



# Ashington Parish Council

## SICKNESS AND ABSENCE POLICY

This policy and procedure applies to all employees of Ashington Parish Council. The Council aims to secure the attendance of employees.

### **Key Principles:**

1. As a responsible employer the Parish Council undertakes to provide payments to employees who are unable to attend to work due to sickness. (See Contract of Employment for sick absence and sick pay.)
2. Each employee is asked and expected to take responsibility for achieving and maintaining good attendance to cover the work required.
3. The Parish Council will support employees who have genuine grounds for absence for whatever reason. This support includes:
  - a. "Special leave" for necessary absences not caused by sickness.
  - b. A fairly flexible approach to the taking of annual leave to fit in with regular Parish Council meetings.
4. The Parish Council will consider any advice given by the employee's GP on the "Statement of Fitness for Work".
5. The use of an occupational health adviser, where appropriate, to:
  - a. Help identify the nature of an employee's illness.
  - b. Advise the employee and the Parish Council on the best way to improve the employee's health and wellbeing.
6. The Parish Council's disciplinary procedures will be used if an explanation for absence is not forthcoming or is not thought to be satisfactory.
7. The Parish Council respects the confidentiality of all information relating to an employee's sickness. This policy will be implemented in line with all data protection legislation and the Access to Medical Records Act 1988.

### **Notification of absence**

If an employee is going to be absent from work they should speak to the Chairman or the Vice Chairman (in the absence of the Chairman) as soon as they are aware that they will not be able to fulfil their contractual hours, not least by the end of the working day on which the absence first occurs. They should also give a clear indication of the nature of the illness and a likely return date. The Chairman will check with the employee to ascertain if there is any information that they need to know about the current workload. If the employee does not contact the Chairman by the appropriate time, the Chairman must attempt to contact the employee at home. An employee may not always feel able to discuss their medical problems with the Chairman. The Chairman must always be sensitive to individual concerns and make appropriate arrangements where necessary.

### **Evidence of incapacity**

Employees can use the accepted self-certification arrangement for the first seven days of absence. Thereafter a "Statement of Fitness for Work" is required to cover every subsequent day.

If absence is likely to be protracted, i.e. more than four weeks continuously, there is a shared responsibility for the Chairman and the employee to maintain contact at agreed intervals.

If the employee does not follow this procedure they may be dealt with under the Council's Disciplinary Policy. Furthermore, the employees' contractual sick pay and Statutory Sick Pay (SSP) may be withheld.

### **"May be fit for some work"**

If this is the advice of the GP on the Statement of Fitness for Work, then it will be discussed with the employee as to ways of helping them to get back to work, possibly by a phased return or temporarily amended duties. If it is not possible to provide the support an employee needs to return to work, or the employee feels unable to return the Statement will be used as if the GP advised that the employee was 'not fit for work'.

### **Return to work discussions**

The Chairman will discuss absences with employees upon return to work to establish:

- (a) The reason for and cause of absence.
- (b) Was there anything that the Parish Council can do to help.

(c) That the employee is fit to return to work.

If an employee's GP has advised that they 'may be fit for work' the return to work discussion can also be used to agree in detail how their return to work might work best in practice.

**A more formal review will be triggered by:**

Frequent short - term absences or long-term absence.

This review should look at any further action required to improve the employee's attendance and wellbeing. The employment contract may be reviewed or terminated in the case of long term ill health, injury or incapacity. Termination will not take place without full consultation with the employee, medical investigation and a consideration of alternative employment.

**Meetings/home visits**

During any absence it is important that the employee keeps in touch so that the Council is kept informed of the employees health and likely return to work date. The employee will therefore be periodically asked to attend meetings with the Chairman or Vice-Chairman, for the purpose of providing information and facilitating an effective return to work. If the employee is too unwell or physically unable to leave their home, the Council reserves the right to visit them at their home.

**Medical Examination**

The Council reserves the right to require the employee to be examined by a practitioner of its choice in order to seek a medical opinion. A refusal to be examined may lead the Council to take disciplinary action against the employee, up to and including dismissal).

**Access to medical records**

In order to gain as much information as possible about the employees medical condition, the Council may also request the employees permission to contact his or her GP and ask for a medical report on the employees condition. The employee may ask to see this report.

**Absence due to disability/maternity**

Absences relating to the disability of an employee or to pregnancy will be kept separate from sickness absence records. Disability -

employees and the Council are referred to relevant legislation and the Disability Discrimination Act 1995. Maternity/paternity/adoption leave – is as set out in the relevant legislation.

### **Dismissal and the Right to Appeal**

In the event of a dismissal, the reason for the dismissal and the circumstances leading up to that decision will be documented in writing to the employee. The employee may appeal against their dismissal by writing, within 5 working days of the receipt of their dismissal letter, to the Chairman, stating the grounds on which they wish to appeal. The appeal will be heard in accordance with the Council's disciplinary policy. This right also applies to 'action short of dismissal' such as alteration of duties.

### **Return of the Council's Equipment**

If the employee is off sick for an extended period of time (eg one month or more) the Council may require them to return Council equipment until they are well enough to return to work. If the employee does not return to work following a period of sickness absence they will be required to return all Council equipment, documents and other property on the date of termination of their employment.

In connection with this policy and its employees, Ashington Parish Council is also committed to its Equal Opportunities Policy.

This Policy and procedure does not form part of the employees contractual rights. The Council reserves the right to revise the contents of this policy and procedure from time to time or withdraw it at its absolute discretion, in accordance with the needs of the Council.

4<sup>th</sup> July 2019

Review date July 2020