

Employee Sickness Absence Toolkit

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Employee Sickness Absence Procedure

- Day 1
 - If you feel too unwell to work, you should contact your line manager (or nominated manager*) to let them know before the start of your normal working day.
- Week 1
 - You can self-certify (you do not need a GP note/Statement of Fitness for Work during the first 7 calendar days).
- Day 8
 - Speak to your GP and obtain a GP Certificate. This is called a Statement of Fitness for Work which signs you are unfit to work. You must provide this to your manager in order to receive occupational and statutory sick pay.
- Day 9 and Onwards
 - Contact should be agreed and maintained with your manager about the duration of your absence and likely return to work. This may be weekly phone calls, wellbeing meetings with HR present, occupational health referrals etc.
- Once you're feeling better
 - When you are feeling well enough to return to work full time or on a phased return (reduced duties/hours/reasonable adjustments), you should have a conversation with your manager and a wellbeing meeting will be arranged on your return to work.

*You may have a nominated manager to contact if it is your line manager's non-working day.

Wellbeing meetings

For the duration of your sickness absence and on your return to work your manager will meet with you to carry out wellbeing meetings. The frequency and duration of these will depend on the nature and duration of your sickness absence.

What is a wellbeing meeting? They are informal supportive meetings, and your manager will discuss with you:

- how you are feeling

- any relevant medical updates such as treatments/medications
- relevant business impact of your absence
- any on-going support or further reasonable support for you
- signposting or referring to further help such as occupational health

Your manager will use a template document to ensure they cover the key points and keep a record of what's said. It is vital you are open and honest with your manager to identify reasonable supportive measures.

What we expect from you whilst absent from work

We want you to get the treatment, support and rest that you need. Whilst you are recovering you shouldn't take part in any activity which may delay your recovery and return to work. You should stay in regular contact with your manager to ensure that supportive measures such as occupational health appointments and workplace updates can be discussed with you.

Abuse of the policy, such as working elsewhere while off sick, falsely reporting sickness absence or failure to follow policy will be referred to the disciplinary policy.

What you should expect from your manager

- Your manager will treat all discussions and information in confidence and apply the toolkit and policy in a professional and fair manner.
- They will set up a regular check in with you whilst you are off sick to check in with you and discuss support.
- If you feel you are being treated unfairly, talk to a more senior manager or HR, or refer to the grievance policy.

On your return to work, where there is a cause for concern your manager may invite you to attend a Cause for concern meeting or a Case Review meeting.

Cause for concern meeting

When there is a cause for concern about your sickness absence levels, your manager will meet with you and put a plan in place to help improve your attendance.

How will I know if my absence is a cause for concern?

There is no set "trigger" for a cause for concern meeting. It will depend on individual circumstances, taking into account factors such as disability, past record, business need.

Who's at the meeting?

HR, your manager and you have the right to bring a Trade Union (TU) representative or colleague companion to the meeting. You will need to organise your own TU Representative or colleague companion and tell the HR team.

What happens at the meeting?

You will be given 3 business days' notice of the meeting in writing. Your manager will follow a template to ensure all key points are discussed. You will discuss your current level of health, support, the impact of the sickness absence and future actions.

What is an improvement target?

This is set on an individual level basis depending on your circumstances. For example, consideration will be given factors such as disabilities, menopause, reasons for absence, nature of the role.

Setting an improvement target does not mean that the absence isn't genuine but the impact that the absence is having is causing concern. This might be that your condition is preventing you from carrying out your full duties or it may be that the number of times you have been absent is having an impact on the role.

What can the outcome of a cause for concern meeting be?

Examples include:

- Setting an improvement target
- Support and signposting
- Requesting further medical information from specialist
- Occupational health referral

- Warning for capability – 12 month written warning with improvement plan.
- Structured and agreed wellbeing meetings
- Referral to other procedures such as stress toolkit

What if I do not meet my improvement target on a 1st written warning for capability?

If you haven't met your attendance target issued at the Cause for Concern meeting you will be invited to a stage 2 Cause for Concern meeting. This follows the same procedure above. The outcome could involve:

Examples include:

- Setting an improvement target
- Support and signposting
- Requesting further medical information from specialist
- Occupational health referral
- Second Warning for capability – 12 month written warning for capability. Alongside an improvement plan.
- Extension to 1st stage warning for capability.
- Structured and agreed wellbeing meetings
- Referral to other procedures such as stress toolkit

What if I do not meet my improvement target on a 2nd stage written warning for capability?

You will be invited to a case review meeting. For more details see below; Case Review meeting.

What is Occupational Health?

An important part of occupational health is concerned with how work and the work environment can impact on workers' health, both physical and mental. It also includes how workers' health can affect their ability to do their job. Put simply this means the effect of work on health and that of health on work. Your GP may not

know the specifics of your job and what is required, so Occupational Health act as medical professionals with more job context information to help us to support you in the workplace.

Long Term Absence

We define long-term absence as a sickness lasting four weeks or more. Regular wellbeing meetings will take place during a period of long-term sickness absence. These wellbeing meetings may include a referral to occupational health, return to work requirements/adjustments, redeployment or consideration of ill health retirement. The frequency of such meetings will depend upon the circumstances of the individual case. A trade union representative or a work colleague may accompany the employee when HR attend.

Wellbeing meetings may take place at a mutually convenient location, taking into account your circumstances.

In most cases, colleagues will achieve a successful and sustained return to work. However in a few cases, this may not be possible. Providing all the necessary steps have been taken to try and facilitate a return to work beforehand, it may be necessary to recommend termination of your employment on the grounds of long-term ill health. In such circumstances a Case Review meeting would be arranged. Redeployment options must be explored before consideration of any termination of employment is considered.

What is redeployment?

Redeployment is when your employer offers you a different role or work in a different place. It can be temporary or permanent depending on what the reason for redeployment is.

It may be that there is a vacancy in your department but also you will be asked to complete a redeployment form, this details the skills that you have and what sort of activities you may be able to undertake given your medical condition or disability.

HR can then notify you of any vacancies across the Council which may be suitable.

Medical Redeployment Process

You will be given a medical redeployment questionnaire to complete. Your manager and the HR team can help you to complete this if you need support.

Once you have completed it, please email a copy to your manager and your HR support. You will then be added to our redeployment register.

We will review vacancies that are similar to your skills and experience, but you should also review the vacancies if there are any you think would be suitable and discuss with your manager and HR support.

If your skills and experience match the essentials of the role, you will be guaranteed an interview.

If you are successful after the interview, you will be offered the new position. This will be on a trial basis for a period of four weeks.

If you are not successful, you will continue to be on the redeployment register. Redeployment will be reviewed after a period of six to eight weeks. If no alternative roles can be identified that match your skills and experience a case review hearing will be arranged.

You do not have to accept any offers of redeployment.

Process

1. Member of staff identified for medical redeployment.
2. Information on redeployment process is shared with the employee by manager and HR, including the completion of medical redeployment form.
 - a. HR can provide support and advice during completion of the medical redeployment form.
3. Employee returns the form to HR or their line manager.
 - a. HR Advisor reviews the form and liaises with the recruitment team to discuss employee's skills and experience for recruitment to be aware of when relevant vacancies come up.
 - b. The employee is placed on the redeployment register.

- c. All SCDC and City vacancies are emailed directly to the employee and Advisor for review
- 4. If the employee applies for a vacancy and meets all the essential criteria, they will be guaranteed an interview
 - a. Recruitment team to advise hiring manager
 - b. If the employee is unsuccessful at the interview they will remain on the redeployment register
 - c. If after 6 to 8 weeks, no suitable alternative roles can be found, a review will take place and a case review meeting will be arranged
- 5. If candidate is successful at the interview stage, they will be offered the role on a 4 week trial basis.
 - a. If the trial is unsuccessful in the new role they will be placed back on the redeployment register and a case review may be arranged.
 - b. If made permanent the employee will be removed from the deployment register.
 - i. HR Advisor to notify the recruitment team of removal from register.

Case Review meeting

The purpose of a Case Review meeting is to, in line with legal obligations, establish whether there are any further actions that the Council and you could take to assist you to continue your employment or whether your employment should be terminated due to incapability to undertake duties, effectively because of ill health.

Who's at the meeting?

The Case Review meeting will be chaired by the appropriate Head of Service accompanied by a member of the HR team not previously involved with the case. In the case of a Head of Service being subject of the Management of Sickness Absence Procedure, the Chief Operating Officer will chair the meeting. You have the right to be accompanied by a trade union representative or a colleague companion.

What happens at the meeting?

You will be given five business days' notice in writing. Your line manager will set out the history of your case and explain how your attendance has been assessed as unsatisfactory. They will explain what support/actions or adjustments have been implemented throughout the process. This information will be provided to you at least three business days before the meeting.

You will have the opportunity to explain any mitigating circumstances.

At the meeting, the Chair will ask questions necessary to:

- establish the reasons for unsatisfactory attendance, including any underlying reasons
- establish what actions have been taken by the Council and you to achieve the expected standards
- establish what actions have been taken to support you seeking alternative employment
- consider medical advice received, if applicable
- establish and consider the impact your sickness has had on service delivery
- consider other mitigating circumstances relevant to the case including absence that falls under the Equality Act 2010, work history etc.

The list is not exhaustive, and the weight attached to each will depend on the circumstances of the case. You will be treated in a fair and reasonable manner.

If you do not attend, or you are too ill to attend, the meeting will be re-arranged for another convenient date. If there is no reasonable prospect of you being able to attend the Case Review meeting within two weeks of the original date, the Case Review Meeting will proceed in your absence. In such circumstances, you can submit a written response or representations can be made on your behalf by a fellow employee or a representative.

What are the potential outcomes of a case review?

You will either be informed of the outcome at the meeting, or the Chair may need to adjourn to consider all the facts and write to you with the outcome. You will be informed of the decision in writing within five business days of the meeting.

Some possible outcomes include:

- Issue a warning for capability and set an improvement target
- If the Chair considers that dismissal on the grounds of capability is the appropriate option, they will make a recommendation to the Chief Executive to confirm the decision (this can be done by e-mail but the e-mail trail must show confirmation by the Chief Executive).
- Identify further support to be put in place by you or the Council.
- Redeployment

If a decision to dismiss is made, the dismissal letter will inform you of the notice of the termination of your employment and the date it will take effect from. You will be provided with your contractual notice. If you are too ill to attend work during the notice period, a payment in lieu of notice will be considered.

Disability

We recognise that all our employees deserve the opportunity to realise their full potential and that all reasonable steps must be taken to ensure that the Council's policies, practices, and culture do not discriminate against disabled people including those with physical disabilities, sensory impairments, mental health conditions or those who are neurodiverse. However, some disabled people may not have a formal diagnosis or assessment or may feel uncomfortable about disclosing this information. Further, each person is unique and there can be a high degree of overlap between multiple conditions. As a result, we aim to identify and implement any support needs based on personal evaluation and individual need. This will be gained primarily through Occupational Health referrals and workstation assessments as outlined in the policy and Corporate Risk Assessment Guidance respectively.

Reasonable Adjustment Disability Passport Policy

The goal of the Reasonable Adjustment Disability Passport Policy is to encourage everyone with a disability to have high quality conversations with their line manager and explain how their conditions impact them at work so effective support measures can be put in place.

The template document for recording conversations between you and your line manager is called a 'passport' as it's designed to follow you if you move to different roles within the Council. Although you consent for others to see your passport, disclosing this information to a new manager keeps them fully informed about your requirements without the need to repeat potentially difficult conversations.

Please remember that HR, Health and Safety and Occupational Health are always available if you would like advice about implementing reasonable adjustments.

You can read our Reasonable Adjustment Disability Passport Policy here:

[Reasonable Adjustment Disability Passport Policy](#)

Work related Stress

There are extensive resources for supporting you if you have been experiencing work-related stress including guidance notes for staff and managers and a range of tools to help you. You can access the Mental Wellbeing section on Insite here:

[Mental Wellbeing | Insite \(scambs.gov.uk\)](#)

The stress identification tools at this location can help you identify what stressors you are experiencing. You can complete this independently or alongside your manager. You should then identify any action points to reduce or eliminate the stressors you are experiencing. You may need help from your line manager, HR or a trusted colleague or union representative in terms of what action might help or options available to you. However, identifying the areas is the first step to resolving the issues.

Medical Suspension

We may need to suspend a colleague from work on medical grounds where the environment or the role poses a risk to their health or the public. Situations, whereby a medical suspension may be appropriate include (but are not limited to):

- If a Fit Note is issued which appears to contradict previous advice from the Council's Occupational Health advisor or,
- An employee appears to be unfit for work and the manager, in conjunction with HR, feels that the individual should not be in the work environment.

Where there are serious health and/or safety concerns, the Council has the right to send an employee home until further medical advice is obtained. This suspension will be on full pay and will not be recorded as sickness absence. An emergency appointment with Occupational Health will be arranged, if appropriate. Any medical suspension will be for as short a period as possible.

If an employee is signed off as sick following a period of medical suspension, their sick pay will recommence from the first day of the certificate signing them off work and the absence will count as a period of sickness absence.

Appeals against warnings

You have the right to appeal against the decision to issue a warning. To appeal you should write to Head of Transformation, HR and Corporate Services within ten business days of receipt of the letter confirming the written warning. You must include your grounds for appeal.

Appeals will be heard by an independent appropriate second or third tier officer who had no prior involvement in the case.

In the case of second or third tier officers or someone reporting directly to them, the appeal will be to the Chief Operating Officer or another nominated officer to hear the appeal. An appeal hearing will be arranged as soon as practicable.

Ill-Health Dismissal

If you are unable to return to your substantive post (current role), or there is no reasonable prospect of redeployment, we will consider whether you should be considered for dismissal on the grounds of incapacity due to ill health.

If you have been a member of the LGPS pension scheme for over 2 years and your medical condition prevents you from returning to any sort of work, you are entitled to be considered for an ill health pension.

The Council will not proceed with ill-health retirement without first exploring a range of options to support employees in returning to work, including redeployment. Occupational Health will review existing medical evidence to establish whether there appears to be a case for ill health retirement. If additional medical information is required, the employee may be asked to attend an appointment to see OH and/or their GP/Consultant may be asked to provide a report. If there is sufficient medical evidence to support the case for ill health retirement, it will be referred to an Independent Doctor with no prior involvement with the employee's case.

Appeals against Dismissals

You have the right to appeal against decisions to terminate your employment on the grounds of ill health. In order to exercise this right, you must write to the Head of Transformation HR and Corporate Services within ten business days of receipt of the letter confirming dismissal. You must state the grounds of your appeal. The Chief Executive or Chief Operating Officer will hear appeals against dismissals. A member of the HR team previously not involved in the case will accompany the Appeal Chairperson. You have the right to be accompanied by a trade union representative or colleague companion at an Appeal Hearing.

FAQs

How do I notify my manager? Who do I notify if my manager is not in?

You should follow your team charter as every team is different. Some teams may accept a text message or email, followed up with a call, check with your manager.

What do I do if my GP is unable to see me before the end of the seven-calendar day period (one week)?

It's a good idea to speak with your GP before the end of the first week of absence if you think you might still be unwell into the second week. While a Statement of Fitness for Work is needed for occupational sick pay, it should be provided within a reasonable time frame based on circumstances.

My manager hasn't contacted me, what do I do?

It is for both you and your manager to stay in contact with each other. You can call or email your manager about your absence as you need to. If you are unable to reach your manager for any reason you can contact HR.

I feel well enough to return to work, but my GP note hasn't expired, what should I do?

You should speak with your manager to discuss whether it is appropriate for you to return to work before the end of your GP certificate. You and your manager can agree up to two weeks phased return without medical advice. If a longer phased return to work is needed, then guidance will be sought from your GP (you can request a maybe fit for work note) or Occupational Health.

When do I have the right to be accompanied to a meeting?

Cause for concern and case review meetings. However, if you want to bring someone to an informal meeting then speak with your manager or HR to see if this is an option.

What is my sick pay entitlement?

Occupational sick pay is contractual so will depend on the length of service you have. You must provide a GP Statement of Fitness for work for the below entitlement.

Sickness leave pay entitlement is based on continuous Local Government service as follows:

0 – 1 years' service

1 month full pay & (after four months

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| | service) 2 months half pay |
| 1 – 2 years' service | 2 months full pay & 2 months half pay |
| 2 – 3 years' service | 4 months full pay & 4 months half pay |
| 3 – 5 years' service | 5 months full pay & 5 months half pay |
| Over 5 years of service | 6 months full pay & 6 months half pay |

Sickness pay entitlement is based on any sickness absences taken by the employee within the rolling 12 month period prior to the first date of the current sickness absence.

What if I need to go to the doctor or to a hospital appointment?

Colleagues should try their best to arrange these appointments outside of normal working hours. However, we appreciate that this is not always possible. In these circumstances speak with your manager to ensure work output is not affected and disruption is minimalised.

What is a phased return?

A phased return to work is an arrangement whereby a member of staff who has been absent from work for a long time or has had a short-term absence linked to chronic conditions or conditions with unpredictable periods of acute flare up, returns to their full duties and/or hours at work gradually, over a defined time period, not normally exceeding two weeks duration (except potentially where clinical recommendations are for a longer period up to six weeks). Your manager can agree a two week phased return without referral to Occupational Health.

Whilst not needed in all cases, in some circumstances phased return provides a valuable period of readjustment, enabling the individual to get back into their work duties and routine whilst maintaining their recovery.

Phased returns may involve working shorter hours, less days, working from home, different tasks, light duties etc. Any phased return will usually involve advice from the Council's OH provider, the employee's GP/ consultant and the relevant line manager.

During the period of a phased return, you will be paid at your normal rate. If the reduction in hours or duties is likely to continue beyond the two weeks or up to six weeks (following clinical recommendation), adjustments will be made to your salary to reflect the hours/duties actually worked.

What happens if I am in my probation period?

If you are absent in your probation period you should follow the usual reporting procedure and your manager should conduct wellbeing meetings in the same way.

If there is significant absence during the probation period, the probation period may be extended or a case review meeting convened in line with the Probation policy.

What if I do not want to be put on the redeployment register?

If you do not want to be offered redeployment, a member of the HR team will discuss this with you. Following this, you can confirm in writing you do not wish to be redeployed and the process will move to the next stage.