

Snowdonia National Park Authority

Managing Attendance and Absence relating to Sickness Policy and Procedure

POLICY

Snowdonia National Park Authority values the contribution of its staff in the delivery and maintenance of quality services to the public. While recognising that employees may be prevented from attending work through ill health, the Authority has a duty to maintain service delivery and minimise disruption. The Authority is, therefore, committed to managing attendance and sickness absence and believes that it is the responsibility of the Authority's managers, trade union representatives and employees to work together to promote the effective management of sickness absence and ill health. This policy and the associated procedure will apply to all Authority staff.

The Authority will achieve this through:

- Promoting the health, safety and well-being of all employees, including the use of risk assessments to identify and manage hazards impacting on health in the work place;
- Monitoring levels of sickness absence for individuals, teams and the Authority as a whole; and
- Implementing procedures to support and manage staff absences, while dealing with unjustified and/or high levels of sickness absence.

The following principles apply to the Authority's procedures for dealing with sickness absence:

- Good attendance is valued and all opportunities should be taken to acknowledge and recognise such attendance;
- Sickness absence will be dealt with in a way that is non-discriminatory and in accordance with the Authority's Equal Opportunities Policy;
- Employees will be dealt with consistently and the sickness absence procedures will be fairly applied across the Authority;
- Matters raised relating to an employee's attendance do not imply any distrust of staff or concerns regarding their conduct;
- Reasonable adjustments will be made to the policy and procedure, as appropriate, to take account of any disability of an employee in accordance with the Disability Discrimination Act and the related code of practice
- The Authority will aim to promote a positive and preventative approach;
- The Authority will be sensitive and will be supportive of those suffering the effects of ill health
- Sickness absence cases will be conducted with respect for confidentiality and in accordance with the requirements of the Data Protection Act and the Access to Medical Reports Act;
- Open communication between managers and employees will be encouraged and promoted;

- The Authority will aim to distinguish between absence due to sickness and the abuse of the sickness absence system, which will be dealt with under the Authority's Disciplinary Procedure; and
- The sickness absence policy and procedure will be monitored and reviewed to ensure that it continues to meet the Authority's aims and complies with these principles. Staff and trade union representatives will be encouraged to be involved in this process.

Employees are expected to:

- Attend work unless unfit to do so. Inventing, protracting or exaggerating health or medical conditions in order to be absent from work and obtain sick pay is fraud and will be dealt with under the Authority's Disciplinary Procedure.
- Raise concerns with their manager or personnel service if they believe that their job is making them ill or contributing to their illness;
- Report sickness absence, and work related accidents requiring time off, promptly, in accordance with the sickness absence procedure
- Ensure that the appropriate certifications are completed, in accordance with the procedure;
- Maintain contact and communication effectively with their line manager during periods of sickness absence;
- Co-operate fully with other organisations (eg Occupational Health (OH)) that provide support to the Authority and its employees;
- Ensure that medical advice and treatment, where appropriate, is received as quickly as possible in order to facilitate a return to work;
- Not to abuse the sickness absence procedures or sick pay scheme; and
- Employees are encouraged to consider healthy lifestyle choices and to take part in/contribute to any initiative available.

We expect managers to:

- Develop and maintain a culture where attendance matters and employees are supported and valued.
- Emphasise employee health and attendance during induction and probation periods
- Manage absence in line with this policy
- Respond to any health concerns raised by employees
- Record and monitor sickness in line with this policy.
- Maintain contact with absent employees, including home visits where appropriate.
- Carry out return to work interviews
- Develop and maintain a culture of safe working; and
- Contribute to employee health initiatives.

The above matters will usually be dealt with by managers but exceptionally may be dealt with by the Personnel Service.

In order to support this policy, the following services are available to managers and employees

- Occupational health services – to provide advice and guidance on the impact of ill health on work and what steps the Authority and/or the employee may take;
- Counselling service – a confidential service for employees
- Personnel Service – who will provide support and guidance to managers and employees in dealing with attendance, sickness absence, ill health, health and safety and in the use of the Authority's related policies and procedures.

Sick Pay Arrangements

These are set out in Part 2.10 of the National Agreement on Pay and Conditions of Service.

Procedure

The following procedure applies to all employees who are unable to attend work for health reasons. Attendance for hospital / dental / medical appointments is dealt with under the Absence with pay: Special Leave Procedure. Ante-natal care is not covered by this procedure.

1. Notifying Absence
 2. Certification of Absence
 3. Maintaining Contact
 4. Monitoring sickness absence levels
 5. Return to Work
 6. Dealing with frequent short term absence
 7. Dealing with longer term absence
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 10. Work related ill health or injury
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1. Notifying Absence

In order for service delivery to be maintained, it is essential for line managers to know when a member of staff is unable to attend work due to illness. Failure to inform the line manager of absence may lead to the absence from work being considered as unauthorised, resulting in loss of pay and possibly disciplinary action.

- 1.1 The employee must contact their line manager (or alternative designated contact) on the first day of their absence, before they are due to begin work.
- 1.2 The employee must inform their line manager of the reason for their absence, their anticipated length of absence and any work commitments that may need rearranging.
- 1.3 If the employee believes that their absence may have been caused by their work or something that happened at work they should inform their line manager of this and arrange for an Accident Report Form to be completed if required. The line manager should take steps to determine the cause or aggravating factors. In some circumstances, the employee may prefer to do this via the Personnel Service. Messages left with Reception staff or colleagues are not acceptable other than in exceptional circumstances and will be followed up by your line manager.
- 1.4 Exceptionally, if the employee is unable to telephone in person, they must arrange for someone else to telephone on their behalf, in accordance with 1.1 and 1.2 above. The employee must make direct contact with the line manager as soon as possible thereafter.

- 1.5 The line manager must ensure that the Report of Absence Form is completed in accordance with section 2 below and that the Personnel Service is informed.
- 1.6 **If you wish to notify sickness during a period of annual leave, you must where practicable, do this as above on the first day that you wish to convert holiday to sickness and provide a Statement of Fitness for Work from your Doctor from that date. You cannot do this on your return to work and you cannot self-certify.**

2. Certification of Absence

Every absence must be certified to ensure that prompt and correct payment of contractual and statutory sick pay and to ensure that accurate records are maintained. Failure to comply with certification procedures may result in loss of sick pay. Misleading or false statements may be dealt with under the Authority's Disciplinary Procedure.

- 2.1 The employee must complete a Report of Absence Form for **all** absences of **any** duration. If the absence is for seven calendar days or less the form can be completed upon return to work. However, if the absence continues for more than 7 days, relevant details of Part A.1 of the form should be completed by the line manager and confirmed by the employee at the earliest opportunity.
- 2.2 If the employee continues to be absent for more than seven calendar days (regardless of whether or not these are working days), they must consult a doctor and obtain a Statement of Fitness for Work, which must be forwarded immediately to the line manager (or Personnel Service).
- 2.3 Where there is continuing sickness absence the employee must submit to the line manager (or Personnel Service) concurrent medical certificates to cover the whole period of absence.
- 2.4 Where the period of absence exceeds fourteen days the employee must submit to the line manager, upon return to work, a statement of fitness to resume work from their doctor.
- 2.5 The line manager must ensure that appropriate and timely statements are received from the employee.
- 2.6 The line manager must ensure that certificates are recorded on the Report of Absence Form and passed to the Personnel Service for placing on the employee's personnel file.
- 2.7 The line manager must ensure that Personnel Service is notified of the absence and the information is recorded on the Time and Attendance system.
- 2.8 Exceptionally, if the line manager, after concurring with the Personnel Service, is concerned at the frequency of an employee's absence, the employee may be required, in accordance with section 6 to submit doctor's Statement of Fitness to Work, rather than self-certificates, from the first day of their absence. In such cases the Authority will meet the cost of any fee charged.

3. Maintaining contact

When an employee is absent from work due to sickness it is important that contact is maintained between the line manager and the employee. This is to ensure that the employee does not feel isolated, vulnerable or out of touch. The line manager may also need to reallocate work so that service delivery is maintained.

- 3.1 As soon as a Statement of Fitness to Work is received, the employee and line manager should maintain regular contact.
- 3.2 If an employee is absent from work for more than four weeks, and the absence is expected to continue, the line manager should (depending on the circumstances) arrange with the employee to visit them at home, or, if appropriate, for the employee to visit the workplace. See Section 7, Dealing with long term absence.
- 3.3 If an absence becomes long-term, regular contact must be maintained.

4. Monitoring sickness absence levels

- 4.1 All sickness absences must be recorded on the Authority's Time and Attendance Management System.
- 4.2 This information will be used to produce corporate sickness absence level statistics for reporting on Performance Indicators and to monitor the success of the Sickness Absence Policy and Procedure and identify any causes for concern.
- 4.3 Each Head of Service is required to monitor sickness absence levels within their team and take further action as necessary when trigger points (as set out in Paragraph 6.1) are reached and / or where there are concerns about an employee's absence levels.
- 4.4 Management Team monitor absence levels within their directorates and sickness absence will be regularly discussed at corporate level.

5. Return to Work

- 5.1 Upon return to work following all sickness absences (of any duration), the line manager should arrange to meet privately with the employee – ideally during the first day back or at least within three days of the return to work.
- 5.2 The purpose of the meeting will be to:
 - Welcome the employee back to work
 - Ensure that there is an accurate record of the absence and appropriate certification
 - Update the employee on work issues.The line manager will wish to establish if there was an occupational factor which contributed to the sickness.
- 5.3 A trade union or other representative may accompany the employee, provided that this does not significantly delay the meeting from taking place.

- 5.4 A record of the meeting should be made on the Return to Work Meeting Form and this should be placed on the employee's personal file. A copy should also be given to the employee.
- 5.5 If the employee is returning to work after a lengthy absence (exceeding a month) the Authority will consider whether a phased return is appropriate.

A phased return means that over a defined period (usually a maximum of 6 weeks) an employee gradually builds up the number of hours worked each week and the range of duties and responsibilities undertaken. This helps the employee to acclimatise back to work and a further assessment can be made of fitness to work. It may also enable an earlier return to work than might otherwise be the case.

The employee will be paid normal pay during an agreed period of phased return up to the 6 week maximum, although some contribution of lieu or flexi hours or annual leave may be asked for as appropriate if an extended period is required. Any further period of reduced hours beyond this would be paid according to the hours worked.

6. Dealing with frequent short term absence

- 6.1 Where an individual's absence level meets one of the following trigger points (which will be advised by the Personnel Service), the line manager will review the absence level with the employee:
- Three or more instances of sickness absence in any three month period;
 - 10 or more days' sickness absence within any three month period;
 - Any other recurring, recognisable patterns, such as frequent absenteeism on a Friday or Monday, before or after public holidays or during school holidays.
- 6.2 A review meeting will be held with the employee to discuss the absence record, explore the reasons for absence, identify areas for support, review/update the risk assessment and set targets for improvement. The line manager will need to determine if there is an occupational component that contributed to the sickness absence. A trade union or other representative may accompany the employee.
- 6.3 Employees are encouraged to discuss with their manager any conflict they have between their work commitments and demands in their personal lives. Managers should discuss the options available.
- 6.4 The following outcomes may apply:
- The employee may be required to submit a medical certificate from their doctor for every instance of absence (see 2.8 above)
 - Advice may be sought from the Occupational Health adviser / service
 - Other support mechanisms may be identified and implemented;
 - Reasonable adjustments such as changes to the workload, work practices or work pattern or the possibility of redeployment may be identified (subject to consultation with Occupational Health), and
 - A further meeting may be arranged to review progress.

- 6.5 The employee will be informed of the improvement needed in their attendance and warned of the possible consequences if this is not achieved.
- 6.6 The line manager will write to the employee within 5 days of the meeting, confirming the points discussed and actions identified. A copy of this letter should be placed on the personnel file. (see Example Review letter) Administrative support can be provided by the Personnel Service for such letters if required.
- 6.7 If there is insufficient improvement in the employee's sickness absence record, a final review meeting will be held by the Director. This will reaffirm the issues discussed at previous reviews, identify support provided to the employee and what further support may be appropriate, set targets for improvement and provide a warning of what further action may be taken if improvement targets are not met. A trade union or other representative may accompany the employee.
- 6.8 The Director will write to the employee within 5 days of the final review meeting, confirming the points discussed and actions identified. A copy of the letter should be placed on the personnel file. (see Example Final Review letter). Administrative support can be provided by the Personnel Service for such letters if required.
- 6.9 If there is insufficient improvement following the final review meeting, the matter will be referred to the relevant Director who will determine whether to hold a Capability Hearing (see 8 below).

7. Dealing with long term absence

- 7.1 Absences lasting over 4 weeks are considered to be long-term.
- 7.2 The manager should arrange to meet with the employee on a regular basis. The meeting may take place at the employee's home, or if appropriate, the employee could visit their workplace. The meeting should update the employee with progress, identify areas for support and determine whether any other action should be taken. A trade union or other representative may accompany the employee and the Head of Personnel may accompany the line manager.
- 7.3 Where it is expected that an absence will be on-going and will continue for more than two months, advice should be sought as soon as possible from the Occupational Health service (See section 12). Occupational Health referral may be appropriate even where it is not known that the absence will be ongoing. Similarly, referral may not be necessary in all cases even where absence is expected to continue for more than two months. A judgement has to be made in each case. The purpose of gaining Occupational Health advice will be to provide an indication of the likely duration of the employee's absence and whether any steps can be taken to help the employee make a successful return to work.
- 7.4 Taking into account advice received from Occupational Health, one or more of the following actions may be taken:
- Reasonable adjustments such as changes to the workload, work practices or work pattern may be identified and implemented, either as part of phasing the employee back to work or on a more permanent basis;
 - Other support mechanisms may be identified and implemented;

- Redeployment will be considered
- Investigations may take place into whether the employee may be eligible for ill health retirement pension benefits; and
- Review periods may be set with, further advice obtained from Occupational Health.

7.5 Where the employee's work has caused or contributed to the employee's illness, the issues must be fully explored by the manager and steps should be taken to ensure that they are addressed preferably before the employee returns to work.

7.6 Any actions being contemplated will be discussed with the employee and their representative if applicable before any decisions are made.

7.7 Progress will be kept under review. As part of this process, decisions may need to be made about the employee's continuing employment, leading to the decision to dismiss the employee due to their incapability to undertake their job due to ill-health. The employee will be informed at appropriate points where this is a possibility.

8. Capability Hearings

8.1 Where there are continuing concerns regarding short-term absences and previous 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 Capability Hearing in accordance with the guidance below.

8.2 The purpose of the capability hearing is 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 effectively due to ill-health, or because the level or pattern of absence is unacceptable.

8.3 The service Director, accompanied by a Personnel representative, will hear the case review hearing.

8.4 A trade union or other representative may accompany the employee.

8.5 The employee will be given at least 7 working days' written notice of the intention to hold a case review hearing.

8.6 The employee and/or their representative will be given the opportunity to state their case.

8.7 Others involved in the employee's case such as the line manager will also be asked to provide information on what actions have been taken.

8.8 When reaching a decision about whether or not to terminate employment, the Director will consider such issues as;

- The need for the work to be undertaken
- The impact of the employee's absence and ill health on other employees and service delivery;

- The employee's absence/attendance record
- Financial and cost implications
- Representations made by the employee and/or their representative
- What actions have been taken to attempt to enable the employee to continue in employment.
- The medical advice received.

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

- 8.9 The employee will be informed of the decision and this decision will be confirmed in writing within 7 working days.
- 8.10 Where it is decided that further action is appropriate this will be set out in the letter and the employee's situation will continue to be monitored with a further case review hearing after an appropriate time.
- 8.11 Where a decision to dismiss is made (the decision to dismiss must be agreed by the Chief Executive or his delegated representative), the letter will also inform the employee of notice of termination of employment and their right of appeal (see section 9).

9. Right of Appeal against Dismissal

- 9.1 Where decisions are made to terminate employment on the grounds of ill health the employee has the right of appeal.
- 9.2 In order to exercise this right, the employee must write to the Head of Personnel within 14 days of the receipt of the written notice of termination of their employment. In their letter the employee must state their grounds of appeal.
- 9.3 The Authority will arrange for the appeal to be heard as soon as possible after receipt of the employee's letter of appeal. The employee will be given at least 7 days notice of the date of the hearing.
- 9.4 The appeal will be heard by the Performance and Resources Committee or any sub-committee established by the Performance and Resources Committee for that purpose.
- 9.5 A trade union or other representative may accompany the employee at the appeal hearing.
- 9.6 During the appeal hearing the Authority and the employee and / or their representative will have the opportunity to state their case and provide any documentary evidence.
- 9.7 The appeal decision will be communicated to the employee in writing, within 7 working days of holding the appeal.
- 9.8 The decision of the appeal is final within the Authority's internal procedures.

10. Work related ill health or injury

- 10.1 If an employee or manager believes that ill health or injury has been caused by work, the employee should complete the Authority's Accident Record book as soon as possible. If the absence is caused through illness or accident, which is reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, the appropriate form must be submitted to the Health and Safety Executive (further information on this can be obtained from the Head of Personnel).
- 10.2 If an employee has not completed an Accident Report Form and subsequently believes that their ill health or injury is caused by work, they should report this in writing to their manager, setting out the reasons why they believe that work has contributed or caused their ill health or injury.
- 10.3 Where an Accident Form has been completed, or where an employee subsequently claims their ill health or injury is caused by work, the situation should be thoroughly investigated. The manager should inform their Director and discuss the situation with the Head of Personnel in order to determine who should undertake the investigation.
- 10.4 The investigation should be completed as quickly as possible by an independent Head of Service / Director with the Head of Personnel and the other relevant head of Service / Director being kept fully informed of progress.
- 10.5 The investigation should consider all relevant background information such as:
- The job description;
 - The previous sickness record;
 - Previous OH recommendations / advice;
 - Previous grievances or complaints;
 - Details that have emerged in return to work interviews following previous absences or during the normal management process;
 - Consequent management actions and any adjustments made as a result;
 - Time sheets, work logs, rotas, annual leave and flexi time records;
 - Training and development records;
 - External factors (for example, if an employee who is alleging that they are suffering from Repetitive Strain Injury is also a self-employed typist); and
 - any other information pertinent to the situation, eg whether there is any contributory negligence on the part of the employee, such as ignoring training or instructions which would have avoided the ill health or injury or whether other employees have experienced similar problems
- 10.6 Advice should also be sought from the OH Service. They may suggest that specialist advice may be helpful. In such cases the Authority will pay the resulting fees.

- 10.7 Upon completion of the investigation, a report should be sent to the Director with a copy to the employee and the Head of Personnel.
- 10.8 The Director will determine, based on the facts available and following consultation with the Head of Personnel, whether or not the employee has sustained an injury or illness as a result of what they were required to do at work. The Director will determine whether the root cause of the employee's ill health is due to the competent performance of the employee's duties and responsibilities.
- 10.9 Written confirmation of the decision will be sent to the employee within 10 working days of the decision. In the event of a decision that ill health or injury is attributed to work, the Authority does not accept liability.
- 10.10 The employee will have the right to seek a review of the decision through the Authority's Grievance Procedure.
- 10.11 Any personal injury claims received for damages against the Authority should be forwarded directly to the Head of Finance. The Authority's insurers deal with such claims.
- 10.12 Any person who meets the conditions for an injury allowance under the Local Government (Discretionary Payments) Regulations 1996 [SI 1996/1680] or for a payment under the assault provisions of the National Conditions of Service should instigate their claim via the Head of Personnel.

11. Ill health which does not lead to absence from work

There may be occasions where an employee feels unwell but is able to attend for work. If they think that their work may be affected, this should be discussed with the manager so that adjustments can be made for that day(s). This is particularly important if the work involves driving, operating machinery or dealing with customers. Also, we will need to consider whether the condition has implications for colleagues (e.g. infectious illnesses). Please take advice if in doubt.

If the employee has an on-going health issue that affects their ability to do their work, this should be raised with the manager, or, if preferred, with the Head of Personnel. This will be treated in confidence unless there is a need for action, in which case we will prefer to agree with the employee that we involve other people as necessary. Even if the employee feels unable to agree this, we may need to take some action to reduce any risks identified and we will inform the employee of this.

We can review work practices and consider whether there is any additional support available. Depending on the circumstances, it may be helpful to seek advice and guidance from the Authority's OH Advisers. Employees should have confidence that we will treat health issues in a supportive way, with the aim of maintaining the employee in work unless unsafe or unreasonable to do so.

12. Occupational Health Referral

The role of the OH services is to provide advice and guidance to the Authority and its employees on the impact of an employee's ill health on their ability to undertake their duties and what measures can be put in place to support the employee, where appropriate. The following points should be noted:

- 12.1 A referral form should be completed in consultation with the employee
- 12.2 The employee must be made aware of their rights under the Access to Medical Reports Act, in relation to the Authority's request for OH to seek a report from the employee's GP and / or specialist, and be provided with a copy of the form.
- 12.3 The Head of Personnel, the manager and the employee must ensure that as much relevant information as possible is provided to the OH Service.
- 12.4 All parties must be clear about the points on which they seek advice.
- 12.5 Where the employee does not give their consent to the OH Service seeking a report from their GP or specialist, and / or the employee refuses to meet with the OH Service, the implications of this should be discussed with the employee and confirmed in writing.

For help and advice on any aspect of health and absence, please contact the Personnel Service.

Note

Pregnancy

If an employee is pregnant they should speak to the Head of Personnel who will ensure that they are aware of their rights and benefits. Managers must ensure that they obtain advice before they take any formal action in connection with attendance/absence (i.e. any action other than return to work interviews) relating to an employee known to be pregnant.

Disability

Under the Disability Discrimination Act, disabled employees should not be treated less favourably than other employees because of their disability, unless there is good reason. Some accommodation of sickness absence or attendance issues relating to a disability would probably be seen as a 'reasonable adjustment'.

Other documents:

Report of Absence and Return to Work Meeting form
Guidance on undertaking a Return to Work Interview
6.6 Example Review letter
6.8 Example Final Review letter