

Surrey Heath Borough Council Human Resources

Sickness Absence Policy and Procedure



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Policy and Procedure for Sickness Absence

1 Introduction

Surrey Heath Borough Council ('Council') believes that employees are its most valuable resource and recognises the important contribution made by regular attendance at work to continue to provide the high level of quality public service to the community.

This policy and procedure provides a framework to ensure that all employees are treated fairly and consistently in relation to sickness absence and managers at the Council are aware of the most appropriate procedures to provide for the welfare of their staff. Whilst employees should be treated fairly and consistently, every effort should be made to maximise attendance levels and reduce absence.

2 Scope

This policy and procedure applies to all employees at the Council and it should be read in conjunction with the following policies (and all other relevant policies will apply):-

- Leave and Special Leave Policy and Procedure
- ~~Family Friendly Policy~~
- Disciplinary Policy and Procedure
- Capability Policy and Procedure
- Grievance Policy and Procedure
- Health and Safety Procedure
- Flexible Working Policy and Procedure

3 Policy Statement

Employees are paid to attend work and they are expected to do so unless they have a significant and legitimate reason for their absence. Employees should recognise that any absence, however justified, will inevitably have a financial and operational impact on the Council. Absence due to malingering is a conduct issue which would be considered under either the Capability or Disciplinary Procedures.

There may be occasions, based on the actual circumstances surrounding absences, when the Council's formal Capability or Disciplinary Procedures need to be invoked. Managers should ensure that all employees are aware that their attendance will be monitored and that all employees are aware of and follow this Sickness Absence Policy and Procedure.

4 Confidentiality

- 4.1 To ensure fairness and compliance with the Data Protection Act 1998, full employee medical reports will only be seen and stored by Human Resources. Extracts from the medical reports highlighting the return to work recommendations, including any reasonable adjustments, will be provided to the appropriate Line Manager.
- 4.2 Information relating to an employee's health is only disclosed to those who have a direct involvement in dealing with the matter and/or are involved in the Council's sickness absence monitoring process. The Council recognises that some employees may be reluctant to divulge sensitive or personal information and may wish to speak to a member of Human Resources rather than their manager.

5 Equality Assessment

The Council's Equality Scheme demonstrates its commitment to equality internally and externally and ensures that all sections of the community are given an opportunity to contribute to the wellbeing of the community. An equality impact assessment has been carried out on this policy and procedure.

The Council ensures that consultation is representative of the community and that consideration is given to how to consult hard to reach groups and to learn positively from responses.

6 Principle and Aims

The aims of the policy and procedure are:-

- 6.1 To set a clear performance standard for attendance and state the consequences of not meeting this performance standard.

- 6.2 To establish systems for monitoring and reviewing individual sickness records in order that managers can objectively assess the absence(s) and decide on appropriate action.
- 6.3 To contain sickness to an agreed level according to the sickness absence triggers. Absences exceeding 5 weeks duration will be viewed as long term, as specified in the Council's Local Best Value Performance Indicator's (BVPI's).
- 6.4 To explore reasons for sickness absence in order to help prevent the absence recurring, address any welfare problems and ensure that appropriate medical assistance is being provided.
- 6.5 To provide payments to employees who are unable to attend work due to sickness where appropriate.

7 Roles and Responsibilities

7.1 The Council

The Council is responsible for providing a healthy working environment that allows employees to provide the high level of quality public service to the community.

7.2 Managers

- 7.2.1 It is the responsibility of all managers to support their employees to maximise their level of fitness for work and to provide a working environment that is conducive to enabling employees to perform to a high standard.
- 7.2.2 Managers will apply this Sickness Absence Policy and Procedure fairly and consistently and they will take action where attendance levels fall below the required performance standard.
- 7.2.3 Managers, in conjunction with Human Resources, will discuss options to help an employee to remain working rather than being absent such as:-
- Temporary or permanent reduction in hours/duties and possible redeployment where appropriate

- Home working or part-time working.

7.2.4 Managers will also support employees through their return to work reassessing their work regarding reasonable adjustments if applicable.

7.2.5 Managers will conduct return to work meetings after each absence on the employee's first day back at work. A return to work form will be completed in iTrent. If the employee's manager is absent a nominated manager will conduct the meeting instead.

7.2.6 Managers will follow the Capability Policy and Procedure where appropriate.

7.2.7 Managers, after consultation with Human Resources, will consider whether an employee may be considered to have a disability under the Equality Act. Where this is the case, for example, adjustments to working practices may be made.

7.2.8 Any period of sickness must be recorded in iTrent, this can either be completed by the manager or employee.

7.3 Employees

7.3.1 All employees have a responsibility to comply with this Sickness Absence Policy and Procedure. In particular:

- a) It is the responsibility of every employee to attend for duty at the expected time and in addition all employees are required to support their own fitness for work;
- b) Attend an Occupational Health appointment, or be available for an Occupational Health telephone consultation when requested;
- c) Keep their manager fully informed at all times during their sickness absence regarding the likely duration and any medical appointments that they are required to attend;
- d) Provide up to date documentation from their GP to their manager. As the manager will need to upload the certificates in iTrent while the employee is absent from work;
- e) Co-operate with their manager to support their return to work.

7.4 Human Resources

- 7.4.1 Human Resources will provide guidance and support to both managers and employees with regard to the Sickness Absence Policy and Procedure.
- 7.4.2 Human Resources will remind managers and employees that there is a Healthcare Scheme and Employee Assistance Helpline.
- 7.4.3 Human Resources will ensure that all sickness absence records are treated as confidential and kept in accordance with the Data Protection Act 1998.

8 Special absences

8.1 Maternity related sickness absences

Section 18 of the Equality Act 2010 provides that unfavourable treatment of a woman at work during the 'protected period' because of an illness suffered by her as a result of pregnancy, constitutes pregnancy discrimination. The 'protected period' is when the pregnancy begins and ends when she returns to work after maternity leave (where applicable). For further information, please contact Human Resources.

8.2 Disability related absence

Where an employee is absent from work due to illness which is directly associated with their disability, this will need to be accommodated within the terms of the Equality Act 2010. For further information, please contact Human Resources.

9 Procedure

9.1 First Day of Absence

- 9.1.1 If an employee is unable to attend work due to illness or injury they are required to personally notify their manager by telephone before their normal time of arrival. If it is not possible for an employee to make contact personally then someone else may do so on their behalf. If an employee cannot contact their manager they can leave a message with a member of Human Resources or a colleague whereupon the manager will call the employee back.

9.1.2 The employee must notify their manager:-

- a) That they are not coming into work;
- b) Provide the reason for their absence;
- c) The likely duration of their absence, and whether or not they intend to contact their doctor;
- d) Of any urgent work that needs actioning, meetings that may need to be postponed, etc.

9.1.3 The manager will remind the employee of the necessity to telephone again each day until the length of absence has been identified.

9.1.4 If an employee becomes sick during the working day and leaves work before their normal finishing time they must notify their manager or another suitable manager in their absence. **See Section 13 below.** The employee should agree with their manager who will update iTrent as the absence will need to be recorded.

9.1.5 In the event of an accident at work it is important to ensure that the accident reporting procedure is followed.

9.1.6 It is important that employees comply with the procedure as set out above; failure to do so may result in their absence being regarded as unauthorised and unpaid.

9.1.7 If an employee fails, without prior agreement, to contact their manager as stated in this procedure, their manager may contact the employee.

9.2 More Than Seven Days Absence

9.2.1. If an employee's sickness extends beyond seven days (including weekends) they will require a 'Statement of Fitness to Work' - note from their Doctor or hospital certificate if they are an in-patient. The manager will be responsible for uploading the certificate in iTrent. Please follow the link for detailed instructions <https://intranet.surreyheathonline.gov.uk/hr/itrent> **Failure to do so may result in sickness payments being stopped or suspended.**

- 9.2.2. If an employee submits false information regarding their sickness it may be treated as gross misconduct and may result in their dismissal from the Council.

10 Continuing Absence

- 10.1 When absent from work due to sickness, the employee should make themselves available/contactable, for absence monitoring purposes, at all times during the working day, as they would if they were at work. Human Resources will discuss the preferred method of contact with the employee. An example of why the manager would contact the employee could be to arrange an Occupational Health appointment. If the employee is not available they must notify their manager of the reasons why. The failure to comply with this may be a conduct issue and could be considered under the Capability Policy and Procedure or the Disciplinary Policy and Procedure (depending on the circumstances).
- 10.2 Employees must submit a 'Statement of Fitness to Work' note as often as is necessary to authorise their absence from work. All 'Statement of Fitness to Work' notes must be continuous, i.e., when one 'Statement of Fitness to Work' note expires the next 'Statement of Fitness to Work' note must follow on from the very next day. **Failure to comply with the procedure may result in the employee's absence being regarded as unauthorised and therefore unpaid.**
- 10.3 The Council may at any time, whether during or after a period of absence through illness, require an employee who has been unable to perform their duties as a consequence of illness to submit to an examination by the Council's independent Occupational Health Doctor. Any expenses incurred in connection with such an examination will be met by the Council. The Council will require at least 24 hours' notice if an employee is going to cancel their occupational health appointment. However, failure to attend a rearranged occupational health appointment could be a conduct issue (depending on the circumstances).
- 10.4 Employees are required to continue to follow the sickness absence procedure and inform their manager of their expected return to work date. It is important to give as much notice as possible.
- 10.5 **Employees must not return to work while their absence is still covered by a 'Statement of Fitness to Work' note unless they**

receive written approval from their doctor that they are well enough to return. The employee will need to contact Human Resources about their return date and HR may need to seek further advice and guidance from Occupational Health.

11 Return to Work

11.1 Upon an employee's return to work following any period of absence they must meet with their manager who will discuss their absence and establish that the period of absence was properly authorised, that sick pay can be paid, if appropriate, and whether the employee is fit to return to work. The [Return to Work Form](#) will need to be completed in iTrent and will form the basis of the return to work meeting. Payroll will receive an update from the system when they prepare their sickness absence reports.

11.1.1 **Please note the Return to Work Form must be completed in iTrent even when a 'statement of fitness to work' note has been provided.**

11.2 This return to work meeting will normally take place on the employee's first day back at work and will be conducted in private and a note of the meeting will be made.

11.2.1 This meeting may include the following:

- a) Review the reason for absence and confirm that the employee is fit to return to work
- b) Identifying the next step if appropriate
- c) Updating the employee with any changes in the department
- d) Discussing any appropriate support for the employee's return to work (reasonable adjustments, training needs etc.)

11.2.2 Where appropriate, a phased return to work may be advised by Occupational Health. The manager, in consultation with Human Resources, will agree with the employee how the phased return can be arranged which is both supportive and ensures that the service needs are adhered to.

11.2.3 Occupational Health may confirm that the employee is unfit to perform the full duties of their role and instead that they could be temporarily redeployed to alternative duties. Any temporary redeployment will be

discussed and agreed with the employee and the manager. However, if temporary redeployment is not feasible, then the employee may be required to remain on sick leave until they are fit to return to their normal duties.

- 11.2.4 If Occupational Health advises that the employee is permanently incapable of performing their current duties, Human Resources will review other options available for the employee.
- 11.3 To ensure fairness and compliance with the Data Protection Act 1998, full employee medical reports will only be seen and stored by Human Resources. Extracts from the medical reports highlighting the return to work recommendations, including any reasonable adjustments, will be provided to [the](#) appropriate Line Manager.

12 Long Term Sickness

- 12.1 Long term sickness absences will vary and for this reason the appropriate communication mechanism will be taken with each employee. Absences exceeding 5 weeks duration will be viewed as long term, as specified in the Council's Local Best Value Performance Indicator's (BVPI's). In these cases the following will apply in addition to the procedure detailed above but taking into account the nature of the absence:-
- a) During long term sickness absence the procedures in **Section 9.1** above will be followed;
 - b) If after 4 weeks absence the employee has not advised their manager of a likely return to work date, a Human Resources representative will accompany the manager on a home visit, by appointment, to discuss the continued absence and review the situation;
 - c) From then on, [in](#) consultation with Human Resources and the employee, the next visit will be decided. If after 6 weeks absence the employee has not advised their manager of a likely return to work date a Human Resources representative will accompany the manager on a further home visit, by appointment, to discuss the continued absence and review the situation.
- 12.2 If an employee unreasonably refuses access to their manager or a

representative from Human Resources or fails to keep them informed of their situation, their continuing absence will be regarded as **unauthorised** and **unpaid**.

12.3 Long term sickness will be reviewed on an on-going basis. Options to be considered will involve:-

- a) A formal meeting to be convened
- b) Further monitoring of the situation
- c) Referral to the Council's Occupational Health
- d) Consideration of redeployment
- e) Change in the requirements for the provision of 'Statement of Fitness to Work' note
- f) Additional home visits where appropriate
- g) Implementation of either the Capability Policy and Procedure or the Disciplinary Policy and Procedure. In certain cases the Council will have the right to hold a capability meeting whilst the employee is off sick.

NB This list is not exhaustive

12.4 Exceptions would be those cases where the reason for absence is clear and a likely return to work date can be reliably predicted, i.e. an employee has a routine operation with a standard recovery time.

13 Sickness during the Working Day

13.1 If an employee becomes sick or injured during the working day and has to leave work before their normal finishing time they must:-

- a) ensure that a suitable manager is informed before they leave;
- b) if there is a work related injury that it is logged in the Accident Book;
- c) ensure that their absence, even if it is only for half a day (half a day is before 13:00), is submitted in a Return to Work Form in iTrent. A return to work meeting will be arranged with their manager when they return to work.

14 Sickness during Holidays

- 14.1 If an employee falls sick whilst on annual leave (excluding Public and Extra-Statutory days) they should contact their manager to advise, as stated in **Section 9.1 above**. When the employee has recovered they should again contact their manager to advise when they are resuming their leave. A 'Statement of Fitness to Work' note will be required for all sickness days whilst on annual leave. The Council will pay a maximum of £25 upon receiving a receipt for the cost of a statement.
- 14.2 If an employee does not make reasonable efforts to inform their manager of when they are sick, their leave will not be treated as sick leave, except in exceptional circumstances and where they are able to provide a 'Statement of Fitness to Work' note from their destination.
- 14.3 The rules for certification as detailed above also apply to sickness whilst on leave.

15 Procedure Trigger Points

- 15.1 Managers have the responsibility to monitor and also to take immediate action in the following circumstances:-
- a) Where an employee reaches 10 working days absence (pro-rated where applicable) or more within a rolling period of twelve months;
 - b) When an employee has -5 absences in 12 months;
 - c) When an employee has a pattern of sickness absences.
- 15.2 Options to be considered will involve:-
- a) A formal meeting to be convened
 - b) Further monitoring of the situation
 - c) Referral to the Council's Occupational Health
 - d) Consideration of redeployment
 - e) Change in the requirements for the provision of 'Statement of Fitness to Work' note
 - f) Additional home visits where appropriate
 - g) Implementation of either the Capability Policy and Procedure or the Disciplinary Policy and Procedure. In certain cases the Council will have the right to hold a capability meeting whilst the employee is off sick.

NB This list is not exhaustive

16 Sickness Payments

The following will apply:

- (a) Payment of salary will not be made in cases where an injury has occurred as a direct result of active participation in sport undertaken as a professional.
- (b) Payment of salary may not be made where absence through persistent sporting injuries occur.
- (c) Payment of salary will not be made where injury occurs as a result of participation in high risk/extreme sports. A list of these sports can be found [here](#). Employees are advised to consider purchasing independent insurance to cover potential loss of earnings when participating in these high risk/extreme sports.
- (d) Payment of salary will not be made where surgery and subsequent recovery is not required for genuine medical reasons. However, if complications were to arise following the treatment and the normal recovery time is not achievable as a result, sick pay would then apply.
- (e) Payment of salary will not be made where an absence arises from, or is attributable to, the staff member's own misconduct, unless the Council decides otherwise.
- (f) Payment of salary may be extended in exceptional circumstances, subject to the consideration and approval of the Head of Paid Service.
- (g) Employees who are absent as the result of an accident will not be entitled to pay if damages are recovered from a third party in respect of such an accident. In this event the Council may, having looked at the circumstances of the case, provide the employee with an advance not exceeding the sick pay provided under these Conditions, subject to the employee undertaking to refund to the Council the total amount of such allowances or the proportion thereof represented in the amount of damages recovered.
- (h) Where full reimbursement occurs from a 3rd party, payment of salary will be extended accordingly.

- (i) If an employee fails to observe these Conditions, the Sickness Absence Policy and Procedure or prejudices their recovery, the Disciplinary Policy and Procedure may be invoked and payment of salary may be withheld.
- (j) Where the Council can exercise discretion, this will be undertaken by the line manager or Human Resources and, where necessary, the decision will be provided in writing. If an employee does not agree with the decision made they may pursue this through the Council's Grievance Procedure.

17 Scale of Allowances

17.1 Subject to the provisions of these conditions, an employee absent from duty owing to illness (which term is deemed to include injury or other disability) shall be entitled to receive an allowance in accordance with the following scale:

During probationary period (6 months) (Non-Continuous Local Government Service)	Statutory Sick Pay if applicable
Up to 1st year of service	1 months' full pay and 1 months' half pay
Up to 2nd year of service pay	2 months' full pay and 2 months' half
Up to 3rd year of service	3 months' full pay and 3 months' half pay
Up to 4th year of service	4 months' full pay and 4 months' half pay
Up to 5 th year of service	5 months' full pay and 5 months' half pay
After 5 years' service	6 months' full pay and 6 months' half pay

17.2 For the purpose of sick pay entitlement records a week is equivalent to 5 working days.

18 Medical Appointments

- 18.1 Wherever possible, employees should arrange hospital, doctor and other medical appointments outside of their working hours but where this is impossible, the appointment should be made at a time that minimises disruption to service. Part-time employees will usually be able to make appointments in their own time, as will those who work on flexitime. For full time employees, either make up the time or take annual leave as agreed with their managers. This provision will not apply to those donating blood locally. For antenatal appointments please refer to the [Family Friendly Policy](#)
- 18.2 Where an appointment has been sent to an employee that has been made during the working day the employee can either make up the time or take annual leave as agreed with their manager. This is on condition that written confirmation of the medical appointment with appropriate notice is provided to the manager.
- 18.3 For any employee undergoing fertility treatment they have the right to time off for the purpose of undergoing the treatment. Employees should provide written confirmation of these appointments to their line manager. Time off for appointments should be taken as annual leave but if the employee is off sick due to the treatment then the Sickness Absence Policy and Procedure applies.
- 18.4 Employees should discuss with Human Resources and their manager any cosmetic/elective procedures and surgery prior to commencement to determine the most appropriate form of absence.

This policy is available in large print if requested.