



Watford Borough Council Sickness Management Policy and Procedure

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Sickness Policy

This policy, associated procedures and guidance apply to all employees of Watford Borough Council.

- The Council values the contribution of its staff in the delivery and maintenance of quality services to the local community. While recognising that employees may be prevented from working due to ill health, the Council has a duty to maintain service delivery and minimise disruption. The authority is therefore, committed to managing attendance and sickness absence and believes it is the responsibility of the council's managers, trade union representatives and employees to work together to promote the effective management of sickness absence. The aim of the policy is to have well employees at work and to deal fairly and consistently with those who are unwell.

The Council aims to achieve this through:

- Promoting the health, safety and well being of all employees. This includes the use of risk assessments to identify and manage hazards impacting on health in the workplace;
- Providing appropriate preventative measures through pre-employment screening, medical advice and training on areas such as manual handling and risk assessments.
- Monitoring levels of sickness absence for individuals, teams and the Council as a whole to enable appropriate and timely action to be taken;
- Implementing procedures to support and manage staff absences, while dealing with unjustified and/or high levels of sickness absence

The Council will monitor the effectiveness of this policy and procedures on a regular basis.

Section 2

Sickness Absence Procedure

1. Notifying absence

1.1 In order to improve the Council's approach to managing sickness absence and to provide constructive health advice to employees, employees must report their sickness absence to the 24 hour Nurse Contact Centre by telephone ideally before they are due to commence their working day but no later than 10am on the first day of absence. However in some sections (e.g. Refuse Collection) a different time deadline may be decided for operational reasons. The Nurse will then immediately report their sickness absence and the anticipated duration of that absence to their line manager by e-mail or text message. Failure to inform the Nurse Contact Centre of absence may lead to the absence from work being considered as unauthorised, resulting in loss of pay and possibly disciplinary action.

1.2 The line manager, (or the person who received the e-mail if they were unavailable), should complete an Absence Recording Form which can be downloaded from the intranet or obtained from HR. The line manager may then phone the employee to check if any work arrangements need re-arranging or to check on the employee's welfare. The Absence Recording form asks for the reason for absence, the anticipated length of absence, any work commitments that may need re-arranging and current contact details.

1.3 If the employee believes that their absence may have been caused by their work or by an accident they had at work, they should contact their manager and arrange for an accident form to be completed. The manager should take steps to look into the cause of absence as soon as possible or aggravating factors and, if necessary, write a report. They should also contact the Health and Safety Manager for advice.

1.4 The employee should keep their manager up to date with their progress and should follow the above procedure of contacting the Nurse contact centre if their absence continues longer than they anticipated when they initially spoke to them.

1.5 If an employee becomes ill whilst on annual leave they should notify their manager as soon as possible and will be reimbursed for their leave if they present a medical certificate or similar documentation to cover the period of sickness.

2. Certification

- 2.1 It is important that the line manager ensures that the Absence Recording form (appendix 1) is completed and that this is forwarded to payroll, as this is also a self-certificate which is required to record absences of between 3-7 days.
- 2.2 If the absence continues for more than seven consecutive days (regardless of whether or not these are working days) an employee must obtain a medical certificate from their doctor which should be forwarded first to the line manager and then to payroll. Where there is continuing sickness absence, the employee must submit consecutive certificates to cover the whole period of absence. It is the manager's responsibility to ensure that these certificates are received or that action is taken if they are not.
- 2.3 If an employee has been signed off sick for two weeks or more or for conditions which may affect them when they return to work, employees are required to produce a certificate from their GP which confirms that they are fit to resume work. In certain circumstances a manager may ask for Occupational Health advice before a member of staff returns to their job.
- 2.4 Failure to comply with certification procedures may result in the loss of sick pay and possibly disciplinary action. Misleading or false statements will normally be dealt with under the Council's disciplinary procedure.

3. Return to Work

- 3.1 It is essential that after **every period of sickness absence** for **every** employee, when they return to work that their manager/supervisor meets with them for a return to work interview (see pro forma appendix 2). This should normally take place on the first day back at work or at least within three days of their return.
- 3.2 The purpose of the meeting is to:
 - welcome the employee back to work,
 - ensure that there is an accurate record of the absence and the appropriate certification,
 - to update the employee on work issues,
 - to ensure that there are no further health issues (eg are they on medication?) and, if necessary
 - to raise an initial concern about the frequency and/or patterns of periods of sickness absences.

- 3.3 A record of the meeting will be made on the return to work form and placed on the employee's Personnel file. A copy should be given to the employee.

4. Sickness Absence Monitoring

- 4.1 The Council has to provide corporate sickness statistics on absence levels as part of its Best Value Performance Indicators and also in order to monitor the success of the Sickness Absence Policy. It is therefore vital that statistics are provided by managers, accurately and in a timely manner.
- 4.2 It is the manager's responsibility to ensure that accurate absence information is also recorded and passed to payroll. It is especially important that they ensure that payroll are informed when employees go off sick and when they return to work as this may otherwise result in an overpayment.
- 4.3 Each manager is required to monitor the sickness absence of their team and to take further action when necessary when "trigger points" are reached (see section 5.1) and/or when there are concerns about an employee's health or absence levels. The Occupational Health Adviser and/or HR department can both provide information and support on these issues.

5. Dealing With Frequent Short Term Absence.

This part of the procedure is intended to deal with frequent short-term absences and more minor illnesses. It is not intended to make staff attend work when they are genuinely ill, but recognises that they are being paid to work and should therefore ensure that they make every effort to ensure that they are fit and available to attend. The emphasis of each stage of the process should be one of problem-solving to reduce sickness absence. The particular circumstances of each case should be taken into account in determining action.

A short term absence is a period of less than 4 weeks for the purpose of this procedure – see below.

5.1 Informal Action

- 5.1.1 If an employee's absence level meets one of the following "**trigger level points**", the manager/supervisor will meet to review the absence levels with the employee. Absence Trigger Levels are reviewed annually and agreed by the Corporate Management Board but are currently:

- 2 periods of absence' or '4 single days' within a six month rolling period or

- '4 periods of absence' or '8 single days' during the previous 12 months'.
- Any other recurring recognisable pattern such as frequent absenteeism on a Friday or a Monday or before or after annual leave

5.1.2 An **informal meeting** will take place with the line manager/supervisor, the employee and their trade union representative (or a colleague if they wish), to discuss the absence record, explore the reasons for absence, identify areas for support, conflicts between the demands of work and home life, and targets for improvement.

Possible outcomes may be:

- Management referral to Occupational Health for advice
- Other support mechanisms identified and implemented (eg BUPA counselling service, referral to outside agencies, training, mentoring.)
- Reasonable adjustments such as changes to the workload, work practices or work pattern; or re-deployment may be sought (This may require Occupational Health guidance)
- Asking employee to submit a medical certificate for every period of absence. The Council will need to undertake to pay for the cost of these certificates and the employee should be informed of this.

5.1.3 At the meeting the employee will be informed of the improvement needed in their attendance, the possible consequences if this is not achieved and a date should be set to review their attendance. This review will usually take place in about 3 months but if absences are excessive prior to this date, the review meeting can be brought forward (suggested meeting format - appendix 3)

5.1.4 The manager should write to the employee within 5 working days of the meeting to confirm the points discussed and actions identified
A copy should be placed on the employee's personnel file

5.1.5 If, following the review period, the employee's absence record has improved, the manager should write to the employee to confirm that no further action will be taken and to congratulate them on the improvement. It may however be necessary to consider whether to extend the review period if there are still any reasons for concern.

5.2 Formal Action

5.2.1 If there is insufficient improvement in the employee's sickness absence record, a **formal review meeting** will take place where reasons for the continued absences will be explored with the line manager.

5.2.2 The manager should write to the employee a minimum of 5 working days prior to the meeting to confirm the date, time, venue, reason for the meeting and their right to be accompanied by a TU representative or a colleague.

- 5.2.3 At the meeting the manager will re-affirm the issues discussed at previous meeting(s), discuss the reasons for continued high absence and the impact of the frequent absences on the service and colleagues, review any support provided to the employee and consider further support if appropriate; discuss what action the employee can take to improve attendance and set targets for improvement. The manager also needs to explain to the employee the potential consequences of not meeting improvement targets including ultimately, possible termination of their employment and set a further review date.
- 5.2.4 At the end of the meeting, the manager will consider all aspects of the case and will normally issue a **first formal warning**, under the sickness procedure, if appropriate. They should inform the employee of their right to appeal against the warning.
- 5.2.5 A first written warning for capability will state that the employee's sickness absence record is not satisfactory and that it must reach a satisfactory level for a sustained period or this will normally lead to a further warning.
- 5.2.6. The manager should write to the employee within 5 working days of the meeting to confirm the points discussed and actions identified. A copy should be placed on the employee's personnel file. Maintained improvement will be expected over a 12 month period from the date of the letter.
- 5.2.7 Improvements in attendance should be recognised and where these are adequate and sustained, employees should be seen and removed from the process.
- 5.2.8 Failure to improve to an adequate level after a further review period will lead to a further meeting. If, after considering the employee's sickness record during the review period and all the points raised, the manager feels that a satisfactory improvement has not been made, a final written warning will normally be issued. A final written warning for capability will state that the employee's sickness record is not satisfactory and that it must reach a satisfactory level for a sustained period or this may lead to termination of employment on the grounds of capability. The manager will write to the employee within 5 working days of the formal review meeting confirming the points discussed and actions agreed. A copy of this letter should be placed on the personnel file. Maintained improvement will be expected over a 24 month period from the date of the letter.
- 5.2.9 Failure to improve after a final written warning for capability and a further review period could lead to a dismissal on the grounds of capability. If there is still insufficient improvement in the employee's absence record, then the matter will be referred to the Head of service

for a Case Review Hearing (see section 7).

5.3.0 At each formal stage of the procedure the employee has the right of appeal to their Head of Service or, in the case of a Head of Service, to the Managing Director, to be notified within 10 working days of the hearing. An appeal hearing will be arranged as soon as practicable.

6. Dealing with Long Term Absence

There are many reasons why a member of staff may be absent for more than four weeks. Absences are deemed to be long term if they are over 4 weeks in length for the purposes of this procedure.

The following are guidelines for managers and staff to ensure that staff who are away from the workplace for some time are not forgotten and that they are treated in a considerate and consistent manner whether they are able to return to work quickly or whether they have to leave their jobs because of their continued ill health:

STAGE 1

Where absence is continuing for more than four weeks

Maintaining contact is important, and managers should:

- From the beginning of the absence contact the employee regularly and document all such discussions or meetings. The employee may choose to have a colleague or T.U. representative present at any meeting.
- Continue to maintain contact with the employee and arrange to meet the employee on a regular basis, in their home if necessary, in order to keep up to date with progress, identify areas for support and determine whether any other actions should be taken. You may wish to be accompanied by an HR Representative.
- Seek a medical opinion from the Occupational Health Department. Typically this will be by the 5th or 6th week, although there may be occasions where this is necessary sooner.
- A referral to Occupational Health should be done with the knowledge and consent of the employee. This can be done after a home visit or telephone conversation. The manager/team leader will complete a referral request form. The main purpose of the referral will be to provide an indication of the potential duration of an employee's absence and whether any steps can be taken to help the employee return to work. The advice received from Occupational Health should be discussed with the employee as part of a review meeting or home visit.

Start planning for the employees return well in advance if appropriate. This may include considering reasonable adjustments to the workplace, updating the employee on things they have missed, ensuring that any work related issues which affected their illness have been investigated and resolved.

STAGE 2 (a)	STAGE 2 (b)
<p align="center">EMPLOYEE REMAINS ON LONG TERM ABSENCE</p> <p>In consultation with an HR Representative you should ensure that you: -</p> <ul style="list-style-type: none"> • Continue to monitor the situation. Make frequent contact with the absent employee, possibly arrange to visit them at home if appropriate. Document all meetings and discussions including telephone calls. • Continue to seek professional medical advice from Occupational Health and discuss the advice received with the employee concerned • Options following medical referral include, but are not limited to:- <ul style="list-style-type: none"> ○ a further review period ○ reasonable adjustments such as changes to the workload(where practical), work practice or pattern, either as part of a phased return or on a more permanent basis ○ other appropriate support mechanisms ○ ill health retirement ○ redeployment ○ case review meeting • In certain circumstances consideration may be given to 	<p align="center">EMPLOYEE RETURNS TO WORK</p> <ul style="list-style-type: none"> • Plan for their return in advance and ensure they will feel supported and welcome during what could be a difficult transition period if they have been off for some time. • Arrange a return to work meeting ideally on their first day back • Reasonable adjustments should always be considered. When an employee returns to work after long term sick leave they may need to work reduced hours for a up to six weeks on the advice of Occupational Health or their GP. The practical arrangements will be made in liaison with their manager. • If however the Occupational Health department recommends light duties and/or reduced hours for a period longer than six weeks this will be accommodated on the basis of full pay. <p>In all cases if the employee has not resumed full duties after 3 months of their return to work a further referral will be made to the Occupational Health Adviser and a Case Review</p>

<p>paying for private treatment (eg physiotherapy or for advice from a consultant) to enable a member of staff to return more quickly. Decisions about such payments can be made by the relevant Head of Service with advice from Occupational Health. See HR for further Information</p> <ul style="list-style-type: none"> • In most cases employees will return to work in due course. However in some cases, because of the actual or anticipated duration of absence, it may be necessary to advise the employee as sympathetically as possible, that it may not be possible to hold their position open beyond a certain time period and that their employment is at risk. Redeployment options and ill health retirement should be explored before consideration of any termination of employment on the grounds of long term ill health • Refer to Head of Service/Director for a Case Review where it is anticipated that the absence will continue beyond the period of sick pay entitlement. <p>A current medical report together with all the case history including notes of meetings and interviews will be mandatory at the Case review.</p>	<p>will be set up to consider other possible outcomes.</p>
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7. Case Review Hearings

Where there are continuing concerns regarding short-term absences and warnings have been given, or where, in the case of long-term absence, options to enable the employee to remain in employment are either

inappropriate or have been unsuccessful, the employee may be asked to attend a case review hearing.

The purpose of the hearing will be to consider whether there are any further actions that the authority can take to assist the employee in continuing their employment or whether employment should be terminated due to the employee's incapability to undertake their duties because of ill health.

7.1 Planning the Hearing

7.1.1 The following will need to be invited to the Case Review Hearing:

- The Head of Service or another Senior Manager will be appointed as hearing officer. They will be accompanied by a representative from HR.
- The line manager/supervisor will present the management case and may be accompanied by a representative from HR
- The employee has the right to be accompanied to the meeting by a TU representative or a work colleague.
- Depending on the nature of the case it may be appropriate to ask the Occupational Health Adviser or other relevant experts to attend.

7.1.2 The hearing officer should write to the employee a minimum of 5 working days prior to the hearing and in the letter should state the reason for the hearing, the date, time and location of the hearing and the employee's right to representation. S/he should enclose any paperwork that is going to be discussed at the meeting e.g. warnings, doctors reports, notes of meetings and conversations. He should also ask that any further information that the employee wishes to be considered at the hearing should be submitted a minimum of 2 working days prior to the date.

7.2 The Hearing

7.2.1 At the hearing, the line manager will first present the management case. They will give information about actions taken and introduce any other individuals involved in the employee's case.

7.2.2 The employee will then have the chance to state their case.

7.2.3 When reaching a decision about whether or not to terminate employment the hearing officer should consider issues such as:

- The need for the work to be undertaken
- The impact of the employee's absence and ill health on other employees and other services
- The employee's absence record
- Financial implications

- Representations made by the employee and/or their representative
- Medical advice received
- What actions have been taken to ensure that the employee is given the opportunity to remain in employment
- Whether the procedure has been followed correctly
- Consider cases where an employee has a disability in light of the requirements of the Disability Discrimination Act 1995

This list is not exhaustive and the weight attached to each will depend on the circumstances of the case, balancing the needs of the employee and the council.

7.2.4 Any actions will be discussed with the employee and their representative before any final decisions are made. In all circumstances employees will be treated in a fair and reasonable manner appropriate to their particular case.

7.3 The Decision

- 7.3.1 The employee will be informed of the decision and this will be confirmed to them in writing within 7 working days.
- 7.3.2 Where a decision is made that further action is required, possibly a further review period or a doctors report, this will be set out in the letter and a further review hearing will be set up at a later date if necessary.
- 7.3.3 Where a decision to dismiss is made, the letter will inform the employee of their notice period, their right to appeal against the decision and the reasons for the decision (see appendix 8 for letter)

8. The Appeal

- 8.1 A right of appeal exists against dismissal on the grounds of capability subject to notice of the grounds of the appeal being given in writing to the Head of Human Resources within 10 working days of the receipt of the dismissal decision.
- 8.2 Appeals will be heard by the Managing Director or a designated Director who will be accompanied by an HR representative who has not been involved in the case.
- 8.3. Appeal hearings must be set up as soon as practicable.
- 8.4 The applicant will be given at least 5 working days written notice by the Hearing Officer of the time and place of the hearing. They may be represented or assisted by a Trade Union official

or workplace colleague and may call witnesses and produce documents relevant to their defence at the hearing.

- 8.5 Papers involving the statement of case of both parties and details of any witnesses to be called should be exchanged at least 3 working days before the date of the hearing.
- 8.6 At the appeal hearing first the employee and then the manager presenting the appeal case will have the opportunity to state their cases and provide any documentary evidence.
- 8.7 The appeal panel will communicate their decision in writing within 5 working days of holding the appeal.
- 8.8 The decision of the appeal panel is final within the authority's internal procedures.

9. The role of Occupational Health

- 9.1 The main role of the Council's Occupational Health advisers is to provide advice and guidance on the impact on an employee's health on their ability to undertake their duties. They may also be able to outline what measures can be put in place to support the employee. Occupational Health also provide information and advice about new employees through pre-employment screening.
- 9.2 The manager should ensure that he/she provides as much information as possible to the Occupational Health Adviser and be clear about the areas they require advice about.
- 9.3 If an employee refuses to consent to seeing an Occupational Health doctor or adviser or they do not consent to further medical advice being obtained from their GP or consultant this should be discussed with them and the implications made clear in writing.

9.6 Sickness Absence – Referral to Occupational Health

Request Management Referral Form and Employee consent forms from HR.

The forms will be coded and entered onto a database in order to track progress for management information purposes.

Discuss with member of staff your concerns about their absence/ health and explain that you would like them to see Occupational Health. (E.g. they have reached a trigger point)

Go through their absence record and the reasons for absence with them and let them know what the process will be.

Complete forms and return together with their Job Description and absence record to HR.

HR will then update the database for tracking purposes and send all documentation to Occupational Health.

Occupational Health Advisor will arrange an appointment for your member of staff.

The Occupational Health Advisor will contact the manager with the details of the appointment and the manager will inform the employee. Appointments will be arranged to suit operational needs.

Following the appointment a report, detailing any recommendations, will be sent to HR for discussion with the Line Manager.

Arrange to meet your member of staff and talk through with them any recommendations and/or advice given by the Occupational Health Advisor.

Possible actions: Risk Assessment
 Adjustments
 Refer to Employee Assistance Programme / Occupational Health Physician
 Procedure: Capability, Disciplinary, Disability
 Review

Reasons for Referral

- Prior to Return to Work
- Persistent Short Term Absence
- Long Term Absence
- Disability
- Maternity
- Welfare Concern

10. Additional advice and information for Watford Borough Council staff with health related problems can be obtained from the following sources:

- BUPA Counselling and Advice service – info can be obtained from
- The WBC Stress Policy
- The Health and Safety Policy –
- Maternity Policy and Procedure
- Flexible working Policy
- Annual Leave Policy
- Disability Policy

All policies are published in the intranet or can be obtained from HR

Appendix 1
Absence Recording Form



There are 3 sections to this form:

- Section 1 is completed by the line manager.
- Section 2 is completed by the employee when they have returned to work.
- Section 3 is completed if an employee's absence is of more than 7 days.

SECTION 1

To be completed by the Line Manager: RECORD OF MESSAGE FROM ABSENT EMPLOYEE	
Employee name:	Department:
Date:	Time of Call:
Message taken by: <i>(under normal circumstances this should be the Line Manager)</i>	Job Title:
Reason for absence:	
Anticipated duration of absence:	
Work Priorities which need to be dealt with in their absence:	
Was your illness a direct result of something that occurred at work? Was it reported to anyone? To whom and when?	
Employee Contact Details:	
Signed by Line Manager:	

SECTION 2

To be completed by Employee on Return SELF CERTIFICATE			
Name:		Job Title:	
Period(s) of Illness (include non-working days):			
FIRST Day of illness:	day	(date)	(time)
LAST Day of illness:	day	(date)	(time)
Number of days absent:			
(For absences that last for more than 7 calendar days a Doctor's certificate will be required)			
The reason for my absence: (Please give details of your illness or symptoms)			
Signed:		Dated:	

SECTION 3

To be completed by the Line Manager: Employee Absent for more than 7 days

The above employees' absence is for more than 7 days and a doctor's certificate is required. I can confirm that I have updated the weekly absence return form: Y / N Anticipated duration of absence:
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Signed by Line Manager:

Dated:

Guidance on Self Certificate Form

You are required under the terms of the sickness absence scheme to complete this form with your line manager for each period of sickness absence up to 7 days. Absences that continue beyond 7 days require a Medical certificate. (sections 1 and 3 still need to be completed)

Where an employee has a record of persistent absence or an immediate medical opinion is required a medical certificate may be sought for absences of less than 7 days. (Any costs incurred will be reimbursed by Watford Borough Council provided there is a receipt)

The information contained in self certificates is kept in **strict confidence**



Return to Work

This section should be completed by the Employee and the Line Manager on the employee's return to work from any period of sickness as part of the Return to Work Interview.

Date on which absence began:	Date returned to work:
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NB Please give the date on which the sickness started, even if this was not a working day.

Number of days absent:	
Reason for Absence:	
Have you visited a doctor or hospital?	YES/NO
Are you now fit to return to work?	YES/NO
Are you on any medication which may affect you?	YES/NO
Is your sickness a result of an accident at work?	YES/NO
Have all necessary steps been taken to avoid the accident happening again?	YES/NO
Has the accident been reported and recorded?	YES/NO
Manager's Comments: (To include details of issues arising from absence, actions to be taken or any working adjustments that need to be made)	
DECLARATION I declare the above statement is true and accurate to the best of my knowledge. I understand that if I provide inaccurate or misleading information about my reasons for absence from work, this will constitute a disciplinary offence.	
Employee	Signed:
Manager	Signed:
	Date:

PLEASE SEND COMPLETED FORMS TO HUMAN RESOURCES

Pro Forma – ‘Informal’ Sickness meeting

- **Introduction**

Notes will be taken of the meeting

Explain reason for meeting which is to discuss the level of absence and to agree a way forward.

Explain that the meeting is informal but under the Council's sickness policy should attendance fail to improve it may become necessary to use formal procedures and the information gathered at the informal stage can be used as evidence.

- **Getting Information**

Check accuracy of data

Go through each period of absence and ascertain cause

Find out whether appropriate medical help has been sought.

Taking any medication?

Form of medication?

Can the Council assist in any way?(e.g. referral to Occupational Health or other experts.)

Is there anything going on outside work which might be having an effect on attendance.

Could it be something work related which is the cause?

- **Supplying Information**

The effect that absence has on the department

The rules about reporting absence

How absence is recorded

The possible consequences of future absences

ie. Can't attend due to regular bouts of sickness = potential capability issue. Conduct issue for non-attendance – potential disciplinary issue

- **Agreeing a Plan of Action**

Referral to Occupational Health, if appropriate.

Employee commitment to reducing the likelihood of future absence e.g. seeking medical attention, lifestyle etc.

Set realistic, achievable targets

Set review Date (approx 3 months)

- **End of Meeting**

Praise for good attendance where appropriate

Thank employee for being open and honest

Inform employee that they will receive a letter confirming outcome of the meeting