay or SSP. You remain an employee of BPC and are bound by all of the terms and conditions in your contract of employment. Failure to comply with the above procedures could affect your entitlement to sick pay, and in some instances, could warrant disciplinary action.

Time off for medical and dental appointments

Wherever possible, and in order to minimise disruption, you are asked to make medical and dental appointments outside of your normal working hours– However, we do realise that this may not always be possible, particularly with hospital appointments. If you need to take time off to attend a medical or dental appointment, please notify the Clerk, giving as much notice as possible. If you have an appointment which is not at the end of the working day, you will normally be expected to return to work following the appointment.

Statutory Sick Pay (SSP)

You are entitled to SSP provided you meet the detailed requirements of the scheme. There are, however, some categories of employees who are excluded from receiving SSP for some of the time. You are excluded if:

- Your average weekly earnings are less than the lower earnings limit for National Insurance contributions
- You are away sick within 57 days of a previous claim from the DSS for one of the following state benefits: sickness benefit (not SSP); invalidity pension; non-contributory invalidity pension; maternity allowance; unemployment benefit, if it follows an entitlement to invalidity pension
- You are away sick during a stoppage of work due to a trade dispute, unless you have not taken part in the trade dispute and have no direct interest in it
- You are pregnant and your absence occurs during the qualifying period for Statutory Maternity Pay
- You have started a new job, have received 28 weeks SSP from a former employer, and then are sick within 8 weeks of the end of the last period of sickness
- You are sick whilst abroad and not in an EU country
- You are in legal custody.

Qualifying days for SSP

Unless otherwise specified in your contract of employment, the days on which you would normally have worked had you not fallen sick will be identified as the qualifying days for SSP.

Barnton Parish Council (BPC)

Waiting days

You will be eligible for SSP on the fourth qualifying day in a 'period of incapacity'. The first three days are known as 'waiting days', and there is no entitlement to SSP for these days.

Linked periods of absence

Two or more continuous spells of sickness both lasting at least four days, and separated by 56 calendar days or less, are linked together and counted as one. This means that if you have already had your three waiting days in a period of incapacity, and then have a second linked spell within 56 days, SSP will be payable from the first qualifying day in the second spell.

Duration of payment

Provided you meet the eligibility criteria, SSP is payable for up to 28 weeks of sickness absence in either one period of incapacity for work, or any number of periods linked by 56 calendar days (8 weeks) or less. These cannot extend for more than three years.

Prior to the end of the 28 weeks sickness, you will be advised by BPC to claim sickness benefit from the DSS, and you will be provided with a special form explaining how to do this.

Amount of SSP

The government fixes the rate of SSP, which is normally reviewed annually. To be entitled to SSP you must earn at least the equivalent of Class One National Insurance Lower Earnings limit. SSP is subject to Income Tax and National Insurance deductions. The amount of SSP will be shown on your payslip.

Leaver's statement

If you receive SSP during your final eight weeks of employment, you will be issued with a leaver's statement that should be given to your new employer.

Return to work after absence

When you return to work, the policy is that all employees are seen, informally, by the Clerk as soon as possible. The reasons for your absence will be discussed in appropriate detail depending on the nature and frequency of your absences.

The Clerk will also brief you on any developments in your area of work which occurred during your absence, and will discuss your workload and how best to minimise any disruption which may have been caused by your absence. They will also need to know whether you are fully fit to return or whether you should refrain from any tasks for health reasons. If for any reason you find it difficult to discuss the reasons for your absence with the Clerk, or prefer to speak to a Councillor of your own sex, you should ask for this and we will make every effort to arrange this.

Medical reports

BPC reserve the right, at any time during your employment, to require you to attend an independent medical examination, or to ask permission to contact your doctor or consultant for a report. You will be asked to give your prior written consent before we approach a doctor or consultant who is treating you and you will be given a form to sign, which explains your rights and obligations under the Access to Medical Reports Act.

BPC would normally request such a report in the following circumstances: where you complain of an ongoing health problem which is affecting your ability to do your job; where you complain that any aspect of your job is creating a health problem; where your absence gives cause for concern, and there is no apparent underlying health reason; where you have been absent for some time and there is doubt about when you may be able to return to work. BPC may also request a medical report if we are considering dismissal for either a long term health problem or unsatisfactory attendance made up of repeated short absences. In addition, if you have any health problem that could be considered a disability we would wish to seek a report in order to obtain guidance on what, if any, reasonable adjustments

[BPC 012 \Absence](#) February 2013 V3

Barnton Parish Council (BPC)

should be made to assist you in performing your duties satisfactorily. You are required to cooperate with BPC procedures, including providing medical advice, and ensuring BPC is kept informed of any developments in your treatment or condition.

Excessive absenteeism

If you have a number of short absences that together comprise an unacceptable overall level of absence, you will be seen by the Clerk to discuss the frequency and reasons for these absences. This will be done in accordance with disciplinary procedures, on grounds of unsatisfactory attendance, and will apply irrespective of whether the absences are believed to be genuine or not.

Your Line Manager will explain to you what we consider to be an "acceptable" level of attendance – what is "acceptable" may be different depending on the nature of the work, the ability of your department to provide cover, your length of service, your previous absence history, the reasons given for the absences and the treatment of other employees in similar situations.

If, despite warnings, your attendance remains unsatisfactory, you may be dismissed. Prior to dismissal, you will be sent a letter inviting you to attend a formal meeting to discuss your attendance. You may be accompanied at this meeting by a colleague or a trade union representative. The reasons for your absence and your level of attendance will be fully discussed with you. If a decision is taken to dismiss you, this will be confirmed in writing and you will be informed of your right of appeal and our appeals procedure.

Long term sickness

If you are absent from work for a period in excess of 8 weeks, we will normally make arrangements to see you, either at work or at home, to update ourselves on your progress, and to ask for your permission to obtain a doctor's or consultant's report. You have the right to refuse this permission, but it should be emphasised that the reason for this request is to help us manage the situation and it will usually be to your advantage to enable us to get further information about your likely date of return to work, whether any medical restrictions should be placed on your activities, and whether you have any condition which would be classed as a disability under the Disability Discrimination Act.

If you are about to exhaust your entitlement to either SSP or company sick pay, BPC will aim to give you notice of this. If your absence continues at a level which we deem unacceptable, or if it becomes evident that there is little likelihood of you returning to work, we will reassess the situation and it may be that you will be dismissed on health grounds.

If dismissal is being considered, BPC will write to you, giving you advance notice of a formal meeting to discuss the situation. You may, if you wish, be accompanied at this meeting by a colleague or a union representative. Before reaching a decision, BPC will take into account the nature of your illness, any advice received from your doctor or consultant as to your return to work and future capabilities, your length of service, previous absence history and performance. If your absence is for a reason related to a disability, BPC will also wish to explore any ways of accommodating this. If a decision is taken to dismiss, this will be confirmed in writing and you will be informed of your right of appeal, and the appeals procedure.

Accidents whilst at work

If your absence is related in any way to an accident at work, you are reminded of the need to complete an accident report form and notify the Clerk

Absence whilst on holiday

If you fall sick before commencing planned holiday absence, you may be eligible for further contractual holiday to compensate for the days you were unwell, provided that a medical certificate has been produced.

[BPC 012 \Absence](#) February 2013 V3

Barnton Parish Council (BPC)

If you fall sick during a period of paid holiday, the holiday pay you have already received will include any entitlement to SSP or company sick pay. You will not be eligible for further contractual holidays to compensate for the day(s) you were unwell unless medical certificates are produced in respect of the relevant period.

If you fall sick on a working day directly before or after a bank or public holiday, or directly following absence for authorised holiday, you may be required to produce a medical certificate in order to qualify for sick pay.

Absence records and monitoring

Details of an employee's health, either physical or mental, are categorised as "sensitive personal data" under the Data Protection Act. Health records are therefore kept in a secure filing location. A record for each employee is kept, detailing the number of days absent, dates and reasons given. These records are kept by the Clerk and you have the right to request to see your individual details at any time.

Responsibility

Implementation of this policy is the responsibility of all staff.

Monitoring and Review

This policy will be reviewed annually by the Clerk to ensure that it is continually developed and meets current legislation and made publicly available.

Associated Documents

Equal Opportunities Policy
Application for Flexible Working Form
Sickness Absence Form
Back to Work Interview

Authorised by:

Date: