

## Great Yarmouth Borough Council

# ATTENDANCE & HEALTH POLICY

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**Great Yarmouth Borough Council (the Authority) values the contribution of its employees in the delivery and maintenance of quality services for the community. Whilst recognising that employees may occasionally be prevented from attending work through ill health or other reasons, the Authority has a duty to maintain service delivery and minimise disruption. The Authority is committed to managing attendance and believes that it is the responsibility of the Authority's managers, trade union representatives and employees to work together to promote the management of attendance at work. The Authority has, therefore, developed this policy in partnership with UNISON and with advice from ACAS. The Policy and its accompanying procedures will be effective from 1 September 2006.**

The health and attendance of all the Council's employees are essential to the success of its services. Quite apart from each employee's obvious interest in their own health and wellbeing, individual employees also have an interest in maintaining high levels of personal attendance at work. Amongst other things, each employee's: career progression; references; the work allocated to them, and their reputation with their colleagues are dependant upon the employee's reliability in attending work. Absence from work inevitably causes additional work and inconvenience for colleagues and - in exceptional cases - may result in formal warnings and/or dismissal with notice.

The Authority will achieve and maintain high levels of attendance at work through:

- Promoting the health, safety and well being of all employees, including use of risk assessments to identify and manage hazards impacting on health in the workplace.
- Monitoring levels of absence for individuals, teams and the Authority as a whole.
- Implementing procedures to support and manage attendance, whilst dealing with unjustified and/or high levels of absence.

The following principles apply to the Authority's procedures for dealing with sickness absence:

- Good attendance is valued and all opportunities (e.g. Personal Development Review meetings) should be taken to acknowledge and recognise such attendance.
- Matters raised relating to an employee's attendance do not automatically imply any distrust of the employee or concerns regarding their conduct.
- Sickness absence will be dealt with in a way that is not unfairly discriminatory and in accordance with the Authority's equal opportunities policy.
- Employees will be dealt with consistently and the absence procedure will be fairly applied across the Authority.

- The Authority will aim to promote a positive approach to attendance and preventative rather than punitive approach to absence.
- The Authority will be sensitive and supportive to those suffering the effects of ill health.
- Sickness absence cases will be conducted with respect for confidentiality and in accordance with the requirements of the Data Protection Act, Access to Medical Reports Act, and any other relevant legislation.
- Open communication between managers and employees will be encouraged and promoted.
- The Authority will aim to distinguish between absence due to sickness and the abuse of the sickness absence system.
- This Attendance and Health Policy, and its related procedures, will be monitored annually and reviewed from time to time to ensure that it continues to meet the Authority's aims and complies with these principles. Trade union representatives will be encouraged to be involved in this process.

Employees are expected to:

- Attend work unless they are unfit to do so, or have another substantial and justifiable reason for being absent.
- Raise concerns with their manager if they believe that their job is adversely affecting their health or contributing to any illness.
- Report absences promptly, in accordance with the absence procedure.
- Ensure that the appropriate certifications are completed and submitted on time, and in accordance with the absence procedure.
- Maintain contact with their manager during periods of absence and communicate effectively with the manager about their absence.
- Co-operate fully with the Council's Occupational Health Physician and other organisations that provide support to the Authority and its employees.
- Ensure that medical advice and treatment, where appropriate, is received as quickly as possible in order to facilitate a return to work.
- Not abuse the absence procedures or sick pay scheme.

Employees should expect good working environments. As a minimum, these should normally be in line with the Council's Health & Safety Policy and legislation.

- The Council will provide adequate resources for training and the creation and maintenance of good working environments.
- Employees will be encouraged to raise workplace environment issues with management and their union Health & Safety Representatives.
- Management (in consultation with union Health & Safety Representatives) will seek to overcome problems and create and maintain healthy and safe workplaces.

The Council also has a number existing policies and conditions of service, which are relevant in this area. These include:

- **Flexi-time** and **flexible working** patterns which are used where they will not have an

unacceptable and detrimental effect upon the Council's services

- **Work/life Balance Policy** (see Corporate Manual, chapter 81) which allows for temporary variations of hours, working patterns, etc in the short to medium term
- **Special leave** (see Local Conditions) which allows the employee to take paid leave if, as the result of illness or some other emergency, they are required to give assistance to a close relative
- **Extended leave on compassionate grounds** (see Local Conditions) which allows employees to unpaid leave after their entitlement to special leave expires
- **Parental leave** (see Corporate Manual, chapter 81) which gives certain employees an automatic right to take unpaid leave to spend time with their children
- **Maternity scheme** (see National Conditions), which applies to pregnant employees.
- **Maternity support leave/Paternity Leave** (see National Conditions and Local Conditions) which applies to the father, partner or 'nominated carers' of expectant mothers immediately before and after the baby is born
- **Unpaid leave** in appropriate circumstances and at management's discretion.

These provisions, especially when they are combined with the sensible use of annual leave, should help enable employees to cope with most situations which cause a conflict between work and home life, and might otherwise cause them to be absent through ill-health.

In order to support this policy, the following services are available to managers and employees -

- **Human Resources** - to provide support and guidance to managers and employees on issues relating to attendance and ill health and in the use of the Authority's related policies and procedures.
- **Trade unions** - to provide advice and representation to union members.
- **Health & Safety Advisor** - to provide advice and guidance to managers and employees on issues relating to health and safety at work.
- **Independent Occupational Health Physician** - to provide advice and guidance on the impact of ill health on work and what steps the Authority and/or employee may take.
- **Independent counselling service** - to provide a confidential service to employees in order to discuss concerns related to work or personal circumstances.

## **Treatment of Employees with Addictions**

Addictions (e.g. to alcohol or non-prescription drugs) can have an impact on the health, safety and welfare of staff as well as having a significant detrimental affect on the productivity of a business. Problems can arise such as absenteeism, misconduct, poor timekeeping and job performance, as well as added work and stress for colleagues.

### **The Council's approach to addiction related problems**

It is recognised that addiction can be a serious illness. As such, it is covered by the provisions of the Attendance and Health Policy. Where an addiction has a detrimental effect on an employee's ability to perform their job, or otherwise be employed by the Council, It is expected that the individual will seek suitable medical help and treatment to overcome their illness. The Council is committed to supporting staff undergoing treatment to overcome an addiction.

Repetitive abuse has, not only a harmful effect on the individual themselves, but places an additional burden on colleagues. Work may need to be divided amongst remaining staff and this may cause additional pressures and, in extreme cases, resentment. Colleagues may feel the need to cover up for someone but ignoring or hiding the problem is not helpful as it can make the problem harder to address in the long term.

Where any addiction is affecting performance or behaviour at work, and the employee is unwilling to seek assistance, line managers may need to implement the disciplinary procedure. If this occurs the manager should first seek advice from Human Resources.

An employee's refusal of help, or dropping out of a recovery programme will not in itself be grounds for disciplinary action. However it will be relevant if non-co-operation results in unacceptable behaviour, poor performance, or poor attendance.

### **Smoking**

It is well established that smoking is not compatible with healthy lifestyles and working. The effects of smoking (including passive smoking) can be very serious. The Council recognises the requirement to promote health and reduce ill-health. All Council offices and their surroundings will be smoke free environments.

The Council's policy on smoking at work is contained in the Local Conditions of Service.

## **Working Time**

The Council and its employees will abide by the Working Time Regulations the main provisions of which are:

- a maximum weekly working time of 48 hours (including overtime) over a seven-day period averaged over four months;
- a maximum of six hours continuous work before a break of at least twenty minutes (unpaid) is taken<sup>1</sup>.
- a daily rest period of 11 consecutive hours in each 24-hour period;
- a minimum weekly rest period of 24 consecutive hours, plus the 11 referred to above, in each seven-day period;
- an average night shift length of eight hours in any 24-hour period (with a maximum shift length of eight hours for hazardous work);
- a minimum of four weeks' paid annual leave, which cannot be cashed in.

The Council will encourage its employees to adopt healthy working patterns, to take appropriate breaks, and to use their annual leave.

Where employees hold other jobs (outside the Authority) they should:

- (a) ensure that they make their Senior Manager aware of the other employment(s), as required by the Local Conditions of Service, and
- (b) be mindful of the Working Time Regulations, and abide them.

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<sup>1</sup> In most cases this break would be part of the employees normal lunch time or other meal break.

# **SICKNESS ABSENCE PROCEDURE**

The following procedure applies to all employees of Great Yarmouth Borough Council, in accordance with the Authority's Attendance and Health Policy.

## **1. Notifying Absence**

1.1 In order for service delivery to be maintained, it is essential that employees personally inform their manager or supervisor when they are unable to attend work due to illness. Failure to inform the line manager of absence may lead to the absence from work being considered as unauthorised, resulting in loss of pay and possibly disciplinary action.

1.1 The employee, in person, must telephone their line manager on the first day of absence. Where possible this should be before the employee is due to begin work that day. In any event, the employee must notify their line manager of their absence no later than 30 minutes after their normal start time. If the manager is not available to take the call the employee must try to contact their line manager's manager. If neither of these managers is available the employee may leave a message for their manager but in these circumstances the manager will ring the employee back at the first opportunity.

NOTE: Where these arrangements are not appropriate, management will determine alternative and comparable systems for employees to notify absences.

1.2 Once contact is made the employee must provide the manager with: (a) details of the reason for their absence - including details of any illness or injury; (b) their anticipated length of absence, and (c) any work commitments that may need attention or rearranging.

1.3 Exceptionally, if the employee is unable to telephone in person, they must arrange for someone else to telephone on their behalf, in accordance with paragraphs 1.2 and 1.5. The employee must then make contact, in person, with their line manager as soon as possible afterwards.

1.4 In the interests of the employees' safety and welfare, if an absent employee has not contacted their manager within 30 minutes of the employee's normal time for starting work that day, then reasonable attempts to contact the employee will be made. Usually, this will be by telephone to the employee's home but if this is unsuccessful it might involve contacting the employee's emergency contact or next of kin, or by visiting the employee's home.

- 1.5 If the employee believes that their absence may have been caused by something that happened at work they should inform the line manager of this and, where appropriate, arrange for an Accident Report Form to be completed.
- 1.6 The line manager must complete the Report of Absence Form (see Appendix 1) and ensure this is handed promptly to Human Resources.

## 2 **Certification by Employees**

- 2.1 Every absence has to be properly recorded to ensure prompt and correct payment of contractual and statutory sick pay and to ensure that accurate records are maintained. Failure to comply with the certification procedures may result in loss, or delay, of pay. Misleading or false statements will be dealt with under the Authority's disciplinary procedure.
- 2.2 The employee must complete a Part A of the 'Sickness Absence Report and Return to Work Meeting Form' (see Appendix 2) from day one of any absence. If the absence is for less than 7 days the form can be completed upon the return to work. However, if the absence continues for longer, the form should be sent to the employee to complete and return, or completed by the manager and confirmed by the employee at the earliest opportunity.
- 2.3 If the employee continues to be unfit for more than seven consecutive days (regardless of whether or not these are working days), they must consult a doctor and obtain a medical certificate, which must be forwarded without delay to their line manager.
- 2.4 Where there is continuing sickness absence the employee must submit to the manager concurrent medical certificates to cover the whole period of absence. **There must be no gaps between certificates.**
- 2.5 Where the period of absence exceeds fourteen days, and upon their return to work, the employee may be required to submit a medical certificate or statement of fitness to resume work from their doctor. This requirement is at the discretion of the employee's manager and must be exercised whenever the manager has any doubt about the employee's fitness to return to work.
- 2.6 The line manager must ensure that appropriate and timely certificates are received from the employee and handed promptly to Human Resources.

- 2.7 Where the necessary doctors certificates are either not submitted within seven days of being required, or do not cover the whole of the required period, the manager must investigate, determine the reasons, and consider whether it is appropriate to suspend the sick pay and/or invoke the disciplinary procedure. The final decision about any suspension of sick pay will be taken by the Senior Manager in consultation with Human Resources.
- 2.8 Exceptionally, if the manager is concerned at the frequency of an employee's absence, or their account of their reasons for absence, the employee may be required to submit doctor's medical certificates from the first day of any subsequent sickness absence. If the employee has to pay for the certificate they can reclaim the cost provided they submit a receipt. Managers should consult with Human Resources before making such a requirement of an employee.
- 2.9 Employees who fall ill while on annual leave may reclaim the affected days but to do so they must submit a medical certificate from their doctor. If the employee has to pay for the certificate they can reclaim the cost provided they submit a receipt. This only applies to annual leave - other holidays such as bank holidays cannot be reclaimed.

### **3 Maintaining Contact**

- 3.1 When an employee is absent from work due to sickness it is important that contact is maintained between the manager and employee. The manager needs to ensure that work is reallocated and service delivery is maintained. The employee and manager need to ensure that the employee does not become isolated, or left to feel vulnerable or out-of-touch. The responsibility for maintaining contact is shared between the employee and the manager.
- 3.2 The employee and line manager should maintain regular telephone contact during the early stages of sickness absence. Contact should be made every other day until a doctor's certificate is submitted and then as and when agreed between the manager and employee but, as a minimum, contact should be made as each doctor's certificate expires.
- 3.3 If an employee is absent from work for more than four weeks, the line manager should seek to arrange with the employee to visit the employee at home or at another agreed location.

## **4 Monitoring Absence Levels**

- 4.1 All sickness absences must be recorded on the Authority's Human Resources system. Managers are responsible for ensuring that the Report of Absence Form (Appendix 1) and the 'Sickness Absence Report and Return to Work Meeting Form' (see Appendix 2) are completed and promptly handed to Human Resources, who will enter the relevant information into the system.
- 4.2 The Authority has a duty to provide corporate sickness absence level statistics as part of its Performance Indicators and in order to monitor the success of the policy and identify causes for concern. The Authority, and each service, will strive to achieve reductions in sickness absence and appropriate targets will be set on an annual basis. Human Resources will provide appropriate statistics to the Executive Management Team (EMT) on a quarterly basis. The EMT will recognise low or reducing figures and question unexpectedly high or increasing figures in services, setting targets where appropriate.
- 4.3 Human Resources will provide Senior Managers with monthly reports detailing individual sickness absences within their service. Each manager is required to monitor sickness absence levels within their team and take further action as necessary when trigger points are reached or where there are other concerns about an employee's absence levels.

## **5 Return to Work**

- 5.1 Upon return to work following sickness absence the line manager (or another appropriate manager) must arrange to meet privately with the employee, ideally during the first day back or at least within three days of the return to work.
- 5.2 The purpose of the meeting will be to welcome the employee back to work, ensure that there is an accurate record of the absence and appropriate certification and update the employee on work issues. The manager should give assurances of their concern for the employee's welfare, balanced with the manager's concerns about service delivery and the impact on other team members. Where appropriate, the manager should also provide the employee with information on the availability of support.
- 5.3 A record of the meeting should be made on Part B of the Authority's 'Sickness Absence Report and Return to Work Meeting Form' (see Appendix 2). The employee will be given a copy of the completed form if they request it. Following completion of the form the line manager will hand it to Human Resources who will place it in a secure file.

5.4 To enable employees to return to work sooner and help ensure the return is successful, the following measures will be taken where they are recommended by the Authority's Occupational Health Physician, or the employees GP, and where it will not cause an unacceptable affect upon the Council's services:

- a phased return to work;
- return to work on light duties on a temporary basis with the intention of assuming the full range of duties within a reasonable and defined period of time;
- return to work temporarily on secondment to a different job with the intention of returning to the full duties of the employee's own job within reasonable and defined period of time;
- referral to the Council's independent external counselling service

Permanent changes to the employee's duties and responsibilities in their own job, and permanent redeployment into other jobs will be considered following recommendation by the Council's Occupation Health Physician. However, this is not an entitlement and no such change can be guaranteed.

5.5 Where a manager has significant doubts about an employee's ability to perform their job (on a return to work following sickness absence) the manager should contact Human Resources for advice.

## 6 Dealing with Frequent Short-term Absences

6.1 Where an individual's absence level meets one of the following trigger points:

- three or more instances of sickness absence in any three-month period;
- six or more instances of sickness absence in any twelve-month period;
- ten or more days sickness absence (over more than one occasion) within any twelve-month period, or
- any other recurring recognizable patterns (such as frequent absenteeism on a Friday or Monday).

the manager will discuss the attendance levels with the employee at a **Review Meeting**. At the meeting the manager and employee will also: explore the reasons for absences; identify areas for support; review and/or update the risk assessment(s), and (where appropriate) set targets for improvement and clarify what further action may be taken if improvement targets are not met. A trade union representative or colleague may accompany the employee at Review Meetings.

6.2 The following outcomes may be agreed at Review Meetings:

- Advice may be sought from the Council's independent Occupational Health Physician (see 13 below).

- Other support mechanisms may be identified and implemented.
- Reasonable adjustments such as changes to the workload, work practices or work pattern or the possibility of redeployment may be identified (subject to recommendations by the Council's Occupational Health Physician).
- The employee may be required to submit a medical certificate from their doctor for every instance of sickness absence (see 2.8 above).

6.3 The manager will then normally continue to arrange and conduct Review Meetings, to review progress, until:

- the employee achieves an acceptable level of attendance and no longer exceeds the trigger levels (see 6.1 above), or
- the line manager determines that insufficient progress is being made and that it is appropriate for the manager to arrange a Case Review Hearing (see 8 below).

6.4 Following a Review Meeting, the line manager will write to the employee within seven days of the meeting, confirming the points discussed and actions agreed. A copy of this letter will be placed on the employee's personal file.

## **7 Dealing with Long-term Absences**

7.1 Absences over 28 days' duration are considered 'long-term' for the purposes of this procedure.

7.2 The manager should arrange to meet with the employee on a regular basis, usually at the employee's home, in order to: keep up to date with progress; identify areas for support, and determine whether any other actions should be taken. A trade union representative or colleague may accompany the employee.

7.3 Where it becomes evident that an absence is to continue for more than four weeks the manager should seek advice from Human Resources on whether it is appropriate to refer the employee to the Council's Occupational Health Physician. The purpose of the referral is to gain advice from occupational health on:

- the likely duration of the employee's absence, and
- whether any steps can be taken to help the employee to return to work.

Depending on the individual circumstances of the case, the referral to occupational health may be delayed but will normally take place before the employee has been absent for eight weeks. Only in exceptional circumstances will the referral be delayed beyond this.

7.4 Depending upon the advice received from the Occupational Health Physician, one or more of the following actions may be taken:

- Review periods may be set, with further advice obtained from the Occupational Health Physician.
- Reasonable adjustments such as changes to the workload, work practices or work pattern may be identified and implemented, either as part of phasing the employee back to work or on a more permanent basis.
- Other support mechanisms may be identified and implemented.
- Redeployment may be pursued.
- Investigations may take place into whether an ill-health retirement may be appropriate. Where it is appropriate the Council will request that the Occupational Health Physician secure the further opinion of an appropriate specialist (who has had no previous involvement in the individual case) before any decision is made on granting an ill-health retirement.
- Decisions may be made about the employee's continuing employment, leading to the decision to dismiss the employee due to their incapability to undertake their job due to ill health (see 8 below).

7.5 Any actions being contemplated will be discussed with the employee before any final decisions are made.

## **8 Case Review Hearings**

8.1 Where an employee's line manager continues to have concerns regarding short-term absences, or where a long-term period of absence is continuing and options to enable the employee to remain in employment have been unsuccessful, the employee may be asked to attend a Case Review Hearing. An employee who is absent from work on long-term sick leave will not normally be asked to attend a Case Review Hearing until:

- the employee's normal entitlement to sick pay has expired, or
- it becomes apparent that the employee is unlikely to return to work before their entitlement to sick pay has expired and retirement on the grounds of permanent ill health is inappropriate, or

However in other, exceptional, circumstances the Senior Manager (following consultation with Human Resources) may determine that it is appropriate to hold the Hearing.

8.2 The purpose of the Case Review Hearing will be to consider whether there are any further actions that the authority can take to assist the employee in continuing their employment or whether employment should be terminated due to the employee's incapability to undertake their duties effectively because of ill health.

- 8.3 A Senior Manager, who may be accompanied or assisted by an adviser, will hear the Case Review Hearing. The format of the hearing will be the same as that for a disciplinary hearing (see Disciplinary Procedure in the Local Conditions of Service)
- 8.4 A trade union representative or colleague may accompany the employee.
- 8.5 The employee will be given at least 3 working days written notice of the Case Review Hearing
- 8.6 The employee and/or their representative will be given the opportunity to state their case.
- 8.7 Others involved in the employee's case will also be asked to provide information on what actions have been taken. The advice of the Council's Occupational Health Physician will normally be sought before the Case Review Hearing is held.
- 8.8 In the case of frequent short term absences the actions that may result from the Case Review Hearing include:
- No action may be taken if there is likely to be an improvement in health and attendance within a defined and acceptable period of time.
  - The employee may be relocated to more suitable employment elsewhere within the Authority if this is available.
  - Investigating the appropriateness of a retirement on the grounds of permanent ill-health
  - Depending on the severity of the case, the Senior Manager may issue the employee with a formal written warning, or final written warning.
  - Where previous warnings have failed to bring about the required improvement in attendance, and a final written warning is current, the Senior Manager may terminate the employment with notice on the grounds of capability.
- 8.9 In the case of continuing long-term absence the actions that may result from the Case Review Hearing include:
- The Senior Manager may choose to take no action if (a) there is likely to be an improvement in the employee's health and they are likely to return to work within a defined and acceptable period of time, or (b) the employee is terminally ill.
  - The employee may be relocated to more suitable employment elsewhere within the Authority if this is available.
  - Investigating the appropriateness of a retirement on the grounds of permanent ill health.
  - Where retirement on the grounds of permanent ill health is inappropriate, alternative work is not available, and a return to work within an acceptable and defined period of time is unlikely the Senior Manager may terminate the employment with notice on the grounds of capability.

8.10 When reaching a decision about the action to be taken following the Case Review Hearing, the Senior Manager will consider issues such as:

- The impact of the employee's absence and ill health on other employees and service delivery.
- The employee's absence record
- Financial and cost implications.
- Representations made by the employee and/or their representative.
- The actions that have been taken to enable the employee to continue in employment.
- Medical advice received.

This list is not exhaustive and the weight attached to each will depend upon the circumstances of the case, whilst balancing the needs of the employee and of the authority.

8.11 The employee will be informed of the decision and this decision will be confirmed in writing within seven calendar days. Where a decision to dismiss has been made, the letter will also inform the employee of notice of termination of employment and confirm the reasons.

8.12 Where decisions are made regarding termination of employment, the employee will have the right of appeal against the decision (see paragraph 9 below)

## **9 Right of Appeal Against Dismissal**

9.1 Where decisions are made to terminate employment on the grounds of ill health or incapability, the employee has the right of appeal. The appeal will be to the Council's Appeals Committee and will follow the procedure contained in the local Disciplinary Procedure.

9.2 In order to exercise this right, the employee must write to the dismissing Senior Manager within fourteen calendar days of the date of the letter informing them of the decision to dismiss.

9.3 The decision of the Appeals Committee is final within the authority's internal procedures.

## 10 Work-related Ill-health or Injury

- 10.1 If an employee believes they are suffering from any work related illness or condition the employee **MUST** inform their manager, who will seek advice from the Health & Safety Advisor and Human Resources. If a manager receives a doctor's medical certificate which indicates the employee has a 'work related' or 'occupational' illness or condition (e.g. RSI, work related upper limb disorder, or work related stress) the manager **MUST** immediately inform the Health & Safety Advisor.
- 10.2 If an employee or manager believes that ill health or injury has been caused by work, the employee should complete the Authority's Accident Report Form as soon as possible.
- 10.3 If an employee has not completed an Accident Report Form and subsequently believes that their ill health or injury is caused by work, they should report this to their manager. Ideally, this should be in writing and describe the reasons why the employee believes that work has contributed or caused their ill health or injury.
- 10.4 Where an Accident Report Form has been completed, or where an employee subsequently claims that their ill health or injury is caused by work, the situation should be thoroughly investigated. The manager should inform their Senior Manager and discuss the situation with the Health & Safety Advisor in order to determine who should undertake the investigation. The investigation should be undertaken by two people (one of these will normally be the line manager of the employee) and should be completed as quickly as possible, with the Health & Safety Advisor and the Senior Manager kept fully informed of progress.
- 10.5 The investigation should consider all relevant background information such as:
- The job description.
  - Existing risk assessments
  - The previous sickness record.
  - Previous occupational health recommendations/advice.
  - Previous grievances or complaints
  - Details that have emerged in return to work interviews following previous absences or during the normal management process.
  - Consequent management actions and any adjustments made as a result.
  - Time sheets, work logs, rotas, annual leave and flexi time records.
  - Training and development records.
  - Appropriate witness statements.
  - External factors (for example, if an employee who is alleging that they are suffering from Repetitive Strain Injury is also a self employed typist)
  - Any other information pertinent to the situation.

- 10.6 Where appropriate, advice should also be sought from the authority's Occupation Health Physician who may also suggest that other specialist advice may be helpful. In such cases the authority will pay any resulting fees
- 10.7 Upon completion of the investigation, a report should be sent to the Senior Manager, with copies to the employee and the Health & Safety Advisor.
- 10.8 The Senior Manager will determine, based on the facts available and following consultation with the Health & Safety Advisor, whether or not the employee has sustained an injury or illness as a result of what they were required to do at work, or the treatment they received at work.
- 10.9 Written confirmation of the decision will be sent to the employee within seven working days of the decision. In the event of a decision that ill health or injury is attributed to work, the authority does not accept liability.
- 10.10 The line manager must ensure that Human Resources is informed of the decision, where it will affect payment of sick pay.
- 10.11 The employee will have the right to seek a review of the decision through the Authority's Grievance Procedure.
- 10.12 Any personal injury claims received for damages against the Authority should be forwarded directly to Financial Services. The Authority's insurers deal with such claims.
- 10.13 Any person who meets the conditions for a payment under the assault provisions of the National Conditions of Service should be issued with a claim form.

## **11 Medical Appointments**

- 11.1 Routine, non-urgent appointments to see doctors, dentists, opticians etc should be taken in the employee's own time or in the flexi-time portions of the day where possible and, in any event, no time should be credited on time sheets for these appointments. If the appointment encroaches on the employee's normal working time an appropriate note should be made on the employee's timesheet and the employee's manager made aware of the situation.
- 11.2 Non-routine appointments where the employee requires more immediate medical attention should, where possible be taken in the employees own time or flexi-time but where this is not possible up to an hour can be credited on time sheets. An appropriate note should also be made on the employee's timesheet and the employee's manager made aware of the situation.

- 11.3 Where an employee has to attend a hospital the necessary time (including travelling) should be credited on time sheets. However, if an employee has to attend routine appointments at hospital it is not unreasonable to expect them to try to arrange these appointments, where possible, at times which will cause least effect on Council services.
- 11.4 Appointments with providers of 'alternative medicine' will be treated in accordance with 11.1 and 11.2 above as long as the employee's doctor has prescribed the treatment obtained.
- 11.5 Employees who are pregnant will be allowed reasonable time off, with pay, to attend ante-natal classes where these classes occur during the employee's normal working time.
- 11.6 Where an employee requests leave to undergo a planned medical intervention for issues such as cosmetic surgery, infertility treatment, organ donation, etc, the Senior Manager should consider each case on its merits and consult with Human Resources before making a decision. In reaching a conclusion the Senior Manager will consider any medical information available from the employee's GP and/or the Council's Occupational Health Physician, and whether it is appropriate to expect the employee to use annual leave etc to cover some or all of the leave required. Where an agreement cannot be reached the case should be referred to the EMT.

## 12 **Ill Health, which does not lead to absence from work**

- 12.1 There may be occasions where an employee is suffering from ill health, but this does not lead to the employee being absent from work. If the employee believes that their ill health is having an impact on their ability to undertake their job they should raise this with their line manager. The line manager should discuss the matter confidentially with the employee, review the workplace risk assessment and discuss whether any additional support can be provided to the employee to support them at work. Depending on the circumstances, it may be helpful to seek advice and guidance from the Health & Safety Advisor and/or the Authority's Occupational Health Physician. Consideration will also be given to the impact, if any, that the employee's condition (and its effects) has on fellow employees.

### 13 Occupational Health Referral

The role of the Council's Occupational Health Physician is to provide advice and guidance to the Authority and its employees on the impact of an employee's ill health on their ability to undertake their duties and what measures can be put in place to support the employee, where appropriate.

The following points should be noted:

- 13.1 All referrals to the Authority's Occupational Health Physician are made by Human Resources.
- 13.2 The employee must be made aware of their rights under the Access to Medical Reports Act, in relation to the authority's request for the Occupational Health Physician to seek a report from the employee's GP and be provided with a copy of Part 1 of the Medical Referral Form.
- 13.3 The manager and employee must ensure that as much relevant information as possible is provided to Human Resources and be clear about the points on which they seek advice from the Occupational Health Physician.
- 13.4 Where the employee does not give their consent to the Occupational Health Physician seeking a report from their GP and/or the employee refuses to meet with the Occupational Health Physician, the Senior Manager (following consultation with Human Resources) will have to make decisions based on the information available at the time. The implications of this should be discussed with the employee and confirmed in writing. These implications may include:
  - the suspension of sick pay;
  - the convening of a Case Review Hearing, and/or
  - the local Disciplinary Procedure being invoked.

**For help and advice on this procedure please contact Human Resources.**

**REPORT OF ABSENCE FORM****STRICTLY CONFIDENTIAL****PART A – TO BE COMPLETED BY THE LINE MANAGER**

Name of absent employee	
Date employee became unfit for work      /      /	First date absent from work      /      /
Date of expected return to work      /      /	Is the employee planning to see their GP? <input type="checkbox"/> YES <input type="checkbox"/> NO
Is the absence the result of an accident or occurrence at work?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Is the absence a result of stress or pressure at work?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<i>NOTE: If "YES" to either question above, the manager should immediately contact the Health &amp; Safety Advisor and complete and submit an Accident Report form as soon as possible.</i>	
<b>Details of first contact</b> <input type="checkbox"/> The employee contacted me on their first day of absence <input type="checkbox"/> I contacted the employee on We discussed the absence and their reasons for being absent were:  My comments are:	
Signature of manager	Date

**This form and any GPs certificates received should be passed to Human Resources for filing.**

**PART B – TO BE COMPLETED BY HUMAN RESOURCES**

I certify that:	<input type="checkbox"/> The necessary information has been passed to Payroll
	<input type="checkbox"/> The 'Return to Work Meeting Form' has been sent to the line manager for completion
The information has been recorded on the absence recording system and classified as:	
<input type="checkbox"/> A) Back and neck problems	<input type="checkbox"/> G) Pregnancy related
<input type="checkbox"/> B) Other musculo-skeletal problems	<input type="checkbox"/> H) Stomach, liver, kidney and digestion problems
<input type="checkbox"/> C) Mental health problems & fatigue	<input type="checkbox"/> I) Heart, blood pressure & circulatory problems
<input type="checkbox"/> D) Infections (colds, flu, viruses etc)	<input type="checkbox"/> J) Chest & respiratory problems
<input type="checkbox"/> E) Neurological problems	<input type="checkbox"/> K) Eye, ear, nose & mouth problems
<input type="checkbox"/> F) Genito-Urinary problems	<input type="checkbox"/> O) Other
Notes	
Signature	Date

## SICKNESS ABSENCE REPORT &amp; RETURN TO WORK MEETING FORM

**STRICTLY CONFIDENTIAL**This form should be completed for all periods of sickness absence.

<b>PART A - TO BE COMPLETED BY THE EMPLOYEE</b> - If the absence is for less than seven calendar days this part can be completed upon the return to work. However, if the absence continues for longer, the form should be sent to the employee to complete, or completed by the manager and confirmed by the employee at the earliest opportunity.	
Employee's name	
Service	Section
Place of work	
Job title	
<p><b>I certify that:</b></p> <p>I first became unfit to attend work on <i>(date)</i>* <span style="float: right;">At <i>(time)</i></span></p> <p>I was first absent from work on <i>(date)</i></p> <p>I first became fit enough to return to work on <i>(date)</i>*</p> <p><i>* All days should be counted, not just working days.</i></p> <p><i>NOTE: If the absence was for more than seven calendar days, appropriate certification from your GP must be submitted promptly to your manager</i></p>	
Details of the ill-health or injury causing your absence (please avoid using general terms such as 'sickness' or 'unwell'):	
Signature of employee	Date

**PLEASE NOTE that knowingly making a false statement may result in disciplinary action being taken and sick pay being terminated.**

<b>PART B – TO BE COMPLETED BY THE MANAGER AND EMPLOYEE UPON THE EMPLOYEE'S RETURN TO WORK</b> - This part of the form should be completed following all periods of sickness absence. This should normally take place on the first working day after the absence and, in any event, no later than three working days after the return.	
Manager's name	
Date of meeting	Location of meeting
On what date did the employee actually return to work?	
Was the absence caused by an accident or occurrence at work?	<input type="checkbox"/> YES <input type="checkbox"/> NO
If 'YES', has an accident report been completed?	<input type="checkbox"/> YES <input type="checkbox"/> NO

Details of issues discussed <sup>1</sup>		
Details of support offered to the employee <sup>*</sup>		
Actions agreed (including timescales) <sup>†</sup>		
<p>I understand that:</p> <ul style="list-style-type: none"> <li>• the information contained in this form will be used to record details of my sickness absence in accordance with Council policy, and</li> <li>• should it be necessary to refer me to the Council's independent Occupational Health Physician, relevant information contained in this form may be included as part of the supporting material.</li> </ul>		
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Signature of employee</td> <td style="width: 50%; border: none;">Date</td> </tr> </table>	Signature of employee	Date
Signature of employee	Date	
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Signature of manager</td> <td style="width: 50%; border: none;">Date</td> </tr> </table>	Signature of manager	Date
Signature of manager	Date	

Once completed, a copy of this form should be given to the employee and the original form passed promptly to Human Resources for placing in a secure file. Managers should not retain copies of this form.

**DATA PROTECTION ACT 1998: Details of the duration and reason for the absence will be recorded on the Authority's absence recording system. The purpose of the record will be to monitor general absence levels and reasons for absence across the whole authority (without identifying individuals) and to enable managers to monitor individual absence levels. All records are kept confidentially. An employee may view their individual absence record by contacting Human Resources.**

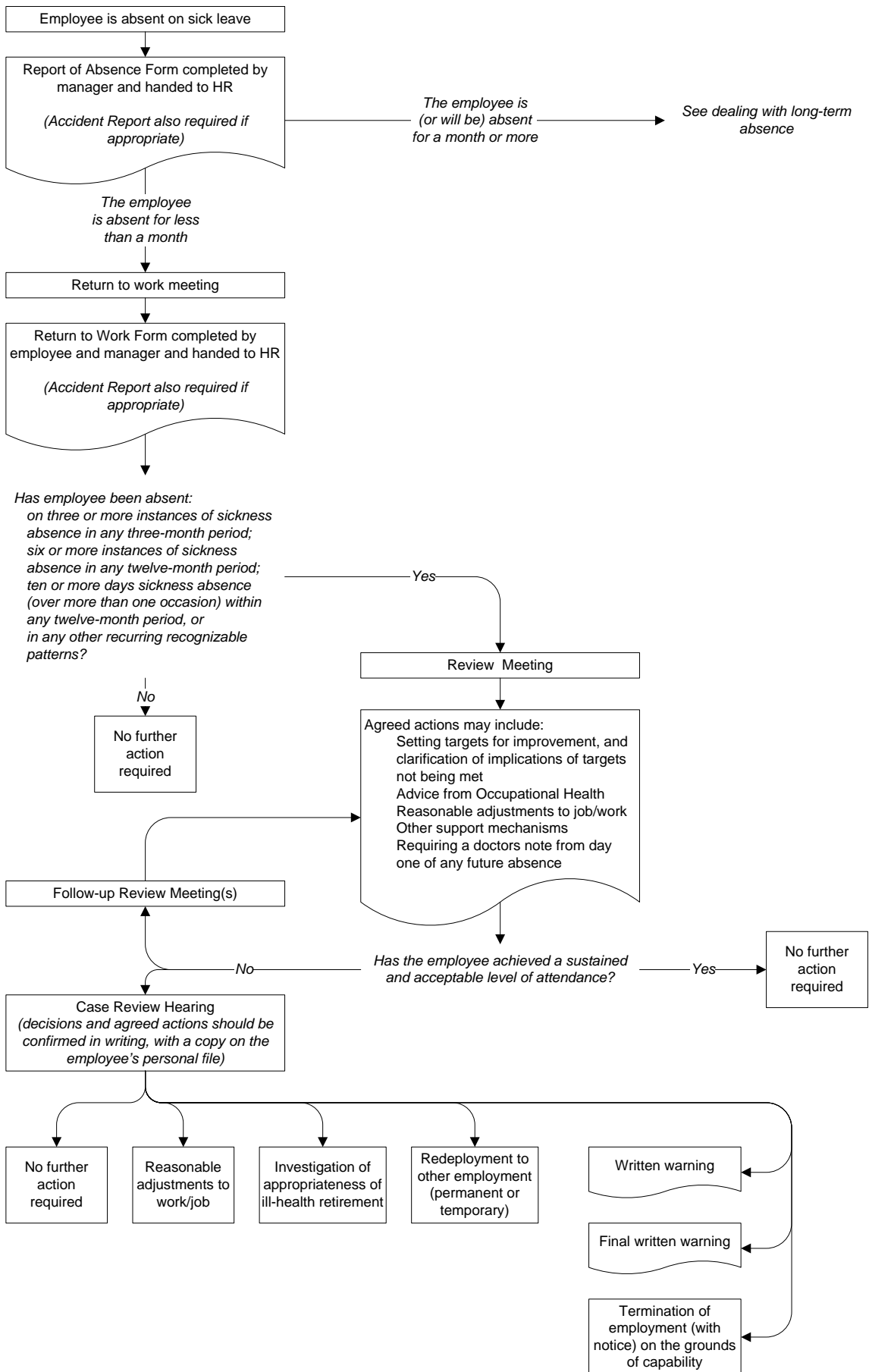
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<sup>1</sup> Issues to discuss include: welcoming the employee back; updating the work situation; the reasons for the employee's absence; the impact of the absence on service delivery and colleagues; the implications of further absence.

<sup>\*</sup> Support offered could include referral to the Council's Occupational Health Physician or the external counselling service or advice/support from a senior manager or a trade union.

<sup>†</sup> Actions could include: targets for improved attendance; referral to the Council's Occupational Health Physician or the external counselling service; an investigation of the employee's claims that the absence was work related; a review of the risk assessment.

**DEALING WITH SHORT-TERM ABSENCE**



**DEALING WITH LONG -TERM ABSENCE**

