

# People Framework

## Absence Management Procedure



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## Tracking

<b>Policy Title</b>	Absence Management Procedure		
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<b>Service</b>			

## Revision History

Revision Date	Revisor	Previous Version	Description of Revision

## Document Approvals

Each revision requires the following approvals:

Sponsor Approval		Name	Date

## 1. **Absence Notification**

Employees who are unable to attend work due to sickness must contact their manager on the first day of absence, giving as much notice as possible and preferably within one hour of their normal starting time.

Employees should provide the following information:

- The reason for their sickness absence
- Whether the illness is work related
- Whether they have sought/will be seeking medical attention
- The likely date of their return to work (if known)
- Whether there are any meetings that need to be cancelled or work that needs to be handed over

In exceptional circumstances (e.g. hospital admission) where it might not be possible for an employee to contact their manager personally, the individual who reports the absence on behalf of the employee must leave a contact name and number. The employee will be expected to make contact themselves as soon as this becomes possible.

Where an employee is unable to speak with their manager, they should leave a message and a contact phone number. The employee should expect and be available to receive a return phone call to discuss their absence.

Employees must call and update their manager on each subsequent day of absence. The manager may, at their discretion, agree a different reporting frequency and method with the employee depending on the nature and duration of the sickness.

Where an employee is taken ill or injured at work, they should report this to their manager as soon as possible. Where necessary a First Aider will be called. If medical treatment is deemed necessary, the manager will ensure that the employee reaches hospital or to their GP safely and the employee's emergency contact will be informed. The line manager may also be required to complete an incident report form. ([Link to Form](#))

## 2. **Unauthorised Absence**

Managers will contact employees who fail to attend work and do not report their absence by telephone to ensure the employee's welfare and to find out the reason for the absence.

Managers will inform HR if contact cannot be made by telephone on the first day of absence. HR will send a letter to the employee's home by recorded delivery.

Managers may contact the employee's next of kin if contact cannot be established at all before the letter is sent to home address.

Employees must ensure that their contact details are kept up to date.

Managers will refer to the Council's Leave Policy where the established reason for absence does not relate to the employee's own sickness.

Where the absence is identified as unauthorised the Disciplinary procedure may apply.

### 3. Recording and Monitoring

Managers will record all occurrences of sickness absence (including part days) in iTrent on the employee's first day of sickness.

Managers will record the following:

- Start date of the absence
- Reason for the absence
- Absence end date

Managers will agree the appropriate reason for the sickness absence with the employee and record this using the correct sickness category in iTrent. Managers will assure employees of the confidentiality of the recording process.

### 4. Sickness Absence Documentation

#### Submission of Self-Certification Form/Statement of Fitness for Work (fit note)

Duration of sickness absence in calendar days	Documentation required from employee
Up to 7 days	Self-certification form must be completed and sent to the HR team via <a href="mailto:sicknessreporting@epsom-ewell.gov.uk">sicknessreporting@epsom-ewell.gov.uk</a> . (LINK to Self-Certificate).
8 days or more	A Statement of Fitness for Work (or 'Fit Note') must be obtained from a doctor. Where sickness absence continues beyond the period covered by the initial Fit Note, the employee must submit further Fit Notes providing continuous cover for the entire period of absence without any breaks.

The Council may request a Fit Note in respect of absences of less than 7 calendar days which occur, for example, where sickness absence occurs during an employee's notice period or during periods of adverse weather and will reimburse the employee for any charges they may incur in association with this.

### 5. Keeping in Touch

Managers and employees must maintain reasonable contact during any period of sickness absence.

During a period of sickness absence, employees should ensure that they are available to be contacted as and when agreed.

Unless other arrangements have been agreed, employees can expect to be contacted by their manager or HR during periods of sickness absence to discuss:

- The employee's wellbeing
- Any kind of support needed by the employee
- Any work requiring attention in the employee's absence

- Any impact the absence will have on the employee's pay
- Any updates/changes taking place at work which the employee needs to be aware of

Managers should be mindful of making no contact out of the employee's normal working hours unless by prior written agreement with the employee.

Where the period of absence exceeds 4 weeks, the manager may visit the employee at home (or at a mutually agreed location). Welfare visits will always be by prior arrangement and with the employee's consent, with respect for the employee's privacy. Such visits will take place during an employee's working hours. Further contact visits may be arranged as necessary.

Managers must record all contacts made with employee during their sickness absence on the "Action Log", which will be held confidentially by the manager and shared with the employee on their return to work.

## **6. Return to Work Discussions**

Managers will conduct a return to work discussion after every period of sickness absence in line with their duty of care towards the employee.

Managers will schedule a return to work discussion on an employee's first day back from sick leave (or as soon as practicable), regardless of the length of the absence or the nature of the illness.

Managers will liaise with HR regarding the implementation of any recommendations made to support the employee's return to work.

A return to work discussion provides the opportunity to:

- Welcome the employee back from sickness absence
- Ensure that the employee is fit for work
- Confirm the details of the absence and ensure that the necessary certification has been received (self-certificate/fit notes)
- Identify any support that may be required by the employee, including discussing any recommendations detailed on the Fit Note or received from Occupational Health
- Where appropriate, discuss the impact of the absence on the employee's pay
- Update the employee on work that took place during their absence
- Acknowledge the employee's previous good attendance or raise concerns where the Council's trigger points for the formal stages of the Absence Management Procedure have been met
- Where the Council's trigger points for the formal stages of the Absence Management Procedure have been met, advise the employee of next steps
- Managers will use the Return to Work form to record the discussion. (Link to RTW Form).

Managers will ensure that the employee's absence is closed in iTrent and that the relevant documentation is forwarded to HR.

## 7. Occupational Health Referral

The Council uses Occupational Health services to obtain independent medical advice (general or specific) on health matters relating to its employees (e.g. fitness for work, workplace adjustments). An OH referral may be appropriate where –

- There is an indication that there are factors in the workplace or elsewhere contributing to the sickness absence
  - Several absences for the same reason are noted on the employee's attendance record
  - There is a continued concern regarding frequent short-term sickness absences
  - The employee requests a referral
  - The employee has received a Fit Note stating that they "may be fit for work" subject to specific medical advice or recommendations
  - The employee has a Fit Note stating that they are not fit for work but does not wish to wait until the expiry of the Fit Note before returning to work
  - The employee has a period of long-term sickness absence
  - There are concerns that an employee's health may lead to sickness absence (i.e. preventative advice)
  - A decision is taken to investigate potential ill health retirement options
- The reasons for the referral to OH will be discussed with the employee prior to progressing the referral.

HR will refer the employee to OH using the OH referral form (Link to OH referral form). A copy of the OH referral form will be shared with the employee and held confidentially in the employee's personal file.

Employees are expected to attend OH appointments or, where necessary, to be available for a pre-arranged home visit by OH representative.

OH may seek consent from the employee to access their medical reports by contacting a third party (e.g. GP or Consultant) for a medical opinion. Where this is necessary, OH will discuss and agree this requirement with the employee.

OH will provide medical opinion on the employee's health and fitness for work, whether there is an underlying medical condition which may be covered by the Equality Act 2010 and whether any temporary or permanent adjustments should be considered to facilitate the employee's return to work and ongoing attendance.

Where appropriate, OH may recommend use of external services to support the employees with the implementation of reasonable adjustments.

OH will send their report to HR, who will share it with the employee's manager for discussion with the employee.

Where an employee refuses to attend an OH assessment, decisions relating to their employment may be made without the benefit of medical advice.



## **8. Reasonable Adjustments**

The Council will make every effort to make reasonable adjustments (on a temporary or permanent basis) to support employees who have a disability as defined by the Equality Act 2010.

Managers will consider whether a proposed adjustment is reasonable and proportionate seeking advice from OH & HR. Managers will consider the following:

- Effectiveness of the adjustment in preventing any disadvantage
- Practicality of the adjustment
- Health and safety considerations
- Cost and available resources
- Employee's long term prognosis
- Amount of support already been provided
- Length of time the adjustment is required for

Managers will keep HR informed of any requests to make reasonable adjustment requests following return to work discussions, My Performance Conversations or as outcomes of any formal meetings related to sickness absence using the "Reasonable Adjustment Request" form. (Link to RAR Form)

Managers will ensure that any adjustments are put into place within a reasonable time, keeping the employees informed of the steps taken to do so (e.g. liaison with the Council's Health & Safety Officer or referral to an external agency).

Managers will undertake regular reviews of reasonable adjustment provision to ensure that the level of support provided is appropriate for the employee's condition. Reviews should form part of the regular My Performance Conversations and, where applicable, return to work discussions.

Where reasonable adjustments are discussed during My Performance Conversations or at return to work discussions, managers will keep notes and liaise with HR to ensure that the appropriate level of support is provided to employees.

## **9. External Support**

External support may be available to help with the provision and cost of reasonable adjustments for disabled employees. OH will be able to provide details of services available from the Government or specialist companies (e.g. Access to Work).

## **10. Temporary Adjustments**

Where medical advice indicates that an employee may be able to return to work with some adjustments to their working environment and/or duties (e.g. reduced hours, flexible working, working from home), managers will discuss and agree these with employees before they return to work.

Adjustments will be put in place wherever this is reasonably practicable, however, where these cannot be accommodated, employees will be required to remain absent from work until they are able to return without the adjustments being made.

## 11. Phased Return

Where an employee returns to work following a period of long term sickness absence, their GP or OH may recommend a phased return to work (e.g. reduced hours or adjusted working duties for a short period of time).

The aim of a phased return to work is to allow the employee to re-enter the workplace and to gradually return to full capacity.

Where a phased return to work is recommended, managers should seek advice from HR in the first instance.

Managers will discuss and agree the phased return with the employee in line with the recommendations received from their GP or OH and provide a phased return plan. Managers will document the phased return plan using FORM.

Managers will regularly review the employee's progress against the phased return to work plan and ensure that, where possible, the working hours/days/duties are gradually increased to support the employee's return to their full hours and duties.

Where an employee returns to work on a phased return, they will be paid their full salary for up to 4 weeks.

Managers must inform and seek advice from HR should an extension to the phased return to work be required. ***This will be considered on the advice from OH or of medical practitioners in exceptional circumstances.*** Where a phased return to work is extended, the employee will be paid for the actual hours they work.

Managers will consult HR where temporary adjustments to an employee's hours and/or duties continue beyond 4 weeks or where any permanent adjustments (e.g. part-time working) are agreed following a phased return to work.

Any proposed amendments to the employee's contractual terms and conditions (e.g. hours/salary) will be fully discussed and agreed with the employee.

## 12. Working from Home

Managers may consider a working from home arrangement for those who, due to an accident/injury or operation, are not able to travel to work but are able to perform their duties remotely, dependent on individual circumstances and the availability of suitable work.

Managers must seek HR & OH advice as appropriate to ensure that, where reasonable adjustments are required to allow the employee to work from home (e.g. special equipment), this can be facilitated.

Managers will ensure that a DSE assessment is carried out to support the employee in working from home.

Managers should document the working from home arrangement as a part of the phased return plan where this has been agreed. The arrangements should be recorded using FORM.

Where an employee continues to be absent from the workplace but is able to undertake their duties fully from home, they will be treated as having returned to work and their period of sickness absence pay will end.

Any working from home arrangement will be allowed at the manager's discretion. Employees do not have an automatic right to be able to work from home.

All working from home arrangements should be undertaken in line with the Council's Working from Home Policy.

### **13. Trigger Points**

The Council uses the following trigger points to decide when formal action may need to be taken in line with the Absence Management Procedure:

- 3 Episodes of absence in a rolling 6-month period
- 5 Episodes of absence in a rolling 12-month period
- 4 Consecutive weeks of absence (this will be calculated from the first day of absence, irrespective of the working pattern and number of days worked)

Managers may also take action in line with the Absence Management Procedure where a specific pattern of absence is causing concern (e.g. regular Friday or Monday absences, absences regularly occurring on a particular day/week, absences occurring pre or post annual leave or public holidays, absences regularly occurring during school holidays).

HR is responsible for monitoring sickness absence trends and patterns and ensuring that accurate and timely absence management information is available to managers and the Leadership Team.

### **14. Manager discretion to vary the trigger points**

Managers will consider previous sickness absences, seeking HR advice as appropriate before proceeding to the formal stages of the Absence Management Procedure.

Occupational Health advice will be sought and managers may need to use their discretion in the application of the corporate trigger points. Where managers consider there is justification to vary the corporate trigger points, this must be discussed with HR and the reasons for the variation recorded using FORM. Where variations to the corporate trigger points have been agreed as a reasonable adjustment, the employee's absence level should be regularly reviewed.

### **15. Frequent short term sickness**

Absence which meets any of the following criteria and does not exceed 4 weeks' continuous absence is considered as short-term sickness absence:

- 3 periods of absence in a rolling 12 month period
- 5 periods of absence in a rolling 12 month period
- Identified absence trends/ patterns, e.g. regular Friday or Monday absences, absences regularly occurring on a particular day/week, absences occurring pre or post annual leave or public holidays, absences regularly occurring during school holidays.

Managers should raise their concerns about frequent short-term absences informally with employees through their My Performance Conversations and seek to resolve any issues at an early stage.

Managers will take positive steps to monitor and manage frequent short-term absence promptly and consistently with appropriate advice from HR (e.g. OH referral, re-assessing workload, provision of training).

Managers will encourage employees to raise concerns regarding other factors in the workplace which may be exacerbating their sickness absence.

Frequent short-term sickness absence will be managed in line with the Absence Management Procedure and will be escalated to a formal stage where the level of absence meets the triggers outlined above

## **16. Long term sickness absence**

A prolonged period of sickness absence, i.e. a period lasting for 4 weeks or more, of continuous absence is considered to be long-term absence.

Employees may be absent on long-term sick leave for a variety of reasons (e.g. injury, surgery, convalescence from illness, diagnosis of a long-term disability, terminal illness). Managers will ensure that any action taken is appropriate to the circumstances of the particular case.

Managers will seek HR advice where it is recognised that an employee requires time off work due to an unavoidable health condition requiring medical intervention (e.g. surgery or to complete a course of treatment).

Managers will monitor employees' ongoing absence, state of health and readiness to return to work, maintaining regular contact and supporting employees with advice from HR and OH where appropriate.

The Council is committed to supporting and helping employees return to work following a period of long-term sickness absence. As part of the Sickness Absence Review Process, managers may:

- Obtain medical advice and discuss this with the employee (e.g. early referral to Occupational Health)
- Make reasonable adjustments to the workplace (e.g. adjustments to duties and/or working hours, provision of specialist equipment)
- Consider redeployment options
- Agree a return to work programme, which may include a phased return to work. Managers will seek HR advice to refer an employee to Stage 3 Capability hearing where all formal actions outlined in this procedure have been exhausted and a return to work cannot be facilitated.

Employees are expected to attend any formal meetings during their period of absence where they are fit to do so. Where necessary, Occupational Health advice will be sought regarding the employee's fitness to attend such meetings.

Where employees are members of the Local Government Pension Scheme and are deemed permanently unfit for work due to ill health reasons, the Council will explore the option of ill- health retirement with advice from HR and OH. Such decisions will be taken by the Chief Finance Officer (CFO), upon recommendation from OH with

HR involvement advising and supporting the employee appropriately. (Refer to Ill Health Retirement section for further information).

## 17. Sick Pay

Eligible employees are entitled to Statutory Sick Pay which is payable for up to 28 weeks in any one period of sickness absence at a rate set by the Government for the relevant tax year. In addition to Statutory Sick Pay, employees have a contractual entitlement to Occupational Sick Pay as follows:

Length of service with EEBC	Occupational Sick Pay entitlement
During the Settling In period:	One week's full pay; Statutory Sick Pay thereafter
On completion of the Settling In period and during 1 <sup>st</sup> and 2 <sup>nd</sup> year of service:	Two months full pay plus two months half pay
During 3 <sup>rd</sup> year of service:	Four months full pay plus four months half pay
During 4 <sup>th</sup> /5 <sup>th</sup> year of service:	Five months full pay plus five months half pay
After 5 years' service:	Six months full pay plus six months half pay

Occupational Sick Pay under the Council's scheme is subject to the usual deductions for income tax, national insurance, pension contributions, etc. and is calculated on a 12 month rolling period.

## 18. Restrictions on Occupational Sick Pay

The Council reserves the right to withhold Occupational Sick Pay (including its recovery where already paid) at its discretion. Circumstances in which Occupational Sick pay may be withheld include:

- Where an employee has failed to report sickness absence in line with the Council's absence reporting procedure and/or has not provided self-certificates/fit notes covering their period of absence
- Where an employee has refused a reasonable request to attend OH or has failed to attend an OH appointment without good reason
- Where an employee has made or produced a misleading or untrue statement or document concerning their fitness to work or has been found to have reported sickness dishonestly when they were fit to work
- Where an employee's conduct during sickness absence is unacceptable (e.g. deliberate action not to co-operate with the Absence Management procedure or doing anything which is inconsistent with the nature of the illness)
- Where an employee fails to seek and engage with medical advice to deal with any illness
- Where an employee's absence is due to cosmetic surgery or an elective procedure that is not medically ordained
- Where an employee has received compensation for loss of earnings
- Where an employee fails to return to work following the expiry of their Fit Note or where OH advise that they are fit to return
- Where an employee has sustained an injury in the course of other paid employment that the Council was not aware of
- Where an employee who is on sick leave is found to be working elsewhere
- Where an employee's sickness absence has resulted from their own misconduct or taking part in a dangerous hobby or sport.

The above measures do not affect an employee's entitlement to Statutory Sick Pay, although this may be withheld or suspended where no evidence of sickness is provided.

In some circumstances, the Council's Disciplinary Procedure may be invoked.

Payments made under the Council's Occupational Sick Pay (OSP) scheme are inclusive of any entitlement to Statutory Sick Pay (SSP) for the same period of absence. Continuous service with other local authorities and associated public bodies does not count for the purposes of calculating sick pay entitlement. Staff who have been TUPE transferred from other companies may retain the sick pay entitlements from their previous employee.

## **19. Absence Management Procedure – Informal Stage**

Managers should monitor and review employees' health concerns and sickness absence levels and raise concerns informally via their My Performance Conversations. Discussions may take place before a trigger point has been met. Managers must keep notes of My Performance Conversations where health concerns have been discussed with employees.

Managers must ensure that employees are aware of the Absence Management Procedure, including the trigger points for formal action in relation to sickness absence.

Managers will provide the opportunity for the employee discuss health related matters or concerns with them in confidence.

Managers will make employees aware of any assistance that may be available to support them in improving their sickness absence level (e.g. OH referral, reasonable adjustments). Managers will use the Reasonable Adjustment Request form and liaise with HR if a referral to OH is necessary.

Where an employee hits one of the Council's trigger points, managers will carry out a Wellbeing Meeting in line with the first formal stage of the Absence Management Procedure (Stage 1).

Employees are expected to make every effort to maintain their attendance at work and to engage with the support provided by their managers.

## **20. Absence Management Procedure – Formal Stages**

### **Wellbeing Meeting – Formal Stage 1**

#### **Stage 1 Invitation:**

Where an employee's absence hits one of the Council's absence trigger points, the employee will be invited to attend a Wellbeing Meeting at Stage 1 (first formal stage) of the Absence Management Procedure.

This meeting may take place while an employee is absent from work due to sickness where appropriate.



The invitation to the Wellbeing Meeting will be in writing, giving at least 7 calendar days' notice of the meeting (Link Stage 1 Invite Letter) and advising the employee of their right to be **accompanied** by a work colleague, Trade Union representative or SCG representative. This timescale may be shortened or waived at the employee's request if they wish to avoid delay.

The employee will be advised of the potential **outcomes of the Wellbeing Meeting**

Where an employee reaches the Council's absence trigger for long term absence (i.e. has been absent for 4 weeks) and remains absent from work, managers should liaise with HR and OH advice may be sought regarding the employee's fitness to attend the Wellbeing meeting.

The Stage 1 Wellbeing Meeting will be conducted by the employee's manager. A HR Advisor may also be in attendance.

The manager will liaise with HR to ensure that copies of any documents that will be referred to at the Wellbeing Meeting are shared with the employee **prior to the meeting** (e.g. Absence Management Policy and Procedure, the employee's absence record, notes of Return to Work discussions and My Performance Conversations where absence has been discussed, OH advice where this has been requested).

Managers will review the relevant documents with HR before sending them to the employee.

### **Stage 1 Wellbeing Meeting:**

At the meeting the manager will:

- Explain the reason for the meeting (i.e. that the employee's absence level has reached a trigger point)
- Review the employee's absences and reasons associated with these, ensuring that these have been recorded accurately
- Encourage employee to share their views and information
- Establish any underlying reasons associated with or contributing to the absence (e.g. family or work related issues)
- Discuss any support required (e.g. OH referral, Employee Assistance Programme)
- Where applicable, discuss the need for reasonable adjustments to be considered (and complete a Reasonable Adjustment Request form)
- Where applicable, discuss the impact of the absence on the employee's pay (e.g. reduction to half/ no sick pay).
- Discuss and agree any steps that can be put in place to help the employee to improve their attendance.

Where appropriate, the manager will liaise with HR to refer the employee to OH for advice on ongoing health concerns, reasonable adjustments or fitness to undertake their duties.

Where OH advice has already been received, the manager will discuss any recommendations made by OH with the employee.

The Wellbeing meeting may be adjourned where a manager is awaiting receipt of information, requires further information or to give consideration to new information.

The employee will be given reasonable opportunity to consider any new information obtained before the meeting is reconvened.

Where an employee fails to attend an OH appointment or refuses to give consent to release information to the Council, decisions may be made without the benefit of this information.

Notes will be taken at the meeting ensuring the outcome letter provides a clear and factual account of the discussion.

### **Stage 1 Outcome**

The manager will confirm the outcome of the Wellbeing Meeting to the employee, in writing, **within 7 calendar days** of the meeting. (Link to Stage 1 Outcome letter).

The manager will set a review period of 6 months, during which the employee's absence will be monitored at Stage 1 of the Absence Management Procedure. The review period will commence on the day after the Wellbeing Meeting is held.

The manager will make the employee aware that, should a further absence trigger be reached during the 6 months formal review period, the Stage 1 review meeting will be brought forward.

In exceptional circumstances, where it is agreed that no further action will be taken in line with Stage 1 of the Absence Management Procedure, a letter will be sent to the employee setting out the reasons for the decision.

Managers will ensure that OH advice is taken when considering reasonable adjustments due to a disability to ensure that the employee is supported appropriately.

### **Stage 1 Review**

At the end of the review period, the employee's absence levels will be reviewed using the Review Checklist. The manager will record and gather relevant information, for example:

- The employee's attendance during the review period
- Any further sickness absences, including the reason(s) for the absence(s)
- Records of return to work discussions (if applicable)
- Any OH advice received (if applicable)
- Notes of My Performance Conversations where sickness absence has been discussed
- Reasonable adjustment request form (if applicable)

The manager will meet with the employee to discuss the outcome of the Stage 1 Review period.

Where the employee's sickness absence levels have improved (i.e. no further absence triggers have been reached) during the formal review period, no further formal action will be taken. The manager will write to the employee to confirm that the Stage 1 review has been successfully concluded.



The manager will advise the employee that their attendance will continue to be monitored and that, if their absence level meets a further trigger point within the next 12 months, they will re-enter the Absence Management Procedure at formal stage 2.

Where the employee's sickness absence levels have not improved (i.e. further absence triggers have been reached) during the formal review period, the manager will write to the employee to invite them to an Absence Management Meeting at formal Stage 2 of the Absence Management Procedure.

Where the employee's absence level has deteriorated during the 6 month review period (i.e. a further trigger point has been reached), the manager will seek HR advice and bring forward the Stage 1 review meeting (so that it is held before the end of the 6 month review period).

Employees will be informed in writing of their position at each formal stage of the process in line with the Absence Management Procedure.

#### **Outcomes Stage 1 Review:**

- **Escalate to Stage 2 Meeting:** Where an employee's absence levels have not improved (i.e. a further trigger point has been reached), or the employee has not returned to work during the Stage 1 review period, an escalation to Stage 2 will be considered with HR advice.
- **12 month "Live" period:** Where an employee's absence level has improved during the Stage 1 review period (i.e. no further trigger points have been reached) the Stage 1 review will be concluded and the employee will enter into a 12 month 'live' period. If the employee reaches a further absence trigger within the 12 month "Live" period, the manager will write to the employee to invite them to an Absence Management Meeting at formal Stage 2 of the Absence Management Procedure.

#### **Absence Management Meeting - Formal Stage 2**

##### **Stage 2 Invitation:**

Where an employee's attendance has not improved to an acceptable level during the Stage 1 review period (i.e. a further trigger point has been reached), employee will be invited to attend a Stage 2 Absence Management Meeting, which will be conducted by their manager.

The invitation to the Absence Management Meeting will be in writing, giving at least 7 calendar days' notice of the meeting. (Link Stage 2 Invite Letter) and advising the employee of their right to be **accompanied** by a work colleague, Trade Union representative or SCG representative. This timescale may be shortened or waived at the employee's request if they wish to avoid delay.

The employee will be advised of the potential **outcomes of the Absence Management Meeting (refer to para xx)**.

The Stage 2 Absence Management Meeting will be conducted by the employee's manager. A HR Advisor will also be in attendance.

The manager will liaise with HR to ensure that copies of any documents that will be referred to at the Absence Management Meeting are shared with the employee **prior**

**to the meeting** (e.g. Absence Management Policy and Procedure, the employee's absence record, Stage 1 invitation and outcome letters, notes of Return to Work discussions and My Performance Conversations where absence has been discussed, OH advice where this has been requested).

Managers should review the relevant documents with HR before sending them to the employee.

### **Stage 2 Meeting**

At the Absence Management meeting the manager will:

- Explain the reason for the meeting (i.e. that the employee's absence level has reached a further trigger point during the Stage 1 review period or 12 month "Live" period)
- Review the employee's absences and reasons associated with these, ensuring that these have been recorded accurately
- Encourage the employee to share their views and information
- Discuss any progress, improvements or deterioration in the employee's health and the effectiveness of any support put in place at Stage 1
- Establish any underlying reasons associated with the absence (e.g. family or work related issues)
- Discuss any further support required (e.g. OH referral, Employee Assistance Programme)
- Where applicable, discuss the need for reasonable adjustments to be considered (and complete a Reasonable Adjustment Request form)
- Where applicable, discuss the impact of the absence on the employee's pay (e.g. reduction to half/ no sick pay).
- Discuss and agree any steps that can be put in place to help the employee to improve their attendance.

Where appropriate, the manager will liaise with HR to refer the employee to OH for advice on ongoing health concerns, reasonable adjustments or fitness to undertake their duties.

Where OH advice has been received, the manager will discuss any recommendations made by OH with the employee.

Where an employee fails to attend an OH appointment or refuses to give consent to release information to the Council, decisions may be made without the benefit of this information.

Notes will be taken at the meeting ensuring the outcome letter provides a clear and factual account of the discussion.

Where a referral to OH is made, the manager will give consideration to the timing of the Stage 2 meeting to ensure that they are in receipt of all information necessary to make an informed decision. However, the Stage 2 Meeting will not be unnecessarily delayed.

## **Stage 2 Outcome**

The manager will confirm the outcome of the Attendance Management Meeting to the employee, in writing, **within 7 calendar days** of the meeting. (Link to Stage 2 Outcome letter).

The manager will set a further review period of 6 months, during which the employee's absence will be monitored at Stage 2 of the Absence Management Procedure. The review period will commence on the day after the Absence Management Meeting is held.

The manager will make the employee aware that, should a further absence trigger be reached during the 6 months formal review period, the Stage 2 review meeting will be brought forward.

In exceptional circumstances, where it is agreed that no further action will be taken in line with Stage 2 of the Absence Management Procedure, a letter will be sent to the employee setting out the reasons for the decision.

Managers must ensure that OH advice is taken when considering reasonable adjustments due to a disability to ensure that the employee is supported appropriately.

The manager will advise the employee that failure to improve their absence level during the Stage 2 review period may lead to a referral to a Capability Meeting in line with Stage 3 of the Absence Management Procedure.

The employee will be given the right to appeal against the decision to monitor their absence at Stage 2 of the Absence Management Procedure.

## **Stage 2 Review**

At the end of the review period, the employee's absence levels will be reviewed using the Review Checklist. The manager will record and gather relevant information, for example:

- The employee's attendance during the review period
- Any further sickness absences, including the reason(s) for the absence(s)
- Records of return to work discussions (if applicable)
- Any OH advice received (if applicable)
- Notes of My Performance Conversations where sickness absence has been discussed
- Reasonable adjustment request form (if applicable)

The manager will meet with the employee to discuss the outcome of the Stage 2 Review period.

Where the employee's sickness absence levels have improved (i.e. no further absence triggers have been reached) during the formal review period, no further formal action will be taken. The manager will write to the employee to confirm that the Stage 2 review has been successfully concluded.

The manager will advise the employee that their attendance will continue to be monitored and that, if their absence level meets a further trigger point within the next 12 months, they will re-enter the Absence Management Procedure at formal Stage 3.

Where the employee's sickness absence levels have not improved (i.e. further absence triggers have been reached) during the formal review period, the manager will write to the employee to invite them to an Capability Hearing at formal Stage 3 of the Absence Management Procedure.

Where the employee's absence level has deteriorated during the 6 month review period (i.e. a further trigger point has been reached), the manager will seek HR advice and bring forward the Stage 2 review meeting.

Employees will be informed in writing of their position at each formal stage of the process in line with the Absence Management Procedure.

### **Stage 2 Review Outcome**

The Line Manager will discuss and review with HR. Outcomes are as follows:

- **Escalate to Stage 3 Capability Hearing:** Where an employee's absence levels have not improved (i.e. a further trigger point has been reached), or the employee has not returned to work during the Stage 2 review period, an escalation to Stage 3 will be considered with HR advice.
- **12 month "Live" period:** Where an employee's absence level has improved during the Stage 2 review period (i.e. no further trigger points have been reached) the Stage 2 review will be concluded and the employee will enter into a 12 month 'live' period. If the employee reaches a further absence trigger within the 12 month "Live" period, the manager will write to the employee to invite them to a Capability Hearing at formal Stage 3 of the Absence Management Procedure.

### **Capability Hearing - Formal Stage 3**

#### **Stage 3 Invitation:**

Where an employee's attendance has not improved to an acceptable level during the Stage 2 review period (i.e. a further trigger point has been reached), or where it has not been possible to facilitate a return to work for an employee with long term absence, the manager will consult HR, who will convene a formal Capability Hearing in line with Stage 3 of the Council's Capability Procedure.

### **Appeals**

An employee has the right to appeal against formal action taken in line with the Absence Management Policy and Procedure following either Stage 2 or 3 meetings. Appeals will be heard in line with the Council's Appeals Procedure.

## **21. Sickness Absence and Annual Leave**

### **Annual Leave during sickness absence:**

Employees who are absent from work due to sickness will continue to accrue annual leave and may request to take annual leave **during a period of sickness absence**. Where sickness absence has impacted pay, employees may wish to use their annual leave to continue to receive payment. Where an employee wishes to take annual leave during sickness absence, the request must be submitted in writing to their

manager for authorisation in line with the procedure set out in the Council's Employment E-Book. Employees are not expected to go away on holiday when absent due to sickness unless this is supported by their GP.

**Sickness absence during annual leave:**

Where employees fall sick whilst on annual leave and wish to reclaim their leave, they will be required to comply with the Council's sickness reporting procedures and provide a Fit Note to cover the period of leave they wish to reclaim. Employees must submit a written request no later than 7 calendar days from their return to work date, providing details of the days affected by sickness that they wish to reclaim. Where the above conditions are met, the Council will re-credit the days affected by sickness or injury to be reclaimed as annual leave.

**22. Sickness During the Working Day**

Employees who leave work during the working day due to illness must first report this to their manager. The absence will be classed as a full or part day's absence for sick pay and recording purposes. The employee will be required to self-certify and attend a return to work interview.

**23. Use of Accrued Annual Leave after Returning to Work**

Where an employee is unable to use their contractual annual leave entitlement due to sickness absence they will be given the opportunity to take the leave at a later date. Where possible, an employee who returns to work in the same leave year should take their accrued annual leave entitlement by 31 March. If the employee is unable to use their accrued leave by this date, the manager should liaise with HR regarding carrying forward leave in excess of the normal limits into the next leave year. Employees returning to work in a new leave year have the right to the annual leave they have accrued during their sickness absence in the previous leave year to be carried forward into the new leave year. Where this applies, employees must use all carried forward leave in a block immediately after their return to work date or to assist with extending a phased return to work.

**24. Cosmetic or Elective surgery related absence**

Time off for surgery, treatment and recuperation that relates to a medical or psychological condition and is supported by a Fit Note will be treated as sick leave. In cases of elective surgery, annual leave should be taken in the first instance. In exceptional circumstances, unpaid leave may be granted subject to the operational needs of the Council.

Elective surgery is surgery that is not considered to be medically necessary, including cosmetic procedures through surgical and medical techniques. Requests for time off for surgery, treatment and recuperation should follow the normal process for requesting annual leave or unpaid leave. ***In the event that such treatment results in an employee becoming unfit for work (e.g. due to infection or other complications), the usual sickness absence provisions will apply, including procedures for certification.*** If the cosmetic surgery is linked to a disability, managers must seek HR advice.

## 25. Pregnancy Related Absence

Where an employee is absent from work due to symptoms that are directly related to her pregnancy, managers must record these absences and continue to monitor them. **However, these absences will not be counted towards absence triggers.** Maternity Leave and Statutory Maternity Pay will start automatically if the employee is absent from work due to a pregnancy-related illness in the 4 weeks before the baby is due, regardless of what has previously been agreed.

## 26. Medical Appointments

Where possible, employees should make medical/dental appointments outside of their normal working hours or in their lunch break. Where this is not practical, time off must be agreed in advance with their manager and the employee will be required to make up the time.

Employees must obtain authorisation from their manager for any Hospital / Consultant / Specialist Clinic appointments in advance and time off will be paid. Managers will use their discretion to allow a reasonable amount of paid time off to attend appointments. Advice should be sought from HR as appropriate.

Employees must provide managers with proof of their appointment (e.g. an appointment card or copy of the appointment letter) when requesting time off to attend hospital appointments. Necessary paid time off will be given for the purpose of cancer screening. Employees taking leave to undertake fertility treatment can do so in line with the Maternity procedure.

## 27. Accident or Injury at Work

Employees who consider their illness/absence arises from an incident/accident or injury at work must notify their Manager as soon as reasonably practical. The manager is responsible for ensuring the **Accident Reporting Form** is completed. (LINK to Accident Reporting Form). Managers must inform Council's Health and Safety Advisor and HR as soon as possible.

Employees absent from work due to accident or injury at work are subject to the provisions of the Absence Management Procedure.

## 28. Suspension on Medical Grounds

The Council has a duty to ensure the health and safety of its employees. In certain circumstances it may be appropriate to medically suspend an employee in line with the Council's Suspension Procedure. Medical suspension is on full pay and does not impact on sick pay entitlements. **It is also not a period of sickness absence and must not be recorded as such.**

Where employees and their GPs consider they are fit to return to work (with or without adjustments) and the manager and HR, believe they are not, managers may refer employees to OH before allowing the employees to return back to work.



If the GP recommends any adjustments which, having undertaken the necessary risk assessment, the manager cannot accommodate, employees will remain off sick for the period specified on the Fit Note.

## **29. Terminal Illness**

Where an employee is formally diagnosed with a terminal illness, the formal stages of the Absence Management Procedure will not apply. Managers and HR will deal with such situations compassionately considering the wishes of the employee and their financial situation as well as the needs of the organisation.

## **30. Drug, Alcohol and Substance Misuse**

Where an employee's absence is a result of a suspected or admitted substance misuse problem, managers must seek advice from HR and Occupational Health as appropriate. Please refer to Council's Drug, Alcohol and Substance Misuse Procedure.

## **31. Absence due to work related stress**

The Council will take positive steps to reduce stress at work by identifying problems and dealing with them sensitively. **Signs of work related stress include:**

- Changes in the person's usual behaviour, mood or how they interact with colleagues
- Changes in the standard of their work or focus on tasks
- Appearing tired, anxious or withdrawn and reduced interest in tasks they previously enjoyed
- An increase in sickness absences and/or turning up late to work

**Where an employee is showing signs of being stressed at work, managers may:**

- Initiate an informal conversation in a private space (maintaining confidentiality)
- Encourage or empower employees to talk, giving them plenty of time to do so
- Consider the potential causes of the stress and any actions they may take to alleviate this

Where an employee reports that they have been affected by work related stress or they have been absent due to work related stress, managers must seek HR and Occupational Health advice as soon as they have been informed. Managers must carry out a stress risk assessment.

## **32. Absence due to mental health issues**

Mental health issues are a major cause of sickness absence and early intervention is often key in preventing long term absence.

**Causes of mental ill health include:**

- Unmanageable work load
- Poorly defined job roles
- Lack of work life balance
- Poor working relationships
- Organisational changes

Where an employee is absent from work due to mental health issues, managers must seek advice from HR and Occupational Health and will be offered additional support via the Council's Employee Assistance programme.

### **33. Dual Employment**

Employees must make their managers aware if they have more than one employment. The Council recognises that different jobs have different responsibilities and therefore may impact differently on an employee's health.

The Council will take into account the specific circumstances, however, if it is found that the employee's second job impacts negatively on the employee's recovery, the Council reserves the right to withhold Occupational Sick Pay and disciplinary action may be taken.