

Employee's Guide to the Procedure for Dealing with Sickness Absence

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1. Introduction

This document provides guidance on what you must do when you are unable to attend work due to sickness.

It will enable you to know what the Council expects of you and when and why your manager will take any action.

If you do not understand any part of this document or the Procedure itself you should ask your manager to go through it with you.

The Procedure reflects the Council's duties under the Disability provisions of the Equality Act. If you feel that you have a disability please discuss with your manager how the Council may be able to assist you in your employment.

The Council is committed to the health, safety and welfare at work of all employees and takes positive steps to support those suffering illness to return to work. As an employee of the Council you too have a personal responsibility for your own health and to maintain a level of sickness absence at an acceptable minimum. You should take all reasonable and practical steps both whilst at work and in your activities outside work to reduce any risks.

2. Reporting Sickness Absence

On your first day of sickness absence you must contact your manager in accordance with any local rules on reporting sickness absence in place within your business unit. These rules may vary slightly between different units, because of organisational structures, reporting lines, working patterns and service requirements. Your manager should provide you with any specific rules relating to your business unit in writing.

In the absence of any local arrangements, you are required to contact a nominated manager/supervisor within one hour of your usual starting time on the first day of sickness absence. Subsequent contact should also be within one hour of your usual starting time.

If you are still unable to attend work after three days you must contact your manager, or arrange for contact to be made, on the fourth working day of absence. You must then maintain regular and frequent contact with your manager if you remain absent due to illness, (also see section 3 "Medical Certificates" and section 4 "Recording Sickness Absence").

Your manager has some flexibility in deciding the arrangements for contact. What form that contact takes and how regular and frequent it will be depends on the circumstances. Your manager will discuss this with you, ensure that you are aware of what is required and confirm the details in writing to you where either you or your manager feel that this would add clarity.

If you are unable to make these contacts personally, it is your responsibility to ensure that someone else does this on your behalf.

If you do not comply with the reporting arrangements, you may be considered to be absent without permission. This may result in a loss of pay. Continued non-compliance may lead to formal action being taken against you under the Council's disciplinary procedure.

3. Medical Certificates

You will need to cover any period of sickness absence longer than five continuous working days by a medical certificate. If you work less than five days per week you need to provide a medical certificate for absence that exceeds your working week. This is available from your doctor (general practitioner) and should be submitted to your manager without delay. Medical certificates obtained after your period of sickness absence will not normally be accepted.

Irrespective of the length of your sickness absence, (i.e. even for only one day), you must provide a medical certificate in the following circumstances:

- where your sickness absence falls within a period of annual leave and you wish to reclaim the annual leave;
- during your notice period;
- on the day either side of a public or bank holiday; and
- on the day either side of annual leave (or flexi leave).

If your manager has legitimate concerns about the level of your short-term sickness absence, or where the Occupational Health Service has advised that there is no underlying medical reason for the absences, you may be required to provide a medical certificate for each and every day of sickness absence. This decision will be discussed with you at a sickness guidance interview, or following receipt of a subsequent report from the Occupational Health Service - also see section 7 below.

If your general practitioner will only issue a private medical certificate rather than a national health one, the Council will reimburse the cost on production of a receipt.

4. Recording Sickness Absence

All sickness absence should be recorded using Employee or Manager Self Service and requires a return to work form to be completed immediately after each spell of absence as a record of the meeting. Details will include the dates of absence, the reason for the absence and any other relevant information. Both you and your manager will be required to sign the form which will be kept locally. Storage of these forms will be kept confidentially and securely and you will have the right to inspect it. Employees are required to record the first seven days of sickness absence using Employee Self Service (ESS).

Managers are required to record sickness absence after the first seven days of sickness or all periods of sickness absence if the employee does not have access to ESS.

ESS is the standard method of reporting sickness absence for the first seven days, with managers electronic reporting forms used for longer periods of absence. Where there is no access to ESS or e-reporting, paper based reporting & sickness cards continue to apply.

It is the employee and managers responsibility to ensure all periods of absence are accurately recorded on Employee/ Manager Self Service.

Details recorded will include the dates of absence, the reason for the absence and any other relevant information. Both you and your manager will be responsible for ensuring records are accurately maintained. Your absence record will be kept confidentially and securely and you will be able to view on line through ESS.

A record will also be made on of any sickness that is -

- disability related.
- pregnancy related.
- as a result of an accident or assault at work.

5. Home Visits

You may receive a home visit from your manager or HR practitioner if you are absent from work due to illness for a prolonged time. This is to:

- monitor the progress of your recovery,
- discuss the possible implications of continued sickness absence and,
- try to establish a likely return to work date and any special arrangements for your return to work.

While some people may be reluctant to agree to a home visit, it is stressed that contact will be supportive and of benefit to you.

If you would prefer, a meeting can be arranged at a venue other than your home, e.g. the visit may be arranged at your place of work or another suitable venue. If your illness means that you are not mobile, transport to and from a venue, outside your home, may be provided if necessary.

In certain circumstances, an employee's medical fitness means that a visit may be inappropriate and this would be taken into account. Any home visit will be arranged in writing at a mutually agreeable date and time. In any event, your manager will never simply turn up unannounced at your home.

Should a formal meeting be necessary at an employee's home, you are entitled to representation (Trade Union or work colleague) at these meetings.

6. Returning to Work

When you return to work after a period of sickness absence (of any duration) your manager will conduct a “return to work” interview with you and complete a return to work form. This meeting should normally take place on your first day back at work. Confirmation that your sickness absence has been recorded on Employee/ Manager Self Service will be discussed at this meeting. Where appropriate, arrangements for any risk assessment under health and safety guidelines should be considered.

You are not entitled to representation at these meetings. Female staff may be more comfortable meeting a female manager or HR officer. They should request this of their manager who will arrange it where possible.

Where you have had an extended period of sickness absence a programme of induction to facilitate your re-introduction into the work environment should be arranged.

7. Sickness Absence Reviews

Each business unit will have rules on acceptable attendance. These rules may vary slightly between different business units, depending upon working patterns and service requirements. Your manager will give you any rules relating to your unit in writing.

In the absence of any local attendance criteria, the trigger for starting the guidance process will be either:

- three spells of sickness absence of any length in the previous three months, or
- a total of ten days' sickness absence in the previous twelve months.

There is no distinction between certificated and uncertificated sickness absence.

Your manager will review the sickness absence records regularly against the unit's attendance criteria. If the attendance criteria have been exceeded your manager may conduct a sickness guidance interview with you. You are entitled to representation (Trade Union or work colleague) at a guidance interview.

The purpose of the sickness guidance interview is to:

- ensure that you are fit to return to work from a management point of view rather than on a medical opinion and to offer any necessary assistance and support to facilitate your return to full duties,
- explore whether there are any underlying problems, either work-related or not, which contributed to your sickness absence, and
- ascertain whether any reasonable adjustments can be made within the Disability provisions of the Equality Act.

At your sickness guidance interview your manager may consider with you a number of options, including referral to the Occupational Health Service, referral to other support functions (e.g. confidential counselling), a temporary adjustment to your duties/workload or work pattern/arrangements and job redesign (where appropriate).

Your manager will also decide on an appropriate review period and set individual attendance targets - you will be required to meet these targets within the review period. The review period will normally be a minimum of six weeks. Your manager will confirm these arrangements in writing to you.

At your second (and any subsequent) sickness guidance interview your manager will review the effectiveness of any action agreed at the previous sickness guidance interview and consider whether the attendance targets have been met.

If the targets have been met and no further issues remain the guidance process will end. Your manager will confirm this in writing.

If your attendance has not improved to an acceptable level, your manager will explore with you the issues and set further targets and a further review period. If your attendance has not improved to the required standard by the end of any further review period your manager will decide whether to set a third period of review or proceed with formal action under the Council's capability procedure.

8. Referral to the Occupational Health Service

Your manager may refer you for examination by the Council's Occupational Health Service following a review meeting. This may be to find out:

- the medical cause of your sickness absence,
- if there is an underlying medical reason causing or contributing to your absence,
- whether the Council can do anything to address the situation, or
- the prognosis for a return to work.

Your manager will inform you that you are being referred to the Occupational Health Service and why. Attendance at appointments with the Occupational Health Service is obligatory.

Informed Consent

If you are required to attend an occupational health assessment, either by telephone or face to face, written consent is not required as contractual consent already exists. Your written consent is needed in two circumstances:

1. When the occupational health service is asked to provide an opinion based only on the contents of your medical file. In this case your manager will ask you to sign a consent form.
2. When the occupational health service requests a medical report (i.e. further medical evidence) from your consultant, GP or any other health care provider. These reports are only taken up when strictly necessary. In this case the Occupational Health Service will write to you to sign a consent form.

On occasions, you may be asked to give consent in the above circumstances. In such instances, you have the right by law to see any report that the Occupational Health Service requests from your GP/Specialist. You have the option on the consent form to indicate that you wish to see the report before your GP / specialist sends it and to request amendments or to withhold consent to the report being supplied.