



**BURY ST EDMUNDS
TOWN COUNCIL**

SICKNESS ABSENCE POLICY

Dated December 2024

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1. POLICY STATEMENT

- 1.1 This Sickness Absence Policy sets out our procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way.
- 1.2 Sickness absence can vary from short, intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment).
- 1.3 We wish to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. In addition, where needed and reasonably practicable, measures will be taken to assist those who have been absent by reason of sickness to return to work.
- 1.4 This policy does not form part of any employee's contract of employment and it may be amended at any time. We may also vary the procedures set out in this policy, including any time limits, as appropriate in any case.

2. WHO IS COVERED BY THE POLICY?

This policy covers all employees at all levels and grades.

3. DISABILITIES

- 3.1 We are aware that sickness absence may result from a disability. At each stage of the sickness absence meetings procedure (set out in paragraph 11 of this policy), particular consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide support at work and/or assist a return to work.
- 3.2 If you consider that you are affected by a disability or any medical condition which affects your ability to undertake your work, you should inform your line manager.

4. **SICKNESS ABSENCE REPORTING PROCEDURE**

- 4.1 You should refer to your contract for details of our sickness absence reporting procedure.
- 4.2 If you cannot attend work because you are ill you should normally telephone your line manager or in their absence another member of staff as early as possible (per contract of employment) but no later than the morning of the working day on which the absence first occurs. The following details should be provided:
- (a) The nature of your illness.
 - (b) The expected length of your absence from work.
 - (c) Contact details.
 - (d) Any outstanding or urgent work that requires attention.
- 4.3 Managers should ensure that:
- (a) Any sickness absence that is notified to them is recorded and reported to the sick person's line manager.
 - (b) Arrangements are made, where necessary, to cover work and to inform colleagues and clients (while maintaining confidentiality).
- 4.4 If you have reported in sick or have left work after being taken ill you should expect to be contacted by your line manager who will want to enquire after your health and be advised, if possible, as to your expected return date.
- 4.5 If you expect to be absent for more than seven consecutive days you must obtain a medical certificate/fit note from your GP covering the period of your absence and stating the reason(s) for your absence. This should be forwarded to your line manager as soon as possible.
- 4.6 If your absence continues, further medical certificates must be obtained and submitted to cover the whole period.
- 4.7 In cases of suspected abuse, or where there is a concern about the level of or reason for absence, you may be required to provide a medical certificate for each absence regardless of duration. In such circumstances, we will cover any costs incurred in obtaining such medical certificates, for absences of less than seven days, on production of a GP's invoice.

- 4.8 If you are absent for less than seven consecutive days you must complete an absence self-certification form and submit it to your line manager as soon as possible on your return.

5. UNAUTHORISED ABSENCE

- 5.1 Cases of unauthorised absence will be dealt with under our Disciplinary Procedure.
- 5.2 Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence.
- 5.3 If you do not report for work and have not telephoned your line manager or in their absence another member of staff to explain the reason for your absence, your line manager will make every reasonable effort to contact you, by telephone and in writing. This should not be treated as a substitute for reporting sickness absence.

6. SICK PAY

- 6.1 You should refer to your contract for details of the sick pay to which you are entitled.
- 6.2 If a period of sickness absence is or appears to be occasioned by actionable negligence, nuisance, or breach of any statutory duty on the part of a third party, in respect of which damages are or may be recoverable, you must immediately notify your line manager of that fact and of any claim, compromise, settlement or judgment made or awarded in connection with it and all relevant particulars that we may reasonably require. If we require you to do so, you must cooperate in any related legal proceedings and refund to us that part of any damages or compensation you recover that relates to lost earnings for the period of sickness absence as we may reasonably determine, less any costs you incurred in connection with the recovery of such damages or compensation, provided that the amount to be refunded to us shall not exceed the total amount we paid to you in respect of the period of sickness absence.

7. KEEPING IN CONTACT DURING SICKNESS ABSENCE

- 7.1 If you are absent on sick leave you should expect to be contacted from time to time by your line manager to discuss your wellbeing, expected length of continued absence from work and any of your work that

requires attention. Such contact is intended to provide reassurance and will be kept to a minimum in view of the needs of our business.

- 7.2 In the event that you have any concerns while absent on sick leave, whether about the reason for your absence or your ability to return to work, you should feel free to contact your line manager at any time.

8. MEDICAL ADVICE

- 8.1 We may, at any time in operating this policy, ask you to consent to a medical examination by a doctor nominated by us (at our expense).
- 8.2 You will be asked to agree that any report produced in connection with any such examination may be disclosed to us and that we may discuss the contents of the report with our advisers and the relevant doctor.

9. RETURN-TO-WORK INTERVIEWS

- 9.1 If you have been absent on sick leave for more than 7 days, we may arrange for you to have a return-to-work interview with your line manager on the first day of your return to work but if that is not possible then no later than within 3 days of your return to work.
- 9.2 A return-to-work interview gives us the opportunity to welcome you back to work and to confirm that we have correctly recorded the reason for and number of days of your absence. It also gives you the opportunity to raise any concerns or questions you may have on your return to work, and to bring any matters that you consider relevant to the attention of your line manager.

The line manager may also address any workplace issues that may have contributed to the absence and discuss any necessary temporary reasonable adjustments. The line manager should give assurances of their concern for your welfare, balanced with the manager's concerns about service delivery and the impact on other team members. The line manager should also provide you with information on the availability of support where appropriate or recommend any rehabilitation as recommended by any OH Advisor or doctor nominated by us, if applicable.

If an ongoing health problem is identified, the line manager will need to discuss this with you and how it effects work performance. If necessary, the line manager may encourage you to consult your doctor and/or refer to an OH service, or doctor nominated by us.

It may not always be appropriate for line managers to offer advice in situations where there may be personal problems such as financial or domestic issues.

- 9.3 A record of the meeting should be made and kept by the line manager. A copy of it will be given to you.
- 9.4 Payment for phased return to work will be payment of a full day's pay for any time worked on a particular day, and sick pay for days where you are absent from work. Phased returns may be either as a decision of your line manager or arranged on the advice of the Occupational Health adviser, or a doctor nominated by us and will be for a set time period to allow for your appropriate rehabilitation into work.

10. RETURNING TO WORK FROM LONG-TERM SICKNESS ABSENCE

- 10.1 We are committed to helping employees return to work from long-term sickness absence. As part of our sickness absence meetings procedure (see paragraph 11), we will, where appropriate and possible, support returns to work by:
 - (a) Obtaining medical advice;
 - (b) Making reasonable adjustments to the workplace, working practices and working hours;
 - (c) Considering redeployment; and/or
 - (d) Agreeing a return-to-work programme with everyone affected.
- 10.2 If you are unable to return to work from long-term sickness absence, we will consider whether you are entitled to any benefits under your contract and/or any insurance schemes we operate.

11. SICKNESS ABSENCE MEETINGS PROCEDURE

- 11.1 We may apply this procedure whenever we consider it necessary, including, for example, if you:
 - (a) Have been absent due to illness on a number of occasions
 - (b) Have discussed matters at a return-to-work interview that require investigation; and/or
 - (c) Have been absent for more than 28 days.
- 11.2 Unless it is impractical to do so, we will give you 7 days (or longer period as may be appropriate) written notice of the date, time and place

of a sickness absence meeting. We will put any concerns about your sickness absence and the basis for those concerns in writing or otherwise advise why the meeting is being called. A reasonable opportunity for you to consider this information before a meeting will be provided.

- 11.3 The meeting will be conducted by your line manager, who may be assisted by an HR consultant. You may bring a companion with you to the meeting (see paragraph 12).
- 11.4 You must take all reasonable steps to attend a meeting. Failure to do so without good reason may be treated as misconduct. If you or your companion are unable to attend at the time specified you should immediately inform your line manager who will seek to agree an alternative time.
- 11.5 A meeting may be adjourned if your line manager is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. You will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.
- 11.6 Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given to you in writing within seven days of a sickness absence meeting (unless this time scale is not practicable, in which case it will be provided as soon as is practicable).
- 11.7 If, at any time, your line manager considers that you have taken or are taking sickness absence when you are not unwell, they may refer matters to be dealt with under our Disciplinary Procedure.

12. RIGHT TO BE ACCOMPANIED AT MEETINGS

- 12.1 You may bring a companion to any meeting or appeal meeting under this procedure.
- 12.2 Your companion may be either a trade union representative or a fellow employee. Their identity must be confirmed to the manager conducting the meeting, in good time before it takes place.
- 12.3 Employees are allowed reasonable time off from duties without loss of pay to act as a companion. However, they are not obliged to act as a companion and may decline a request if they so wish.

- 12.4 Some companions may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice a meeting. Companions should not normally work at another site, unless no-one reasonably suitable is available at the site at which you work.
- 12.5 We may at our discretion, permit a companion who is not an employee or union representative (for example, a family member) where this will help overcome difficulties caused by for example, a disability, or difficulty understanding English.
- 12.6 A companion may make representations, ask questions, and sum up your position, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during a meeting.

13. STAGE 1: FIRST SICKNESS ABSENCE MEETING

- 13.1 The purposes of a first sickness absence meeting may include:
- (a) Discussing the reasons for absence.
 - (b) Where you are on long-term sickness absence, determining how long the absence is likely to last.
 - (c) Where you have been absent on several occasions, determining the likelihood of further absences.
 - (d) Considering whether medical advice is required.
 - (e) Considering what, if any, measures might improve your health and/or attendance.
 - (f) Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting under the sickness absence procedure.

14. STAGE 2: FURTHER SICKNESS ABSENCE MEETING(S)

- 14.1 Depending on the matters discussed at the first stage of the sickness absence procedure, a further meeting or meetings may be necessary.
- 14.2 The purposes of further meeting(s) may include:
- (a) Discussing the reasons for and impact of your ongoing absence(s).
 - (b) Where you are on long-term sickness absence, discussing how long your absence is likely to last.

- (c) Where you have been absent on a number of occasions, discussing the likelihood of further absences.
- (d) If it has not been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required.
- (e) Considering your ability to return to/remain in your job in view both of your capabilities and our business needs and any adjustments that can reasonably be made to your job to enable you to do so.
- (f) Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying you.
- (g) Where you are able to return from long-term sick leave, whether to your job or a redeployed job, agreeing a return-to-work programme.
- (h) If it is considered that you are unlikely to be able to return to work from long-term absence, whether there are any benefits for which you should be considered.
- (i) Agreeing a way forward, action that will be taken and a time-scale for review and/or a further meeting(s). This may, depending on steps we have already taken, include warning you that you are at risk of dismissal.

15. STAGE 3: FINAL SICKNESS ABSENCE MEETING

- 15.1 Where you have been warned that you are at risk of dismissal, we may invite you to a meeting under the third stage of the sickness absence procedure.
- 15.2 The purposes of the meeting will be:
 - (a) To review the meetings that have taken place and matters discussed with you.
 - (b) Where you remain on long-term sickness absence to consider whether there have been any changes since the last meeting under stage two of the procedure; either as regards your possible return to work or opportunities for return or redeployment.
 - (c) To consider any further matters that you wish to raise.
 - (d) To consider whether there is a reasonable likelihood of you returning to work or achieving the desired level of attendance in a reasonable time.

(e) To consider the possible termination of your employment.

15.3 Termination will normally be with full notice or payment in lieu of notice, if applicable.

16. APPEALS

16.1 You may appeal against the outcome of any stage of this procedure and you may bring a companion to an appeal meeting (see paragraph 12).

16.2 An appeal should be made in writing, stating the full grounds of appeal, to the Chairman/Mayor within 7 days of the date on which the decision was sent to you, or if you are seeking legal advice such longer period as is absolutely necessary in the circumstances of the case provided you act as expeditiously as is reasonably practicable.

16.3 Unless it is not practicable, you will be given written notice of an appeal meeting within one week of the meeting. In cases of dismissal the appeal will be held as soon as possible. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.

16.4 You will be provided with written details of any new information which comes to light before an appeal meeting. You will also be given a reasonable opportunity to consider this information before the meeting.

16.5 Where practicable, an appeal meeting will be conducted by someone different to the individual who conducted the sickness absence meeting.

16.6 Depending on the grounds of appeal, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.

16.7 Following an appeal, the original decision may be confirmed, revoked or replaced with a different decision. The final decision will be confirmed in writing, if possible, within seven days of the appeal meeting. There will be no further right of appeal.

16.8 The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

END OF DOCUMENT