



Carn Brea Parish Council
Absence Management Policy

Reviewed by the Staffing Committee on: 4th March 2021
Approved by Full Council on: 18th March 2021
Minute Number: 21/03/13

1 Introduction

The Council is committed to providing effective, high quality service and to optimising the contribution of all employees. As part of this aim, it is essential that all employees are committed to maximising attendance.

The Council is concerned for the wellbeing of its employees and seeks to protect their health and safety by creating a safe working environment. In return, the Council expects all employees to take reasonable care of their own health, seek medical help whenever appropriate, and to attend work when fit to do so.

The Council recognises that genuine medical grounds will occasionally result in employee absence. It is the Council's policy to treat all such sickness absence in a fair, sensitive, and consistent manner across all areas of the workforce.

The Council must balance the sensitive management of genuine individual sickness against its need to be publicly accountable for its resource allocation and, as such, cannot sustain high levels of sickness absence. Action will therefore be taken to address recurrent short-term sickness or extended periods of absence as appropriate.

2 Aims

In order for the Council to meet its responsibilities, it will ensure that:

- It provides a supportive environment for those employees affected by ill-health;
- Managers and employees adhere to this policy and procedure; and
- Levels of sickness absence are the subject of routine monitoring.

3 Responsibilities

The onus for attending work on a regular basis and for reporting absence in accordance with the Council's agreed procedures rests with the employee. It is also an employee's responsibility to appropriately detail any periods of absence on their record of hours worked.

The responsibility for recording, monitoring, and managing absence on a day-to-day basis lies with the Clerk. It is therefore essential that they ensure that all employees are aware of the Council's Absence Management Policy and Procedures.

Each employee will receive a copy of this Policy on appointment and on each occasion, it is amended.

4 Review

This Policy and the supporting procedural guidelines will be reviewed annually. Responsibility for conducting this review lies with the Clerk/Staffing Committee.

5 Employee Absence

5.1 Unauthorised Absence

Employees who deliberately fail to attend work without proper excuses or in breach of management instructions will be committing gross misconduct which could result in dismissal without notice or payment in lieu.

5.2 Reporting

If you are unable to work due to illness/injury you must personally inform the Clerk of this fact as soon as possible and in any event by no later than the end of the first working day of your absence. When you phone in sick you must make every effort to speak to your manager directly. Do not simply leave a message with a colleague or send an email or text. If you need to leave a message for your manager then they may contact you during the day to discuss your absence with you. You should provide:

- The nature of the absence;
- The date the injury/illness began (including weekends and holidays);
- The expected duration of the absence; and
- Whether there are any immediate work commitments that need completing/reassigning during the absence.

If the Clerk is unavailable, you should ensure that contact is made with the Chairman or Vice Chairman of the Council

It is important that you keep in touch with the Clerk about the likely length of your absence so that appropriate arrangements can be made for cover and you should phone in sick on every day of your absence unless either you have previously informed the Clerk that you will be off sick for a particular period of time or your absence is certified by a GP 'Fit Note' (Form Med 3).

Hangovers are not regarded as legitimate reasons to take sickness absence. Absence by reasons of hangovers will be regarded as disciplinary offence which may result in dismissal without notice or payment in lieu. You should be aware of the rules governing the consumption of alcohol set out in the Alcohol and Drugs Policy.

5.3 Certification

The Council requires any absence of more than 4 days to be certified by a 'self-certification form' (Form SC2).

Any absence of more than a week must be certified by a 'Fit Note' (Forms Med 3 or Med 10).

If the doctor's certificate states that you "may be fit for work" you should inform the Clerk immediately. The Clerk will discuss with you whether there are any additional measures that may be needed to facilitate your return to work, taking into account the doctor's advice. This may take place at a return to work interview or an absence review meeting. If appropriate measures cannot be taken, you will remain on sick leave and the Clerk will set a date to review the situation.

Uncertified absence may be treated as misconduct and will not be paid.

Where any period of sickness absence occurs immediately before or immediately after a period of annual leave then the Council may require such absence to be certified by a GP at your own expense.

5.4 Return to Work Meetings

When you return to work after any period of absence the Clerk will arrange to meet with you unless there is regular absence. This meeting will occur on your first day back, or as soon as possible thereafter. The purpose of this meeting is:

- to provide an opportunity for the Clerk to assess wellbeing and if necessary refer back to a doctor;
- to give you an opportunity to voice any concerns that you may have and/or to identify any domestic, welfare or work-related problems in an appropriate forum;
- to ensure that you are aware of work-related matters that have occurred during your absence;
- to fill out the sickness declaration form (should you need to claim Statutory Sick Pay)

5.5 Miscellaneous

It is important that you comply with these procedures in order that:

- the Council can be aware of potential problems and provide assistance to you where necessary;
- any sick pay to which you would otherwise be entitled is not withheld or refused.

Records retained in respect of sickness absence will be treated with sensitivity and confidentiality and at all times in accordance with the provisions of prevailing Data Protection Legislation. You will be entitled to access your records on request.

6 Employees Absence: Guidelines for the Clerk

6.1 General Issues

The Clerk is responsible for the management of employee's sickness absence within the Council and should therefore ensure that all employees are aware of, and comply with, the Council's procedure for reporting absence from the workplace.

Where employees have failed to follow established procedures in respect of notification of absence or the provision of medical certificates etc. they should be reminded of their obligations and, if appropriate, notified that further noncompliance may result in the initiation of disciplinary action. Where there is concern that an employee has wilfully abused the sickness absence provisions or absented themselves from work without satisfactory reason or explanation the matter should be referred to the Staffing Committee for consideration regarding using the disciplinary procedure for investigation and appropriate action.

If an employee is ill while they are on holiday, this time should be regarded as sick leave provided that they can provide a doctor's certificate. Post-dated certificates i.e. covering a period prior to the doctor's appointment will not be accepted.

Where a public holiday falls during a period of sickness absence the employee concerned will continue to receive sick pay however no substitute public holiday will be given.

Should an employee who has been refused annual/flexi leave subsequently report sick for the period requested, the Clerk should carefully investigate the circumstances. The Clerk may consider requiring the employee to submit a doctor's certificate for the period in question. Where this is the case any cost incurred will be reimbursed providing the employee is able to submit a receipt.

It is not expected that the Clerk will normally contact employees at home during periods of self-certificated absence although there may be occasions when this is necessary as a result of issues arising at work. The timing of contact with an employee at home during periods of certificated absence must be a matter of judgement with consideration being given to the nature of the absence, the importance of the job, the problems of providing cover, the employee's previous absence record, and the effects of the absence on service provision and other employees.

6.2 Return to Work Meetings

Effective absence management depends upon the availability of relevant information, and the Clerk should therefore arrange to hold a return to work meeting with employees following each period of absence. Return to work meetings present an informal opportunity to establish the cause of the absence, indicates to the employee an interest in their welfare, and allows the Clerk to establish whether the employee requires any further help or support. They can also provide the opportunity for the Clerk to alert an employee to concerns that the Clerk may have in respect of situations where an unsatisfactory absence record is developing.

A Return to Work Form (found at Appendix 1) will be completed after every period of absence (including half days).

Meetings should be arranged as soon as practicable and preferably within two days.

In some cases, the discussion will only need to be brief. In other more complex cases, for example where there is a history of a high level of sickness absence, the meeting will need to be more involved. An employee can refuse, if they wish, to provide information at the return to work discussion. Where this is the case, the Clerk should attempt to identify with the employee the reasons for this refusal. If the employee does refuse to cooperate in the return to work discussion, the Clerk should record your attempts to conduct this discussion and the employee's refusal.

6.3 Long Term Absence

All cases of long term absence will be treated sympathetically and every assistance will be given to the employee to return to work. The Council will maintain regular contact with employees who are of sick for an extended period.

In order to ensure that the Council has access to guidance and advice in respect of the best course of action to follow in relation to such cases of absence, employees who have been absent for a continuous period of three weeks may, depending on the nature of the absence in question, be invited to an absence review meeting. A result of this meeting may be to refer the employee to the Council's Occupational Health Physician or seek a medical report from your GP. Where the Occupational Health Physician makes a recommendation which may affect the employee's continued employment, the Clerk should arrange to meet with them to discuss alternative options. Employees may wish to have the support of a trade union representative or a work colleague present during such a meeting, and this should be positively encouraged.

While a return to work following a period of prolonged absence may be facilitated by temporary redeployment or phased re-introduction, i.e. job sharing or part-time working, an employee can be advised that the Clerk will discuss these options with them, and if appropriate ensure that support mechanisms necessary for this to occur are provided. Such arrangements will be for a defined period and will be subject to joint review.

6.4 Alternative Work

The Council may consider agreeing changes to an employee's duties or other working arrangements when it becomes clear that due to sickness or injury they will not be able to return to normal working. Any such changes will be subject to the needs of the business and there is no guarantee that permanent arrangements of this sort will be possible.

Where duties or working hours are varied in this way when the job being done by the employee will need to be reassessed to determine the appropriate level of remuneration. This will then need to be agreed with the employee. If an agreement is not reached then the Council may proceed to dismiss the employee in accordance with the procedure for long-term sickness absence.

6.5 Phased Return to Work

As an employee recovers from illness or injury it may be possible for them to undertake a limited range of duties as a preparation for returning to normal work. The Council will try whenever appropriate in light of medical advice to allow for a phased return to work from any long-term illness. This may involve reducing the employee's hours, or the scope of their duties or both. The purpose of a phased return, however, is to provide a bridge between sickness absence and normal working and so any such arrangements will be time-limited and will not normally extend over more than three months.

6.6 Frequent Intermittent Absence

Although there will be informal return to work interviews after all periods of absence, after four episodes of absence or a total of ten days short term sickness absence within any period of twelve months, the Clerk will be required to institute a more formal review of attendance and reasons for absence with an employee. The Clerk should therefore arrange to meet with any employee whose absence record matches or exceeds the above criteria.

During the interview, the Clerk should draw the employee's attention to their poor attendance record, and the problems that their absences are causing for the Council and other employees. Where no underlying medical condition is disclosed, the employee must be advised that their attendance record will be monitored (over a period of not less than three months) and that significant improvement will be required. In addition, employees must be warned that if no such improvement is forthcoming, serious consideration will be given to reviewing their employment situation. This must be confirmed in writing to the employee and a copy placed on their personal file.

Return to work interviews must continue to be carried out following any absences which occur during this monitoring period. These interviews will afford the Clerk the opportunity to remind the employees of the Council's concerns.

If, after the period of monitoring has elapsed, no significant improvement in attendance has been effected, a further interview must be arranged. At this interview, the employee must once again be reminded of the problems caused by the absences and asked if they wish to disclose any underlying medical condition or problem of which the Clerk should be aware. If such a condition is disclosed, a medical referral should be arranged. Where no underlying medical condition exists, the employee should be told that their attendance record will be subject to a further period of monitoring (of not less than three months) and that their employment may be terminated if the required improvement is not effected. Employees have the right to be accompanied to the meeting by a trade union representative or a work colleague.

Employees whose levels of attendance improve satisfactorily during periods of informal and/or formal monitoring must be reminded that they will be expected to maintain these levels of attendance. Failure to do so will result in further monitoring and/or the initiation of formal action.

6.7 Personal, Domestic or Work Related Problems

Where an employee reveals that their absence has been a consequence of personal, domestic or work related problems, the Clerk should endeavour to discuss with them any relevant details which they wish to disclose. Although an employee may have genuine concerns about revealing sensitive or personal information, they should be reminded of the fact that such matters will be treated confidentially, and that the Council cannot assist them if it is not made aware of the problem. Should an employee wish to discuss matters with someone other than the Clerk, the Chair of the Staffing Committee can be contacted for a confidential interview.

Once the problem has been clearly identified, appropriate assistance can be afforded to the employee. It is not possible, in a guidance document such as this, to cover all circumstances, but special leave, temporary adjustments in working arrangements or referral to specialist agencies are available options.

6.8 Alcohol/Drug Dependency

Where an employee discloses that their absences are a consequence of alcohol or drug related problems they will be encouraged to seek help and treatment voluntarily through the Council's Occupational Health Service or through resources of their own choosing. Employees will be granted, if necessary, leave to undergo treatment and any such leave will be regarded as sick leave within the terms of the Council's sick pay scheme, with the monitoring of progress by the Occupational Health Service.

Should an employee refuse or discontinue any programme of assistance designed for them, then any unacceptable behaviour or inadequate standard of work will be dealt with on its merits through referral to the Staffing Committee for consideration to implement the Council's Disciplinary Procedure.

6.9 Infectious Disease

An employee who is prevented from attending work because of contact with infectious disease shall be entitled to received normal pay whilst absent from work in consequence of this. The period of absence on this account shall not be reckoned against the employee's enticements under this scheme.

If an employee is suffering from infectious diarrhoea or vomiting they should not return to work for 48 hours from the last bout of diarrhoea or vomiting.

If an employee contract an industrial disease, or is involved in an accident or assault arising out of, or in the normal course of their employment, this will be considered entirely separately from normal sickness absence and therefore will not be off set against an employee's sick pay entitlement under the sick pay scheme.

6.10 Welfare

If, as a consequence of medically related absence, you have any concerns about an employee's ability to undertake the full range of duties and responsibilities associated with their post, consideration should be given to suspending them with pay, or finding alternative duties whilst medical advice is sought from the Occupational Health Unit.

6.11 Termination of Employment

Prior to termination being considered the Clerk will meet with the individual to explore whether there are any reasonable adjustments that could be made to enable an employee to remain employed.

Termination of employment may take place where:

- an employee is declared permanently unfit for work;
- an employee is declared medically unfit for their work, and alternative employment cannot be found;
- a decision has been taken that the Council can no longer tolerate a high level of absence;
- A decision is taken, within the Council's disciplinary process, that an employee has wilfully abused the sickness absence/payments provisions and/or absented themselves without permission.

6.12 Attendance Hearing

To reach a decision on whether dismissal is appropriate an attendance hearing will be arranged. The employee will be invited in writing to attend the hearing and be notified of their right to be accompanied by a trade union representative or colleague.

The Hearing Panel will comprise of three members of the Staffing Committee, who will make the decision. The Clerk or relevant manager will attend to outline the history of absence and any relevant steps taken and advice received.

All paperwork relating to the hearing will be circulated five days in advance of the hearing, to all parties attending.

At the hearing, once they have considered both the manager's and employee's cases and considered all relevant information the Panel will adjourn to make a decision.

The decision of the Panel must be confirmed to the employee in writing within five working days. The letter should clearly set out:

1. the Panel's decision:

- o if a warning has been issued the timescale for this and the level of improvement required;
- or
- o if the decision is not to take action at this point and to review again in a certain time period, the applicable timescale for this;
- or
- o if the decision is to dismiss the employee, inform them of their relevant notice period and provide them with any relevant pension information.

2. the employee's right of appeal.

An employee who wishes to appeal must do so in writing to the Clerk. This must be done within 10 working days of the letter informing the employee of the decision to dismiss.

The Clerk will call an extraordinary meeting of the Staffing Committee who will arrange an Appeal Committee consisting of 3 members to hear the appeal, providing that they have had no previous involvement in the matter. An independent advisor may be arranged if appropriate along with a note taker.

The date and time of the appeal will be organised by the Clerk (or Chair of the Staffing Committee, in relation to matters concerning the Clerk).

The Appeal Panel's decision is final.

6.13 Monitoring

Monitoring is an important part of sickness absence. In order for reports to be issued, it is important that all absence from the workplace is reported. All signed absence forms should therefore be returned as soon as possible after the employee's return to work interview has been conducted. The Clerk will ensure that an absence history is maintained for each employee. These records will provide the base data for the compilation, at regular intervals, of statistics showing the level of sickness absence across the Council.

The sickness monitoring system will also enable the Parish Clerk to identify individual cases where frequent or lengthy absences have occurred, or where patterns of absence have been identified. However, such notifications should be viewed as a secondary means of identifying problems or potential problems.

The Clerk should ensure at all times that comprehensive records are maintained for each employee in relation to contact during and immediately following periods of sickness absence. These details should be maintained on the employee's personal file, and should be treated with sensitivity and confidentiality at all times. Employees will be entitled to access these records on request.

7 CLERK ABSENCE

7.1 Reporting

If you are unable to work due to illness/injury you must personally inform the Chairman of the Council of this fact as soon as possible and in any event by no later than the end of the first working day of your absence. When you phone in sick you must make every effort to speak to the Chairman directly. Do not simply leave a message with a colleague or send an email or text. If you need to leave a message for the Chairman then they may contact you during the day to discuss your absence with you. You should provide:

- The nature of the absence;
- The date the injury/illness began (including weekends and holidays);
- The expected duration of the absence; and
- Whether there are any immediate work commitments that need completing/reassigning during the absence.

If the Chairman is unavailable, you should ensure that contact is made with the Vice Chairman of the Council

It is important that you keep in touch with the Chairman about the likely length of your absence so that appropriate arrangements can be made for cover and you should phone in sick on every day of your absence unless either you have previously informed the Chairman that you will be off sick for a particular period of time or your absence is certified by a GP 'Fit Note' (Form Med 3).

Hangovers are not regarded as legitimate reasons to take sickness absence. Absence by reasons of hangovers will be regarded as disciplinary offence which may result in dismissal without notice or payment in lieu. You should be aware of the rules governing the consumption of alcohol set out in the Alcohol and Drugs Policy.

7.2 Certification

The Council requires any absence of more than 4 days to be certified by a 'self-certification form' (Form SC2).

Any absence of more than a week must be certified by a 'Fit Note' (Forms Med 3 or Med 10).

If the doctor's certificate states that you "may be fit for work" you should inform the Chairman immediately. The Chairman will discuss with you whether there are any additional measures that may be needed to facilitate your return to work, taking into account the doctor's advice. This may take place at a return to work interview or an absence review meeting. If appropriate measures cannot be taken, you will remain on sick leave and the Chairman will set a date to review the situation.

Uncertified absence may be treated as misconduct and will not be paid.

Where any period of sickness absence occurs immediately before or immediately after a period of annual leave then the Council may require such absence to be certified by a GP at your own expense.

Approved 18th March 2021 (21/03/13)

7.3 Return to Work Meetings

When you return to work after any period of absence the Chairman will arrange to meet with you unless there is regular absence. This meeting will occur on your first day back, or as soon as possible thereafter. The purpose of this meeting is:

- to provide an opportunity for the Chairman to assess wellbeing and if necessary refer back to a doctor;
- to give you an opportunity to voice any concerns that you may have and/or to identify any domestic, welfare or work related problems in an appropriate forum;
- to ensure that you are aware of work related matters that have occurred during your absence;
- Fill out the sickness declaration form.

7.4 Miscellaneous

It is important that you comply with these procedures in order that:

- the Council can be aware of potential problems and provide assistance to you where necessary;
- any sick pay to which you would otherwise be entitled is not withheld or refused.

Records retained in respect of sickness absence will be treated with sensitivity and confidentiality and at all times in accordance with the provisions of prevailing Data Protection Legislation. You will be entitled to access your records on request

8 PARISH CLERK ABSENCE: GUIDELINES FOR THE CHAIRMAN

8.1 General Issues

The Chairman is responsible for the management of sickness absence of the Clerk and should therefore ensure that they are aware of, and comply with, the Council's procedure for reporting absence from the workplace.

Where the Clerk has failed to follow established procedures in respect of notification of absence or the provision of medical certificates etc. they should be reminded of their obligations and, if appropriate, notified that further noncompliance may result in the initiation of disciplinary action. Where there is concern that the Clerk has wilfully abused the sickness absence provisions or absented themselves from work without satisfactory reason or explanation the matter should be referred to the Staffing Committee for consideration regarding using the disciplinary procedure for investigation and appropriate action.

If the Clerk is ill while they are on holiday, this time should be regarded as sick leave provided that they can provide a doctor's certificate. Post-dated certificates, i.e. covering a period prior to the doctor's appointment, will not be accepted.

Where a public holiday falls during a period of sickness absence the Clerk concerned will continue to receive sick pay; however no substitute public holiday will be given.

Should the Clerk, having been refused annual/flexi leave, subsequently report sick for the period requested, the Chairman should carefully investigate the circumstances. The Chairman may wish to consider requiring the Parish Clerk submit a doctor's certificate for the period in question. Where this is the case any cost incurred will be reimbursed providing the Clerk is able to submit a receipt.

It is not expected that the Chairman will normally contact employees at home during periods of self-certificated absence although there may be occasions when this is necessary as a result of issues arising at work. The timing of contact with the Clerk at home during periods of certificated absence must be a matter of judgement with consideration being given to the nature of the absence, the importance of the job, the problems of providing cover, the employee's previous absence record, and the effects of the absence on service provision and other employees.

8.2 Return to Work Meetings

Effective absence management depends upon the availability of relevant information, and the Chairman should therefore arrange to hold a return to work meeting with employees following each period of absence. Return to work meetings present an informal opportunity to establish the cause of the absence, indicates to the Clerk an interest in their welfare, and allows the Chairman to establish whether the Parish Clerk requires any further help or support. The meeting can also provide the opportunity for the Chairman to alert the Clerk to concerns that the Chairman may have in respect of situations where an unsatisfactory absence record is developing.

The Chairman will need to complete a Return to Work Form (found at Appendix 1) after every period of absence (including half days).

Meetings should be arranged as soon as practicable and preferably within two days.

In some cases, the discussion will only need to be brief. In other more complex cases, perhaps where there is a history of a high level of sickness absence, the meeting will need to be more involved. The Clerk can refuse, if they wish, to provide information at the return to work discussion. Where this is the case, the Chairman should attempt to identify with the Clerk the reasons for this refusal. If the Clerk does refuse to cooperate in the return to work discussion, the Chairman should record the attempts to conduct this discussion and the Clerk's refusal.

8.3 Long Term Absence

All cases of long-term absence will be treated sympathetically and every assistance will be given to the Clerk to return to work. The Chairman should maintain contact with the Clerk and advise them that they should keep the Council informed of any developments relating to their condition.

To ensure that the Council has access to guidance and advice in respect of the best course of action to follow, the Clerk if absent for a continuous period of four weeks may, depending on the nature of the absence in question, be invited to attend an absence review meeting. Following the meeting it may be necessary to refer them to the Council's Occupational Health Physician. Where the Occupational Health Physician makes a recommendation, which may affect the Clerk's continued employment, the Chairman should arrange to meet with them to discuss the alternative options. The Clerk may wish to have the support of a trade union representative or a work colleague present during such a meeting, and this should be positively encouraged.

While a return to work following a period of prolonged absence may be facilitated by temporary redeployment or phased re-introduction, i.e. job sharing or part-time working, the Clerk can be advised that the Chairman will discuss these options with them, and if appropriate ensure that support mechanisms necessary for this to occur are provided. Such arrangements will be for a defined period and will be subject to joint review.

8.4 Alternative Work

The Council may consider agreeing changes to the Clerk's duties or other working arrangements when it becomes clear that due to sickness or injury they will not be able to return to normal working. Any such changes will be subject to the needs of the business and there is no guarantee that permanent arrangements of this sort will be possible.

Where duties or working hours are varied in this way when the job being done by the employee will need to be reassessed to determine the appropriate level of remuneration. This will then need to be agreed with the employee. If an agreement is not reached then the Council may proceed to dismiss the employee in accordance with the procedure for long-term sickness absence.

8.5 Phased Return to Work

As the Clerk recovers from illness or injury it may be possible for them to undertake a limited range of duties as a preparation for returning to normal work. The Council will try whenever appropriate in light of medical advice to allow for a phased return to work from any long-term illness. This may involve reducing the employee's hours, or the scope of their duties or both. The purpose of a phased return, however, is to provide a bridge between sickness absence and normal working and so any such arrangements will be time-limited and will not normally extend over more than three months.

8.6 Frequent Intermittent Absence

Although there will be informal return to work interviews after all periods of absence, after four episodes of absence or a total of ten days short term sickness absence within any period of twelve months, the Chairman will be required to institute a more formal review of attendance and reasons for absence with an employee. The Chairman should therefore arrange to meet with the Clerk whose absence record matches or exceeds the above criteria.

During the interview, the Chairman should draw the Clerk's attention to their poor attendance record, and the problems that their absences are causing for the Council and other employees. Where no underlying medical condition is disclosed, the Clerk must be advised that their attendance record will be monitored (over a period of not less than three months) and that significant improvement will be required. In addition, the Clerk must be warned that if no such improvement is forthcoming, serious consideration will be given to reviewing their employment situation. This must be confirmed in writing to the Clerk and a copy placed on the Clerk's personal file.

Return to work interviews must continue to be carried out following any absences which occur during this monitoring period. These interviews will afford the Chairman the opportunity to remind the employees of the Council's concerns.

If, after the period of monitoring has elapsed, no significant improvement in attendance has been effected, a further interview must be arranged. At this interview, the Clerk must once again be reminded of the problems caused by the absences and asked if they wish to disclose any underlying medical condition or problem of which the Chairman should be aware. If such a condition is disclosed, a medical referral should be arranged. Where no underlying medical condition exists, the Clerk should be told that their attendance record will be subject to a further period of monitoring (of not less than three months) and that their employment may be terminated if the required improvement is not effected. The Clerk has the right to be accompanied to the meeting by a trade union representative or a work colleague.

Where levels of attendance improve satisfactorily during periods of informal and/or formal monitoring, the Clerk must be reminded that they will be expected to maintain these levels of attendance. Failure to do so will result in further monitoring and/or the initiation of formal action.

8.7 Personal, Domestic or Work Related Problems

Where the Clerk reveals that their absence has been a consequence of personal, domestic or work related problems, the Chairman should endeavour to discuss with them any relevant details which they wish to disclose. Although the Clerk may have genuine concerns about revealing sensitive or personal information, they should be reminded of the fact that such matters will be treated confidentially, and that the Council cannot assist them if it is not made aware of the problem. Should the Clerk wish to discuss matters with someone other than the Chairman, the Chair of the Staffing Committee or other Member can be contacted for a confidential interview.

Once the problem has been clearly identified, appropriate assistance can be afforded to the employee. It is not possible, in a guidance document such as this, to cover all circumstances, but special leave, temporary adjustments in working arrangements or referral to specialist agencies are available options.

8.8 Alcohol/Drug Dependency

Where the Clerk discloses that their absences are a consequence of alcohol or drug related problems they will be encouraged to seek help and treatment voluntarily through the Council's Occupational Health Service or through resources of their own choosing. Employees will be granted, if necessary, leave to undergo treatment and any such leave will be regarded as sick leave within the terms of the Council's sick pay scheme, with the monitoring of progress by the Occupational Health Service.

Should the Clerk refuse or discontinue any programme of assistance designed for them, then any unacceptable behaviour or inadequate standard of work will be dealt with on its merits through referral to the Staffing Committee for consideration to implement the Council's Disciplinary Procedure.

8.9 Infectious Disease

An employee who is prevented from attending work because of contact with infectious disease shall be entitled to received normal pay whilst absent from work in consequence of this. The period of absence on this account shall not be reckoned against the employee's enticements under this scheme.

If an employee is suffering from infectious diarrhoea or vomiting they should not return to work for 48 hours from the last bout of diarrhoea or vomiting.

If an employee contract an industrial disease, or is involved in an accident or assault arising out of, or in the normal course of their employment, this will be considered entirely separately from normal sickness absence and therefore will not be off set against an employee's sick pay entitlement under the sick pay scheme.

8.10 Welfare

If, as a consequence of medically related absence, you have any concerns about an employee's ability to undertake the full range of duties and responsibilities associated with their post, consideration should be given to suspending them with pay, or finding alternative duties whilst medical advice is sought from the Occupation Health Unit.

8.11 Termination of Employment

Prior to termination being considered the Chairman will meet with the Clerk to explore whether there are any reasonable adjustments that could be made to enable the Clerk to remain employed.

Termination of employment may take place where:

- the Clerk is declared permanently unfit for work, or
- the Clerk is declared medically unfit for their work, and alternative employment cannot be found, or
- a decision has been taken that the Council can no longer tolerate a high level of absence, or
- a decision is taken, within the Council's disciplinary process, that the Clerk has wilfully abused the sickness absence/payments provisions and/or absented themselves without permission.

8.12 Attendance Hearing

To reach a decision whether dismissal is appropriate an attendance hearing will be arranged. The Clerk will be invited in writing to attend the hearing and be notified of their right to be accompanied by a trade union representative or colleague.

The Hearing Panel will comprise of three members of the Staffing Committee, who will make the decision. The Chairman will attend to outline the history of absence and any relevant steps taken and advice received.

All paperwork relating to the hearing will be circulated five days in advance of the hearing, to all parties attending.

At the hearing, once they have considered both the Chairman's and Clerk's cases and considered all relevant information the Panel will adjourn to make a decision.

The decision of the Panel must be confirmed to the Clerk in writing within five working days. The letter should clearly set out:

1. the Panel's decision:

- If a warning has been issued the timescale for this and the level of improvement required;

or

- If the decision is not to take action at this point and to review again in a certain time period, the applicable timescale for this;

or

- If the decision is to dismiss the employee, inform them of their relevant notice period and provide them with any relevant pension information.

2. the Clerk's right of appeal.

If the Clerk wishes to appeal they must do so in writing to the Chairman of the Staffing Committee. This must be done within 10 working days of the letter informing the employee of the decision to dismiss.

The Chairman of the Staffing Committee will call an extraordinary meeting of the Staffing Committee who will arrange an Appeal Committee consisting of 3 members to hear the appeal, providing that they have had no previous involvement in the matter. An independent advisor may be arranged if appropriate along with a note taker.

The date and time of the appeal will be organised by the Chairman of the Staffing Committee.

The Appeal Panel's decision is final.

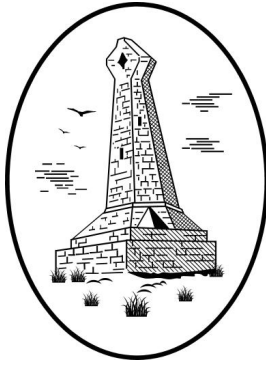
8.13 Monitoring

Monitoring is an important part of sickness absence. In order for reports to be issued to managers, it is important that all absence from the workplace is reported. All signed absence forms should therefore be returned as soon as possible after the employee's return to work interview has been conducted. The Chairman will ensure that an absence history is maintained for each employee. These records will provide the base data for the compilation, at regular intervals, of statistics showing the level of sickness absence across the Council.

The sickness monitoring system will also enable the Chairman to identify Individual cases where frequent or lengthy absences have occurred, or where patterns of absence have been identified. However you should view such notifications as a secondary means of identifying problems or potential problems.

You should ensure that at all times you maintain comprehensive records for the Clerk in relation to contact during and immediately following periods of sickness absence. These details should be maintained on the Clerk's personal file, and should be treated with sensitivity and confidentiality at all times. The Clerk will be entitled to access these records on request.

Appendix 1



Carn Brea Parish Council
Return to Work Discussion

| | |
|---|---|
| Name of employee: | |
| Name (s) of others present: | |
| Date: | |
| Time: | |
| Period of Sickness Absence: | From: |
| | To: |
| Number of Working Days Absent: | |
| Did the employee follow the correct absence reporting procedure? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Has a medical certificate been provided? | <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, delete as appropriate: Self Certificate/Doctors Certificate |
| State briefly why the employee was unfit for work (Specify nature of illness or injury. Words like "illness" and "unwell" are not enough) | |
| Was the absence a result of an injury at work or work related accident or illness? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | |
|--|---|
| If Yes please give details: | |
| When was the incident reported (date and time)? | |
| Who was the incident reported to? | |
| Was the absence the result of an accident where damages may be claimed from a third party (e.g. road traffic accident?) | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, please give details: | |
| Is the employee fit to resume normal hours and duties? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Is the employee on any medication which may affect your performance | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Does the employee feel that there is anything the council can do in support? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, please give details of the support required: | |
| Summary of actions agreed: (i.e. alterations to working arrangements, referral to Occupational Health, referral to other support agency, etc.) | |
| Review date of actions: | |
| Any other comments: | |

I understand that this information will be used for the purposes of recording and monitoring sickness absence:

Employee signature:

Date:

Line Manager signature:

Date:



Carn Brea Parish Council
Employee's Statement of sickness

Your Statement

Surname or family name

First name(s)

Title

National Insurance Number

Date of birth

Please give brief details about your sickness

What date did your sickness begin?

Has your sickness ended?

- Yes
- No

What date did your sickness end?

What date did you last work before your sickness began?

What time did you finish work on that date?

Was your sickness caused by an accident at work or an industrial disease?

- Yes
- No

Declaration

- I confirm that the information I have given is correct

Signature

Date

Phone Number