

Wirksworth Town Council



Absence Management Policy

Adopted: 21/10/19
Minute No: C080/19

Reviewed: 15/06/20
Minute No.: C022/20

Absence Management Policy

Policy statement

Wirksworth Town Council recognises that all staff want to work normally but that there are occasions when through sickness or other reasons they are not able to do so. The Council also recognises that absence not only affects the member of staff but also colleagues who are called upon to cover for the absence, and the organisation as a whole. It is therefore important for all concerned that any problems or difficulties experienced by staff are dealt with at an early stage and suitable help offered or action taken to avoid a continuing or escalating problem.

The main aim of this procedure is to maximise staff attendance through provision of appropriate support, rather than to penalise non-attendance. Abuse of the policy or failure to comply with it is taken very seriously by the organisation. Evidence of such behaviour will trigger disciplinary action and may, in serious cases, lead to dismissal for gross misconduct.

Procedure

Notification

Employees who are unexpectedly absent from work for any reason must conform to the following notification procedure:

- They must **telephone** their Line Manager within an hour of their normal start time on the **first day of absence**, to give details of their absence. Someone may only telephone on their behalf if they are unable to do so themselves. If the line manager is not available, another member of office staff must be notified. It is not acceptable to leave a message on the answerphone or with colleagues unless there is no other option, in which case the manager must call the employee back to discuss their absence.
- If the employee returns to work after no more than 5 working days absence, they must complete a **self-certificate** on the day of their return to work and pass this onto their immediate superior.
- If an absence lasts for **longer than 5 working days** and is due to medical reasons, they must forward **doctors notes** as soon as they have received them, to cover the period of absence.

Failure to follow these procedures may be tantamount to unauthorised absence.

Return to Work interviews

Where an employee has had two separate periods of absence within a four-week period, their Line Manager will see them on return from absence to discuss the nature and causes of those absences. The purposes of the discussion are to:

- establish the reasons for the absences
- see and countersign any self-certification of sickness forms
- provide an update on any developments that have occurred during the absence
- check that the employee has fully recovered and is capable of performing their duties
- see whether the organisation can provide any additional support to help rehabilitation
- remind employees about the effects of absence on the organisation and confirm that employees were missed and that their attendance is important.
- decide whether or not further action, including disciplinary action, is appropriate

A confidential record will be made of the discussion and a note made of any agreed actions.

This record will be agreed with the employee and placed in the employee's file. Form is at Appendix A.

It is expected that in most cases no further action will be necessary. However, in some instances, further action may be considered appropriate, as detailed below.

Returning to work early

If a doctor signs an employee off sick, they are unable to come back into work during the period of time that their doctors' certificate is valid, as they will not be covered by the Employers Liability insurance.

If an employee feels better and wants to return to work before the note expires, they will need to return to their doctor to obtain another certificate with a revised date on for them to return to work (and to make sure the employee is fit to work).

If an employee tries to return to work early after being signed off, they may be sent home until they are able to submit a revised certificate.

Investigation

Most attendance problems fall within one of the following three categories:

- those related to the **work environment**
- **personal**, e.g. domestic difficulties
- **sickness**

It is important that the intrinsic cause of the absence is identified. This may involve requesting a medical report from the employee's doctor. In accordance with the Access to Medical Reports Act, the employee will be informed of their rights and their written authorisation will be obtained.

If absences or illness are related to sensitive personal circumstances, employees may discuss these issues with another manager rather than their line manager. Confidentiality will be respected as far as possible.

Supportive action

Wherever possible, the organisation will take steps to arrive at a solution and to help the member of staff to resume normal work. A discussion may be held regarding ways in which the organisation may be able to provide support to the employee to facilitate their return to work or increase their attendance. These may include:

- Making **reasonable adjustments** to the employees working arrangements (e.g. through flexible working arrangements, changes to their physical environment or workstation, changes in job role etc.) Feasibility of these will also depend on the needs of the business.
- Providing access to **counselling** or external sources of help.

Short term absence

Subject to the above, if there is reason to believe after initial assessment of the problem that the reasons for frequent absence are not satisfactory, or there has been a breach of notification or certification procedures, or an employee otherwise abuses the company's rules on sickness absence then action will be taken under the organisation Disciplinary Procedure to effect an improvement. (Please see the Disciplinary Policy and Procedure for further details on the stages of the process, including the right of appeal.)

Where appropriate, the employee's Line Manager will conduct an interview with the employee, who has the right to be accompanied by a colleague if he/she wishes. The interview will aim to:

- give the employee the opportunity to state their case and justify the reasons for their poor attendance
- inform the employee that persistent short-term absences are unacceptable and put continued employment at risk
- set the required standards of attendance
- agree a reasonable period of time over which the employee's attendance can be assessed
- indicate what the next step will be if the employee fails to reach the standard required
- give a formal warning if appropriate.

A written confirmation of the warning will be sent to the employee, confirming the facts, the action to be taken and specifying the consequences if attendance is not improved. If the attendance record does not improve, it may be necessary to move to further stages in the disciplinary procedure (which may ultimately result in dismissal by reason of incapability).

Long term sickness absence

If the issues involve long-term ill health, regular review meetings may be held with the employee, who has the right to be accompanied by a colleague if he/she wishes. The interviews may be held on-site or at the employee's home if this is more convenient to them, and will aim to:

- seek to establish the reasons for the ongoing absence and its likely duration. The employee should be requested to allow the company to contact their doctor in order to establish the likely length of absence, and the long-term effect on capability in relation to job performance and attendance at work.
- consider steps that we may take to enable the employee to return to work (i.e. reasonable adjustments as outlined above)
- Although it may not be necessary for the organisation to dismiss on the ground of capability, due to the above-mentioned insurance cover, the organisation reserves the right to dismiss on capability grounds in the appropriate circumstances. Where there has been a breach of the notification or certification procedures or an abuse of the organisation sickness absence policy, disciplinary action may be taken.

A letter will be sent to the employee confirming the facts and the action to be taken. Where any action to be taken is disciplinary action, other than a warning or suspension on full pay, e.g. a dismissal on capability grounds, the procedures set out in the organisation's Disciplinary Policy and Procedure will be followed.

(Note - During long-term sickness absence, employees continue to accrue holiday entitlement at the Working Time Directive minimum rate of 28 days per year.)

Sick pay

Employees are entitled to Statutory Sick Pay (SSP) in accordance with statutory provisions as follows:

- Employees are only entitled to SSP for days that they would normally work – these are called Qualifying Days (QD).
- A period of sickness absence is called a Period of Incapacity for Work (PIW). SSP is only payable for a PIW of four or more days in a row (these need not all be QDs)
- SSP is not payable for the first three QDs. These are called Waiting Days (WD)

So to claim SSP, an employee should be absent through sickness for at least four consecutive days, and can claim SSP from the fourth working day onwards.

PIWs are 'linked' and treated as one PIW if the gap between them is less than eight weeks. So if an employee has another period of sickness absence within eight weeks, there are no further waiting days.

The rate of SSP is currently **£95.85** per week [as of 18/01/21].

Company Sick Pay (CSP), as detailed below, is discretionary and not a contractual benefit. Line managers may, at their discretion, withhold company sick pay under the following circumstances:

- the employee fails to provide the appropriate documentation, e.g. a medical certificate from a doctor or a self certificate.
- the absence reason is not genuine sickness;
- the employee fails to follow notification procedures
- the employee has a poor attendance record. This will be pending an interview with their line manager, following which company sick pay may be reinstated and backdated if appropriate

Notwithstanding the above, the organisation will pay CSP rates, depending on the length of service, as follows:

- one year but less than two years service - 3 months full, followed by 3 months half pay in a rolling 12 month period
- two years but less than three years service - 4 months full, followed by 4 months half pay in a rolling 12 month period
- three years service or more - 6 months full, followed by 6 months half pay in a rolling 12 month period

Employees with less than one year's service, or who do not receive CSP, are entitled to Statutory Sick Pay (SSP) in accordance with statutory provisions.

APPENDIX A

Absence Management Form - Return to Work Interview

Name Job title.....

Manager..... Division.....

How long were you absent for? to No of Days

What is the reason for your absence?

Did you follow the correct procedures when contacting your manager? Yes / No

If not, why not?

Sickness

What were the symptoms of your illness?

.....

Did you see a Doctor? Yes / No GP/Hospital

If yes, what did he/she say?

.....

Did you receive any treatment?

Any medication?

Are you still taking anything? Yes / No

Are there any side effects? Yes / No Give Details:.....

.....

Have you suffered from this illness/condition before? Yes / No

If so, when?

Is the illness likely to recur? Yes / No

Please give details

Are you likely to receive any further medical attention at the moment, including any planned visits to your GP? Yes / No

Details:.....

Is your absence work-related? Yes / No

Details:.....

Discuss whether the individual will receive SSP / CSP / No pay for the absence.

If the illness has not been reported, advise the individual of the procedure or advise if the individual will be required to attend a disciplinary hearing.

Other Absences

Please give full details of the reason(s) for your absence:

.....

.....

Was there something you could have done to get in to work?.....

.....

.....

Unauthorised Absence

Do you realise that unauthorised absence has an impact on the business, and in particular on your colleagues who have to cover for you?

Do you realise that unauthorised absence is a disciplinary offence? Yes / No

Advise individual if they will not be paid for time off. Refer them to staff handbook for procedure.

Advise individual if they are required to attend a disciplinary hearing as a result the absence or failing to follow company procedures.

For Official Completion

Signed:

Position:

Date:

Please tick appropriate box:

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Sick – Unpaid
Sick – Company Sick Pay
Sick – Statutory Sick Pay

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Time off for Dependants – Unpaid
Special Leave – Paid
Special Leave – Unpaid

From to inclusive