PORINGLAND PARISH COUNCIL

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Absence Management Policy

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Approved by	Full Council
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This is a non-contractual policy that does not require approval from employees before changes are made. Staff will remain bound by amended non-contractual policies.

ABSENCE MANAGEMENT POLICY

Introduction

Poringland Parish Council aims to promote positive attendance levels at work at all times, whilst recognising that absences will occur for a variety of reasons. When absences occur the Council will manage such situations in line with the policy and procedure set out below which comply with both the letter and the spirit of the law.

It is a term of your contract of employment that you will comply at all times with the absence management policy and procedure.

The Council is committed to promoting and maintaining the health and wellbeing of all of its employees. This policy provides a fair and consistent framework for supporting staff that are absent due to sickness. Whilst the Council adopts a supportive approach, it is aiming to achieve a balance between the needs of the individual and the needs of the organisation.

The purpose of this policy is to let employees know what is expected from them, and what they can expect from the Council in the event of both short term and long term absences. Long term absences are classified as absence longer than a period of one month.

The Parish Clerk will monitor and manage absence levels through the time recording mechanisms in place to ensure that potential problems are recognised and resolved at an early stage. A sensitive and compassionate approach will be taken to managing absence, and all employees will be treated fairly and consistently.

Absences for dental or medical appointments, maternity/paternity leave or parental leave will not be recorded as sick leave, and wherever possible should be planned and agreed in advance. Any information about employee absences will be treated confidentially.

Employees have a duty under their terms and conditions of employment to be at work, and when unable to be at work, are expected to adhere to their responsibilities as set out in this policy and procedure.

On the first day of absence, employees must telephone and report sickness absence as early as possible to their manager, preferably before but no later than their normal starting time. If the manager is not available a message should be left for them to contact him/her as soon as possible. Where the Clerk is sick, absence must be reported to the Chairman or Vice Chairman of the Council.

Contact should be made personally (not a spouse/family member/friend) by telephone, not by text or e-mail. A contact number must also be provided. The Council recognises that there may be some exceptional circumstances where an employee may be unable to contact management personally due to ill health (e.g. admittance to hospital).

Employees should provide the following information to management when they report their absence:

- when he/she became ill;
- the broad nature of the illness;
- whether the illness is due to an accident or injury at work;
- whether he/she will be seeking medical attention;
- the likely date of return (if known).

Where an absence lasts four calendar days or more he/she should update management and agree how to keep in regular contact thereafter, e.g. twice per week.

On the eighth calendar day of absence he/she will need to obtain a Doctors Certificate/Fit Note from a GP and submit this to management. He/she will need to continue to send in Certification for the duration of the absence and keep management advised of his/her health and progress towards returning to work.

Failure to follow these reporting procedures may result in disciplinary action.

All employees are expected to follow all recommended medical advice or treatment in order to facilitate a prompt return to work.

Medical Appointments

Wherever possible, employees should make medical/dental appointments outside of normal working hours. However, where this is not practical, they must be made to cause minimal disruption to the working day, i.e. lunchtime, early, late appointments. Employees are required to advise management of any medical appointments at the earliest possible opportunity, and seek agreement for the (unpaid) time off, where necessary.

Sick pay

The contract of employment sets out each employee's sick pay arrangements. Employees may not qualify for sick pay if they do not following the correct reporting procedure (detailed below) to inform the Council of their absence.

Authorised Absence
Employees should inform their line manager if they require any time off work, giving as much notice as possible, to ensure that there is the least amount of disruption to the Council. Absence will (wherever possible) be authorised in the following situations:

- doctors appointments;
- hospital appointments;
- dentists appointments;
- jury service;
- emergency situations;
- maternity/paternity/adoption leave;
- parental leave.

Unauthorised Absence
All absences that have not been notified to, or approved by the Council as set out above will be treated as unauthorised absence, unless a reason is subsequently given that the Council finds acceptable.

Return to Work meeting
On return to work from any absence, employees will be invited to meet with his/her line manager in order to complete a return to work form **(Appendix 1).** The aim of this meeting is for an informal 'check in' to ensure that employees feel fully supported and have the opportunity to highlight any concerns and/or requirements moving forwards and the line manager is able to discuss implementation of any support required.

Resolving Frequent Short Term absence
Where an individual's absence level meets one of the following **trigger points**, the manager or the Parish Clerk will review the absence levels with the employee.

- 3 or more instances of sickness absence in any rolling 3 month period.
- 10 or more days of absence in any rolling 12 month period.
- Any other recurring recognisable patterns, such as frequent absenteeism on a particular week day.
- All long term absences of one calendar month or more.

Informal Review Meeting
In the first instance the manager will meet the employee to discuss the significance of the absence, explore the reasons, identify areas for support, and if necessary review/update the risk assessment.

Formal Review Meeting
Where the absence is continuing or significant management may ask you to attend a formal meeting. The purpose of the meeting is to establish the underlying medical reason for the absence/s and to discuss what support might be offered to enable you to deliver satisfactory performance. You will be informed in writing of the date, time and place of the meeting. You must take all reasonable steps to attend the meeting. If for any reason the date is not suitable, you should advise management of an alternative time when you are available. This should be within 10 working days of the original date. You have the right to be accompanied to the meeting by a colleague or a trade union official (normally internal to the Council).

The following outcomes might be agreed:

- The employee may be required to submit a medical certification from their doctor for every instance of absence over an agreed period.
- Advice may be sought from an Occupational Health Practitioner.
- Other support mechanisms may be identified and implemented.
- Reasonable adjustments such as changes to the workload, work practices or work pattern.
- Redeployment may be identified (subject to Occupational Health agreement). If redeployment is agreed there will be no salary protection, the employee will receive the rate of pay applicable to the new post.

The employee may also be placed on a **Performance Improvement Plan** and be subject to a capability process. The line manager will write to the employee within 10 working days of the meeting, confirming the points discussed and actions agreed. A copy of this letter will be placed on the employee's personnel file.

Performance Improvement Plan
Targets set will take into account the following:

- Job responsibilities
- Trigger for monitoring sickness
- Average sickness across the team over the last year
- The employee's attendance over a specified period normally the employee's attendance over the last twelve months.
- Operational demands.

At the end of the Performance Improvement Plan, if improvement has not been made to the required level, the employee will be invited to attend a Sickness Absence Management Hearing.

Sickness Absence Management Hearing
Where appropriate the Council may require the employee to attend an Occupational Health appointment, resulting in a report to the Employer and Employee. If there are underlying medical problems or factors which could be exacerbated by the absence management process, the Council will modify the process so far as is reasonably practicable.

Procedure
Employees will be informed in writing of the date, time and place of the hearing. Employees should take all reasonable steps to attend. Alternatively, a colleague or internal representative may attend in their absence. If for any reason the date is not suitable, employees should advise management of an alternative time when they are available. This should be within 10 working days of the original date.

Where you are able to attend in person you have the right to be accompanied to the hearing by a colleague or internal representative. They can give you advice and support and address the hearing but may not answer questions on your behalf.

The Hearing Manager, once they have considered all information available, may decide on the following outcomes:

- No further action
- Further review, coaching, or occupational health advice
- Suitable alternative employment within the Council
- Verbal warning
- Written warning
- Final written warning
- Dismissal

Whenever possible the Hearing Officer will inform the employee of the decision on the day of the hearing and will write to the employee within 10 days confirming the outcome.

Dismissal
When reaching a decision about whether or not to terminate employment the Hearing Officer will consider issues such as:

- The need for the work to be undertaken
- 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
- What actions have been taken to attempt to enable the employee to continue
- 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 both the employee and the Council.

Right of Appeal against Dismissal
If you are dismissed you can appeal against the decision. You must appeal in writing to the Chairman of the HR Advisory Group within 10 working days of the decision being communicated to you.

You will be informed in writing of the date, time and place of the appeal hearing. You must take all reasonable steps to attend the hearing. If for any reason the date is not suitable, you should advise management of an alternative time when you are available. This should be within 10 working days of the original date.

Where possible, the appeal hearing will be heard by a different manager/member of the HR Advisory Group to the manager who heard the original hearing. Where no suitably qualified individual is available, an external Hearing Officer will be engaged.

You have the same rights to be accompanied at the appeal hearing as the original hearing.
After the appeal meeting you will be informed of the final decision. Should any warning or penalty be withdrawn, reference to action will be removed from your personal file.

Managing Long-Term Absence
Continuous absences of one calendar month or more are considered long term.
Management will contact the employee on a regular basis, at their home if appropriate, in order to keep up to date with progress, identify areas for support and determine whether any other actions should be taken. An internal representative or work colleague may accompany the employee.
The employer may request a professional medical report from the Occupational Health Practitioner or the Employee's GP to establish the underlying medical condition, an indication of the likely duration of the employee's absence and whether steps can be taken to enable the employee to return to work.

Each instance of long-term ill health will be managed according to the individual circumstances. However likely actions include:

- Regular review dates
- Reasonable adjustments such as changes to the workload, work practices or work pattern may be implemented, either as part of phasing the employee back to work or on a more permanent basis.
- Phased return to work

Absence Management Actions
The Council will endeavour to support employees back to work following any short or long period of absence. To manage absence effectively the Council will:

- promote regular contact;
- request Doctor's Certificates/Fit Notes (after eight calendar days absence) and other relevant documentation;
- make reasonable adjustments in the workplace.

In addition, disciplinary proceedings will be initiated in the following situations:

- an employee's absence gives cause for cause in terms of reason, pattern or amount;
- the absence notification procedure has not been followed.

Breach of Sickness Procedure
Failure to comply with this procedure can result in the employee losing their statutory sick pay, and may result in disciplinary action in the following situations:

- Deliberate falsification of self-certification form or doctors statement
- Failure to follow notification rules without good reason (see note below)
- Failure to supply doctors statements
- Unsatisfactory reasons for being absent from work

Undertaking paid or unpaid employment elsewhere whilst absent will automatically result in the employee's salary being stopped. This is considered to be a breach of contract.

Compassionate Leave
In most circumstances staff will be expected to use their annual leave or time off in lieu to meet most personal or family emergencies. In planning the taking of leave throughout the year staff should have in mind that they need to cope with an emergency which is part of everyday life. It should not be assumed that any emergency could be met by compassionate leave.

Close Relatives – Staff may be granted up to 5 days leave of absence with pay in cases of the death of a close relative. This is at the absolute discretion of the Parish Clerk. Annual leave should not be taken into account in these circumstances. A close relative is described as:

- Wife
- Husband
- Partner
- Parent
- Child or grandchild
- Other dependent (i.e. someone for whom you may care)
- It could also be someone who has acted as a sole carer for you (i.e. grandparent, foster family etc.)

Other family members – Staff may be granted paid time off to attend the funeral of a brother or sister, brother or sister – in- law or grandparent (or person standing in a similar relationship) This would normally be one day but up to 3 days may be granted where this is deemed appropriate, for example if the employee is responsible for making funeral arrangements, or there is significant travelling required. Annual leave should not be taken into account in these circumstances.

Critical Illness – To help deal with a critical illness of a close relative or where they are a carer for another individual (elderly neighbour who has no other support etc) staff may be granted up to 5 days leave in any leave year. Annual leave should not be taken into account in these circumstances.

Compassionate leave can be approved by the Parish Clerk up the 5-day (paid) maximum. It is important to recognise that from time to time staff may need to be granted leave with minimum notice, to make arrangements for dependant relatives. In emergencies staff will be granted leave immediately and arrangements made for consideration to be given to whether or not annual leave, compassionate leave, or unpaid leave is granted at a later date. Staff shall manage their leave entitlement to enable, as far as possible, for the needs of personal/family emergencies to be met. In the event of a bereavement, or critical illness where the member of staff is the carer, requiring leave in excess of the provisions above, consideration should be given to their outstanding leave entitlement or any leave time the employee has accrued and which might be used to meet the requirement. In exceptional cases unpaid leave will be considered, depending on the circumstances.

Domestic Emergencies

The Council recognises that staff will occasionally experience unforeseen emergencies at home, such as burst pipes, the failure of a heating system, a fire or a burglary. This policy is intended to allow those who experience genuine domestic emergencies to take a reasonable amount of time off during normal hours of work in order to deal with that emergency. This policy does not, however, apply to dealing with planned domestic issues, such as routine house or appliance repairs, house refurbishment, the installation of new appliances, the delivery of furniture or other goods, house valuations etc.

In the event of a domestic emergency occurring while at work, staff must immediately inform the Manager or the Chairman, Vice Chairman of the nature of the emergency and seek their express permission to leave work early.

In the event of a domestic emergency occurring outside normal hours of work, staff must contact the Manager or the Chairman, Vice Chairman at the earliest possible opportunity and as close to the normal start time as possible.

Once the immediate crisis has been taken care of, staff are expected to return to work.

There is no contractual right to be paid for approved absences relating to domestic emergencies. Any payment of salary during time off is made at the absolute discretion of the Council.

The Council reserves the right to ask for supporting evidence of the domestic emergency on return to work. It is a serious disciplinary offence to dishonestly take time off to deal with a domestic emergency. Any offence will be dealt with in accordance with the disciplinary procedure and, depending on the circumstances, could amount to gross misconduct rendering you liable to summary dismissal.

Time off for dependants

All staff are entitled to take a reasonable amount of time off during normal hours of work in order to deal with family emergencies. There is no contractual or statutory right to be paid for absences relating to family emergencies. Any payment of salary during time off is made at the absolute discretion of the Parish Clerk.

The right to take time off enables staff to deal with an unexpected or sudden problem and make any necessary longer term arrangements:

- If a dependant falls ill or has been involved in an accident or assaulted
- When a partner is having a baby
- To make longer-term care arrangements for a dependant who is ill or injured
- To deal with the death of a dependant, for example, making funeral arrangements
- To deal with an unexpected disruption or breakdown in care arrangements for a dependant, for example, when a child-minder fails to turn up
- To deal with an incident involving your child whilst they are at school.

For these purposes, a “dependant” is a spouse, partner, child or parent or someone who lives as part of the family. It does not include tenants, boarders or employees living in the family home. In cases of illness, injury or where care arrangements break down, a dependant may also be someone who reasonably relies on the member of staff for assistance. This may be where you are they are the primary carer or the only person who can help in an emergency.

In the event of a family emergency occurring while at work, staff must immediately inform the Manager or the Chairman, Vice Chairman of the nature of the emergency and seek their express permission to leave work early.

In the event of a family emergency occurring outside normal hours of work which will prevent staff from reporting to work at the normal start time, they must contact the Manager or the Chairman, Vice Chairman or Parish Clerk as soon as reasonably practicable and as close to the normal start time as possible. In any event, this must be no later than two hours after the normal start time. Staff should give details of the nature of the emergency, the reason for the absence and how long they expect to be absent from work. Where the emergency is on-going, they must report to the Manager or the Chairman, Vice Chairman or Parish Clerk on a daily basis and always at least one hour before the normal start time. They must update the Manager or the Chairman, Vice Chairman or Parish Clerk on the reason for the on-going absence and how long they expect it to continue.

The Council envisages that the amount of leave taken will, in most cases, be one or two days at most. The leave to which staff are entitled is enough to help cope with the immediate crisis. Staff must actively seek alternative longer-term care arrangements for the care of a dependant within one day of the emergency occurring. Should it not be possible to make such arrangements, they must make contact and explain why further absence is required. Authorisation of such continued absence will be at the absolute discretion of the Manager or the Chairman, Vice Chairman or Parish Clerk.

The right to time off under these rules is intended to cover unforeseen family emergencies. If it is known in advance that time off is needed, staff should speak to the Manager or the Chairman, Vice Chairman or Parish Clerk about the possibility of taking such time as part of your annual leave entitlement.

The Council reserves the right to ask for supporting evidence of the family emergency on return to work. Staff are reminded that it is a serious disciplinary offence to knowingly provide false information or to dishonestly claim a right to time off to deal with a family emergency. Any offence will be dealt with in accordance with the disciplinary procedure and, depending on the circumstances, could amount to gross misconduct rendering you liable to summary dismissal.

Appendix 1: Return to Work Form

Return to Work Form

Date of meeting	
Employee name	
Name of line manager	
Have you let the employee know that the information they share will stay confidential?	Yes / No Details if applicable:
Are there any updates to share with the employee e.g. any changes at work while he/she has been away?	Yes / No Details if applicable:
What was the reason for absence?	
Was the absence linked to disability or pregnancy?	Yes / No Details if applicable:
Length of absence	
Number of days of absence in the last 12 rolling months	

Is the employee ready to return to work?	Yes / No
Has a doctor's note been issued confirming he/she is fit to return to work?	Yes / No Details if applicable:
Has his/her doctor recommended any actions e.g. a phased return to work?	Yes / No Details if applicable:
Have you agreed any actions to support the employee's return to work?	Yes / No / Not applicable Details if applicable:
Have you agreed any actions to support the employee's return to work?	This might include: • reasonable adjustments – required by law (Equality Act 2010) to reduce or remove a disadvantage related to someone's disability • an occupational health referral • mental health support • changes to the employee's hours or duties Yes / No Details if applicable:

Is there anything that might affect recovery or cause the sickness to happen again?	Yes / No Details if applicable:
Has the employee already returned to work?	Yes / No
If not, is there an agreed date for returning to work?	Add details of next meeting date if he/she is not returning
Any other discussion points/comments/agreed next steps	
Signed	Employee: Line Manager: Date: