

Sickness Absence Policy

Supporting Health and Wellbeing

October 2022

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1 Purpose

The purpose of this policy is to set out actions and procedures which enable managers to manage employee sickness absence. The approach is intended to be based on sympathy, understanding and compassion whilst managing an employee's sickness absence as well as balancing the needs of the operational needs of the council.

Haringey Council is committed to providing a working environment that promotes employee well being in order to deliver our values.

This policy meets the legislative requirements of the Employment Act 2002 and the Equality Act 2010.

2 Scope

This policy applies to all employees of Haringey Council with the exclusion of teachers directly employed by the Council who have their own procedure.

3 General Principles

- To monitor employee sickness absence against the trigger points
- To take into account and understand personal circumstances to be able to provide support
- That both the manager and employee are aware of their responsibilities in regards to the sickness absence procedure
- To deal effectively and within the framework with absence when it affects the achievements of work and the Council's objectives
- To understand and implement the policy

4 Roles and Responsibilities

4.1 Employees

| Employees | Line Managers |
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| Ensure that up to date contact details including telephone and email addresses are with line manager and HR Operations | Consider the Equality Act 2010 in regards to any disability related absences |
| Report an absence from work as soon as possible to your line manager via a phone call to your line manager before your normal start time. If start time is outside 9am – 5pm hours, the contact may be made by a text message. | Ensure that a healthy workforce is promoted by utilizing workplace risk assessments, occupational health (as necessary) and wellbeing initiatives |
| Provide documentation as required in a timely manner to cover absence i.e fit notes, appointment letters | Ensure that an attendance review meeting is held as soon as a trigger point is reached |

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| Attend occupational health appointments as necessary either face to face or via the telephone as required, to promote attendance at work and provide consent for reports to be released to line manager | Ensure consistency and fairness and the use of empathy and understanding when applying the policy |
| Complete associated paperwork such as stress questionnaires, DSE assessments in a timely manner as necessary | Respect employee's rights to confidentiality |
| Keep managers updated on absence and maintain regular contact with line manager | Ensure appropriate HR and OH advice is sought (see practice notes) |
| Attend formal meetings if required relating to absence | Ensure regular contact is made during the absence from day one of absence (see practice notes) |
| | Ensure SAP is updated with employee absence before payroll deadlines each month |

4.2 Heads of Service

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| To be available to chair panels for final sickness meetings |
| Ensure that the policy is applied fairly and consistently across their service areas |
| To engage with the HR Employee Relations Team and to identify any potential issues or triggers that maybe causing high levels of sickness and to work on reducing sickness absence within their service |

4.3 Human Resources Employee Relations Team

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| To provide advice on how to implement the policy |
| To provide support at final sickness meetings to the chair |
| To provide support and advice to line managers on how to implement the various stages of the policy |
| To provide advice on medical redeployment processes as required |
| To provide advice on ill health retirement process as required |

5 Other Types of Sickness Absence

5.1 Accidents At Work

For the purposes of sickness absence any time off taken due to an accident suffered at work (this also includes sickness due to an assault at work or an industrial disease) is not counted towards sickness absence triggers and must not be considered for formal action under the sickness absence policy. All other procedures such as Return to Work meetings, OH referrals (as necessary) should be carried out.

5.2 Pregnancy Related Absences

Pregnancy related absences are not included as part of sickness monitoring and absence relating directly to pregnancy has to be recorded on SAP as pregnancy related sickness. If an employee is unfortunate enough to suffer a miscarriage this also needs to be recorded as pregnancy related absence. All other procedures such as Return to Work meetings, Occupational Health referrals remain the same. Please see our Parental Leave policy for further information and guidance. [HR Parental Leave Policy - February 2022](#)

5.3 Disability Leave

Disability Leave is paid additional leave for disabled employees. It can be applied when employees are fit to work but require additional leave for rehabilitation, treatment or assessment directly related to their disability.

An employee with a disability that has been confirmed by occupational health or fits the criteria as defined by the Equality Act 2010 can have an additional 5 days leave for time off related to that disability. Please refer to the practice notes on how to implement disability leave.

6 Short Term and Long Term Sickness Absence

6.1 Short term sickness is defined as absence that is less than 4 weeks in duration. This is the same for all employees whether full time or part time. Short term absence is still subject to sickness monitoring and managers are required to address any concerns that activate triggers (please see section 10 on absence triggers). This is the same for both full time and part time employees.

6.2 Long Term Sickness is defined as a continuous period of sickness absence that is over 4 weeks in duration. This includes planned sickness i.e a surgical operation & recovery period. Usually long term sickness would require a referral to occupational health to identify any potential reasonable adjustments that may be needed to enable an employee to return to work.

An employee returning to work from Long Term sickness may also require a phased return back into the workplace (see section 11.3 on phased returns). This is the same for all employees including part time employees.

7 Reporting Sickness absence

7.1 First day

All employees should speak to their line manager as soon as they are aware that they will not be attending work. This should be no later than 1 hour after their usual start time. For employees who work to a shift pattern or within a service that requires a minimum statutory amount of staff present then managers should be notified as soon as is practically possible but as a minimum 3 hours before the start of their shift. If the hours are unsociable i.e before 8am and after 6pm a text message is sufficient notification. Employees are expected to give an idea of how long the absence is expected to last as much as is reasonably possible. Should the absence continue longer than expected the employee has the responsibility to keep the manager updated regularly.

7.2 Fit Notes

If an employee is off sick for more than 7 calendar days then a fit note from a doctor is required. The fit note must cover the whole of the absence and must be sent directly to the line manager via email. A clear photograph of the whole fit note is acceptable. Fit notes must be provided within a reasonable time frame. If fit notes are not received and there is no satisfactory reason as to why, then the council reserve the right to withhold sick pay entitlement and to claim back any entitlements that have been paid.

7.3 Recording Absence

Managers are required to log the sickness on SAP including the start date of the absence, the reason for sickness and the expected end date. All sickness for the month needs to be entered on SAP by the end of the month to meet payroll deadlines.

8 Return to Work

Once an employee has returned to work, a return to work meeting needs to be held by the manager with the employee and the relevant form completed.

http://intranet/sites/intranet/files/sickness_absence_-_return_to_work_form-2.doc

If regular short term absence or patterned absence occurs this should be recorded in the RTW addressed with the employee and if there is reoccurrence it may be appropriate to hold an Attendance Review Meeting.

9 Sick Pay

Once entitlement to sick pay has been exhausted then an employee would switch to Statutory Sick Pay. Please see practice notes for details of how length of service relates to sick pay entitlements. The HR operations team will give notice via a letter

when an employee is to move from full pay to half pay and from half pay to nil pay when statutory sick pay is paid . The manager should inform the employee in good time (at least 2 weeks) prior to when there is a change in pay . Managers must speak to a member of the HR Operations team if the absence is known to be over 4 weeks or is approaching 4 weeks in duration, to ensure that pay is correctly processed.

10 Sickness Absence Triggers

Managers are required to monitor sickness absence levels within their area, when trigger stages are reached, and/or where there are concerns about an employee’s absence or health. When an absence has reached the following triggers then the informal stage needs to be enacted.

- 6 days within a 12 month rolling period
- 3 episodes of sickness absence of 2 or more days during a rolling 3 month period
- A pattern of absence for example a regular Friday or a Monday, repetitive sick leave directly after annual leave or a bank holiday.

For part time employees trigger levels are pro -rata according to days/hours worked. The calculation should be made based on the number of days worked, not the hours on those days. For example:

| Number of Working Days | Absence Trigger Points |
|------------------------|-----------------------------|
| 2 days per week | 3 days in a 12 month period |
| 2.5 days per week | 3 days in a 12 month period |
| 3 days per week | 4 days in a 12 month period |
| 4 days per week | 5 days in a 12 month period |

11 Management Tools for Supporting Employees

11.1 Reasonable Adjustments

DSE assessments should be carried out if there are mobility issues with somebody’s work station and they may need specialist equipment such as a ergonomic chair, rise and fall desks or specialist mouse, keyboard or headset. These items can only be offered once Occupational Health determines that they are required for an employee to carry out their work. Please see intranet guidance on Reasonable Adjustments for full details:

http://intranet/sites/intranet/files/reasonable_adjustments_and_access_to_work_guidance.pdf#search=reasonable%20adjustments

11.2 Occupational Health Referrals

Occupational Health is a service that assists managers to manage an employee's sickness. Occupational health can provide medical interventions in helping employees return to work or by suggesting reasonable adjustments such as specialist equipment to aid in work duties.

Occupational Health referrals may be made at any stage during the sickness process including the informal management review. An Occupational Health referral must have been completed before moving to a final stage hearing. http://intranet/sites/intranet/files/phc_referral_form_july_22.docx

Employees have to give written consent to an OH referral before any appointment. http://intranet/sites/intranet/files/m051_phc_consent_form.pdf

Once an employee has completed their appointment an OH report is then sent to the line manager with recommendations/adjustments.

Please note that Occupational Health adjustments are recommendations only and have to be balanced with the needs and delivery of the service. Please speak to the Employee Relations teams for advice about any recommendations that OH might advise that may be difficult to accommodate within the service.

11.3 Phased Return

When an employee has been absent for a long period of time or has had a severe illness it may be prudent for the employee to return to work on phased return. Phased returns should last for a maximum of 6 weeks and are paid on full pay. If an employee needs longer than 6 weeks, then annual leave may be used to cover the time off. If the reduced hours are needed for a significant period of time then a reduction in hours on either a temporary or permanent basis should be discussed between the manager and employee, and the appropriate form should be submitted to the HR Operations team detailing the changes.

The Council usually limits the number of phased returns to 1 in a rolling 12 month period, although it has the discretion to increase this and will seek input from Occupational Health before making a decision.

Managers should speak to a member of the Employee Relations Team for advice before any decision regarding the extension of a phased return.

11.4 Medical Redeployment

There may be instances where an employee's illness or medical condition means that they are no longer able to continue in their current role even with adjustments. One option that may be considered is medical redeployment, and anyone who is placed on

the redeployment register for medical reasons will have a 12 week period of redeployment before their employment is terminated.

Once agreed managers will need to speak to the Employment Relations Team and the Recruitment Team to facilitate the process. Medical Redeployment can be on a temporary or permanent basis. The redeployment process can be found in the Organisational Change Policy:

[Organisational Change Policy](#) Medical redeployees must be sent to Occupational Health prior to any alternative employment being offered and accepted to determine suitability for the role.

11.5 Stress Questionnaires & EAP Support

If an employee reports an absence for work related stress then a stress questionnaire should be offered to the employee to complete:

[Return to Work Form - Stress](#). An informal meeting would need to be held between the manager and employee to discuss any issues raised. If a referral to Occupational Health is made in relation to the absence then the employee should take the completed questionnaire with them to the appointment.

The council also offers access to an Employment Assistance Programme (EAP) that employees can use. They are a free and confidential service that can offer advice on personal, work-related, health or legal issues and can be accessed 365 days a year by phone or by website. They also offer counselling sessions (up to 6) if required. Information can be found on the Councils intranet page [Employee Assistance Programme – wellbeing support | Intranet](#) They can also be contacted by phone on **0800 019 7831**.

11.6 Ill Health Retirement

In some cases an employee's illness is such that they are not able to return to work at all and their illness/condition means that they are unlikely to be able to work in the near future. If Occupational Health has recommended that an employee is eligible for ill health retirement then please refer to the ill health retirement policy [Ill Health Retirement Policy](#)

12 Informal Stages

12.1 Attendance Review & Standard Setting

Once an absence trigger has been reached then an attendance review needs to be carried out in the first instance. This does not need to wait until an employee returns to work. This meeting is **informal** and therefore does not require HR presence or representation. The meeting should be carried out between the line manager and the employee. Please refer to practice notes for further details on how an attendance review should be conducted. If an employee returns to work after the attendance review has been conducted but has further sickness that initiates a trigger (please see above) within a 3 month period then it may be appropriate to carry out a 1st formal meeting. Please seek advice from the HR Employee Relations Team.

13 Formal Process

Introduction

Where an employee has been through the informal stage and further triggers are reached then it may be appropriate to move forward to the formal stage. Employees on Long Term Sickness will automatically reach a trigger but must go through the informal stage before commencing formal action.

13.1 1st Formal Meeting

If an employee has not returned to work after the attendance review, then the first formal meeting need to be arranged. A meeting can be held either face to face . If an employee is unable to attend the office i.e because of mobility or other issues then the meeting can be held over Microsoft Teams. The employee has the right to representation by a work colleague or Trade Union rep and a minimum of 5 working days notice must be give in writing. Employees are responsible for organising their own representation. Please note that if an employee is absent from work an existing fit note covering absence is not sufficient as a reason for non attendance

If the meeting needs to be rescheduled then a minimum of 24 hours notice must be given and the rescheduled meeting must take place **no later than 10 working days after the original meeting was scheduled**. Grounds for rescheduling include an employees representative not being available, an employee being admitted to hospital or if Occupational Health have deemed the employee unfit to attend management meetings at the time.

If the employee cannot attend the rescheduled meeting, the meeting may take place in the employees absence. **An outcome letter of this meeting must be sent by the line manager no later than 5 working days after the meeting was held**. Please see practice notes for how a 1st formal meeting should be conducted. This will stay on an employees file for 12 months for the purposes of any further formal action.

13.2 2nd Formal Meeting

If an employee's sickness has still not improved after the first formal meeting or there are further periods of sickness within 12 months of the 1st formal meeting then a 2nd formal meeting would need to be arranged. If an employee is unable to attend the office i.e. mobility issues then the meeting can be held over Microsoft Teams. The employee has the right to representation by a work colleague or Trade Union rep and a minimum of 5 working days written notice must be given. Employees are responsible for organising their own representation.

Please note that if an employee is absent from work an existing fit note covering absence is not sufficient as a reason for non attendance. If the meeting needs to be rescheduled then a minimum of 24 hours notice must be given and the rescheduled meeting must take place **no later than 10 working days after the original meeting was scheduled**. Grounds for rescheduling include an employee's representative not being available, an employee being admitted to hospital or if Occupational Health have deemed the employee unfit to attend management meetings at the time. This will stay on an employee's file for 12 months for the purposes of any further formal action.

If the employee cannot attend the rescheduled meeting, the meeting may take place in the employee's absence. **An outcome letter of this meeting must be sent by the line manager no later than 5 working days after the meeting was held**. Grounds for rescheduling include an employee's representative not being available, an employee being admitted to hospital or if Occupational Health have deemed the employee unfit to attend management meetings at the time.

Please see practice notes for how a 2nd formal meeting should be conducted. If an employee's attendance does not improve after the 2nd formal meeting it may be appropriate to hold further attendance review meetings prior to convening a final sickness meeting. Please speak to the Human Resources Employee Relations Team for advice at this stage.

13.3 Final Stage Hearing

If an employee's absence still continues to be a cause for concern or there are more instances of absence within a 3 month period after the 2nd formal meeting then a final stage hearing may be appropriate. A final stage hearing may only be convened if dismissal is a serious consideration.

The line manager must prepare a final sickness report which includes absence periods, Occupational Health recommendations, details of any reasonable workplace adjustments/actions. If appropriate any medical history of the employee should be

included. An OH referral should have already been completed prior to any final stage hearing and the report made available if consent has been given by the employee.

A final stage hearing must be chaired by a head of service or above and should be somebody within the same directorate. The chair must write to the employee directly giving a minimum of 10 working days notice. The letter must state that dismissal is a possible outcome.

The Employee Relations team must be consulted before any final stage hearing is convened. Possible outcomes other than dismissal could include redeployment or ill health retirement. **An outcome letter of this meeting must be sent no later than 5 working days after the meeting was held** Please seek advice from the Employee Relations team about these options.

13.4 Appeal

All cases of sickness dismissal have the right of appeal who will review the case based on the information provided at the appeal review hearing. A member of the HR Employee Relations team will provide HR advice to the panel. The employee is entitled to be represented at the appeal hearing by a workplace colleague or Trade Union Representative. Appeals must be submitted no more than **10 working days** after the date of the final decision/dismissal letter and appeals are to be held **no more than 20 days upon receipt of the appeal**. Please see practice notes on how and who to submit appeals to.

14 Document Control

| Key Information | |
|----------------------------|---|
| Title | <i>Sickness Absence Policy</i> |
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