

Hartley Wintney Parish Council – Sickness Absence Policy

1. Scope

1.1 This policy and procedure applies to all employees of Hartley Wintney Parish Council.

2. Policy

2.1 The Council aims to secure the attendance of employees throughout the working week. However, it recognises that a certain level of absence may be necessary due to sickness, through illness or injury.

2.2 It is the Council's policy to offer as far as is possible, security of employment during such periods, subject to operational requirements and the conditions below.

3. Related policies and procedures

3.1 This policy is to be read in conjunction with the Council's Health & Safety, Discipline and Grievance policies.

4. Procedure

4.1 Notification and Certification

4.1.1 If an employee is unable to attend work due to sickness, they or someone on their behalf must notify the Council by phoning the employee's Line Manager as soon as possible, but no later than the end of the working day on which the absence first occurs. Alternatively notification may be made in person by the employee or their representative. A text message is not sufficient. The conversation should indicate the reason for the absence and, if possible, when the employee expects to return to work.

4.1.2 The employee must complete a self-certification form for the first seven calendar days of all sickness absences and give it to their Line Manager. This form can be completed on the employee's return to work if their absence lasts less than seven calendar days. Otherwise, they must request a copy form and complete and post it to their Line Manager as soon as possible. <https://www.gov.uk/government/publications/statutory-sick-pay-employees-statement-of-sickness-sc2>

4.1.3 If the employee is absent by the eighth day (including Saturday and Sunday), they must send a fit note, issued by their GP, to their Line Manager. Current fit notes must cover subsequent periods of absence. The employee should also keep in touch with their Line Manager regarding their condition and likely return to work date.

4.1.4 If an employee is sick during a period of leave they must still comply with the reporting procedure as above to ensure that they retain leave when they are sick. Failure to do so will mean that the unreported days will still be considered as leave.

4.1.5 If the employee does not follow this procedure, they may be dealt with under the Council's Disciplinary Policy. Furthermore, the employee's contractual sick pay and statutory sick pay (SSP) may be withheld.

4.2 Return to Work

4.2.1 The employee will not be allowed to return to work until their GP deems that they are fit to return.

4.2.2 Requests for temporary adjustments to the employee's working conditions will be considered by the Council and will be accommodated wherever possible and if Council's circumstances permit.

4.2.3 In the case of extended periods of absence, the Council may require that the employee's fitness to return is confirmed by a medical practitioner of the Council's choice.

4.2.4 Regardless of their length of absence, the employee will be interviewed by their Line Manager on their return to work in order to:

- check on the employee's fitness to return
- ensure that all the support the employee needs is in place
- bring the employee up to date on any changes

5. Fit Notes

5.1 An employee's GP might indicate on a fit note that the employee "may be fit for work". If this option is selected the GP will also identify potential amendments that should be made, selecting from:

- phased return to work
- amended duties
- altered hours
- workplace adaptations

5.2 If a fit note is received their Line Manager will contact the employee and arrange for a meeting between the employee and the Clerk. At this meeting the suggested amendments will be discussed with the aim of facilitating the employee's return to work. If the suggested amendments are not possible the employee will remain on sick leave. If amendments are possible the employee will return to work, but regular reviews will be carried out to ensure that the amendments are adequate. It should be noted that any amendments are not to be viewed as a permanent change to the contract of employment.

6. Medical Examination

6.1 The Council reserves the right to require the employee to be examined by a practitioner of its choice to seek an occupational health medical opinion. This will enable the Council to assess the employee's job specification against their medical condition thus protecting both the Council and the employee. (A refusal to be examined may lead the Council to take disciplinary action against the employee, up to and including dismissal.)

7. Access to Medical Reports

7.1 In order to gain as much information about the employee's medical condition as possible, the Council may also request the employee's permission to contact his or her GP and ask for a medical report on the employee's condition. The employee may ask to see this report.

8. Extended Absences

8.1 The Council will be sympathetic when an employee is ill, but the employee should appreciate that if they are persistently absent through ill-health or long-term injury or incapacity, it will not be possible for the situation to continue indefinitely, and their employment may be reviewed or terminated. Termination will not take place without:

- full consultation with the employee
- medical investigation
- a consideration of alternative employment

8.2 Where a return to work does prove possible, the Council may require that the employee's fitness to return is confirmed by a practitioner of the Council's choice.

9. Meetings/ Home Visits

9.1 During any absence it is important that the employee keeps in touch so that the Clerk is kept informed of the employee's health and likely return-to-work date. The employee will therefore be periodically asked to attend meetings with their Line Manager, in order to provide information and facilitate an effective return to work, thus protecting both the Council and the employee. If the employee is too unwell or physically unable to leave their home, the Council reserves the right to visit him or her at home.

10. Disability

10.1 If the employee has a condition that means they might be considered disabled within the meaning of the Equality Act 2010, the Council will attempt to make reasonable adjustments to their

job to accommodate their requirements. The employee will be fully consulted at all times. If reasonable adjustments or alternative employment prove not to be viable options, and there is no likelihood of a return to work in the near future, a decision to dismiss may be the inevitable outcome.

11. Dismissal and the Right to Appeal

11.1 In the event of a dismissal, the reason for the dismissal and the circumstances leading up to that decision will be documented in writing to the employee. The employee may appeal against their dismissal by writing, within five working days of their receipt of the dismissal letter to the Chairman of the Policy Committee, stating the grounds on which they wish to appeal. The appeal will be heard in accordance with the Council's disciplinary appeals procedure. This right also applies to 'action short of dismissal' such as alteration of duties.

12. Payment Arrangements

12.1 Statutory Sick Pay (SSP)

The employee's SSP qualifying days are either Monday to Friday or, in the case of part-time employees, those days that he or she normally works. If the employee is eligible for the payment of SSP, it will be subject to the deduction of tax and National Insurance contributions.

12.2 Contractual Sick Pay

The Council operates a council sick pay scheme. Information relating the scale of payment is in the employee's contract of employment.

12.3 Long Term Sickness Absence

For the purpose of calculating Contractual Sick Pay, in accordance with the employee's contract of employment, the definition of long term sickness absence is a period of more than four weeks¹.

13. Return of the Council's Equipment

13.1 If the employee is off sick for an extended period of time (e.g. four weeks or more) the Council may require them to return Council equipment until they are well enough to return to work. If the employee does not return to work following a period of sickness absence, they will be required to return all outstanding Council equipment and uniform on the date of termination of his or her employment.

14. Abuse of this Policy

14.1 Any abuse in the application of this policy will be dealt with in accordance with the Council's Disciplinary Procedure and may possibly result in disciplinary action being taken, up to and including dismissal.

15. Alterations and Amendments to this Policy

15.1 This policy and procedure does not form part of employees' contractual rights. The Council reserves the right to revise the contents of this policy and procedure from time to time or withdraw it at its absolute discretion, in accordance with the needs of the Council.

Additional information

For further information, please contact the Executive Clerk or the Chairman of the Policy Committee.

Amendment Record

- Version 1: Initial Issue as Interim Policy – 29th April 2013
Adopted by Full Council 3rd March 2014
- Version 2: Initial Issue as Interim Policy – 20th March 2017
Adopted by Full Council – 3rd April 2017
- Version 3: Reviewed by Policy Committee – 8th October 2018
Adopted by Full Council – 5th November 2018

¹ Based on guidance on www.gov.uk/taking-sick-leave