

WHISTON TOWN COUNCIL

HUMAN RESOURCE POLICIES, PROCEDURES AND PRACTICES

SECTION: Employment Practices

REFERENCE:

SUBJECT: Sickness Absence

DATE: September 2009

APPLICABLE TO: All employees of the Council

STATUS: Procedure

1. STATEMENT

Whiston Town Council continually strives to reduce the levels of employee sickness absence by the introduction and maintenance of positive policies to improve working conditions and increase employees' motivation. The Council aims to maintain absence levels at the lowest reasonably achievable in order to ensure that it continues to provide high quality services and improved Customer Service Levels.

High and Frequent levels of absence seriously affect productivity and the Council's ability to provide an efficient, high quality service. Additionally, high absence levels have the effect of increasing the workload for colleagues and cause disruption to the operation of Services. Although some absence is outside of management control, levels of attendance can be improved by the implementation of positive policies and procedures. In addition to this policy, there are a number of other policies to support employees.

This policy contains a number of procedures to deal with the various aspects of sickness absence and ensures that acceptable standards of attendance are maintained. It will also assist in the early identification of situations in which individuals may be facing personal difficulty in which they may need support, or where they are experiencing problems within the working environment.

The policy will support procedures to identify reasons for attendance difficulties and to seek ways of supporting and ensuring improved attendance including those employees with medical conditions covered by the Disability Discrimination Act.

2. PROCEDURE FOR REPORTING ABSENCE

The procedure for reporting sickness absence is outlined in the [Guidance Documentation](#)

3. ABSENCE DEFINITIONS

3.1 Frequent Absence

Frequent absence can be identified as an attendance record that meets one or more of the following indicators:-

- A recurring reason for absence;
- A consistent pattern of absence;
- Frequency of absence, eg. 3 absences in any rolling 6 month period
- An absence level above the Council's yearly sickness absence target.

Most employees will be absent occasionally due to minor ailments. However, concern arises when the frequency of such absence is considered to have become excessive, or where a pattern of absences become apparent.

Such cases will be addressed in accordance with the Council's Frequent Absence Medical Incapability Procedure which is outlined in the Frequent Absence Procedure.

The sickness absence record of all Council employees will be monitored.

Managers have the responsibility for monitoring the sickness absence records of their employees and, to support this process, the Bradford Factor will be used as a management tool to help to identify any employee with a sickness absence record that is giving cause for concern. The Bradford Factor is documented at Appendix 2.

Any employee absence that gives cause for concern will be addressed in accordance with this Procedure.

The procedure for dealing with Frequent Absences is outlined in the [Guidance Documentation](#)

3.2 Long Term Absence

Long term absence can be identified as an absence of over 4 weeks, or 20 working days. In such cases, there will be a clear need for managers to balance their responsibility to support the employee with the requirement to deliver an effective service.

The procedure for dealing with Long Absences is outlined in the [Guidance Documentation](#)

4. MENTAL HEALTH RELATED ABSENCE

Mental Health Related Absences generally relate to stress related illness, e.g. anxiety, depression, nervous debility.

The procedure for addressing Mental Health Related Absences is outlined in the [Guidance Documentation](#)

5. DISABILITY RELATED ABSENCE

If an employee has a disability that meets the requirements of the Disability Discrimination Act 1995 (DDA) sickness absences for these purposes will still be considered to be sickness absence for the purposes of this procedure but will be recorded as Disability Related Leave on the sickness absence system, with appropriate sickness benefit (i.e. SSP and OSP) payments as defined in the National Conditions of Service being payable. In cases where the absence does not relate to the employee's disability, he/she will be treated consistently with other employees. Should circumstances arise in which these instances of absence are becoming unmanageable and are impacting on service delivery, advice will be taken and the appropriate procedure implemented in accordance with the Flowchart relating to Frequent or Long Term Absence, as appropriate.

The Disability Discrimination Act 1995 obliges employers to give consideration to making 'reasonable adjustments' for employees who have a physical or mental impairment that will have a substantial, long term, adverse effect upon their ability to carry out normal day to day activities. Each case must be dealt with according to its own particular circumstances at the time. This does not, however, place an obligation on the organisation to establish a new post at a cost to the Authority.

Reasonable adjustments may include alterations to premises, reallocation of duties, provision of specialist equipment, and allowing the employee to have a temporary change in working hours or be absent during working hours for rehabilitation, assessment or treatment. Such adjustments should be considered in all cases where the employee's incapability results from an underlying medical condition.

If redesigning the employee's job is not a practical possibility, consideration must be given to the availability of alternative employment for the employee within the Authority. In these circumstances, the Council's redeployment Policy will be implemented. If successfully redeployed, the employee's pay will be protected in accordance with the current corporate policy on pay protection.

The procedure for dealing with Disability Related Absences is outlined in the [Guidance Documentation](#)

The Access to Work programme is a government funded scheme run by Jobcentre Plus and provides financial assistance towards the extra costs of employing someone with a disability. The Access to Work Scheme is outlined in the Guidance Documentation at Appendix 1.

6. EMERGENCY ACTION

An employee's Line Manager may take emergency action where he/she believes that an employee's health and wellbeing are at risk and that the employee may be unfit to carry out his/her duties, or that his/her welfare and the welfare of other employees or service users may be put at risk by the employee's condition.

The procedure for dealing with Emergency Action is outlined in the [Guidance Documentation](#)

7. SENSITIVE ISSUES

Circumstances may arise from time to time where the reasons for an employee's absence are of a sensitive nature, e.g. bereavement, terminal illness, etc. It is important that discretion is exercised in such circumstances and that the employee is treated with sensitivity and compassion. Adequate support, including access to a Counselling facility, will be offered by the Occupational Health Unit.

8. RETURNING TO WORK

A Return to Work Meeting must take place after each occasion of sickness absence, including those incidents of absence that are covered by the DDA. Normally, the Line Manager will review the absence with the employee on the day upon which the employee returns to work after absence, or as soon as is reasonably practicable for those employees who work shifts or unusual hours.

The procedure for Return to Work interviews is outlined in the [Guidance Documentation](#)

9. RIGHT TO REPRESENTATION

Employees have the right to be represented at the Welfare, Managers Review and Hearing Stages of the process, either by a Trade Union representative of colleague. This right does not include the right to be accompanied/represented by a Solicitor or other legally qualified representative.

10. FAILURE TO FOLLOW PROCEDURE OR MISCONDUCT

Misconduct can occur where the employee:

- fails to follow the correct procedure for reporting sickness absence;
- falsely claims sick pay;
- falsifies any sickness documentation;
- abuses the Council's sickness scheme;
- takes unauthorised absence.

The procedure for dealing with a failure to follow procedure or suspected misconduct is outlined in the [Guidance Documentation](#)

11. UNAUTHORISED ABSENCES

Where an employee has failed to follow the procedure for notification of absence, she/he will be considered to be absent without permission.

The procedure for dealing with Unauthorised Absence is outlined in the [Guidance Documentation](#)

12 OCCUPATIONAL HEALTH REFERRALS

Occupational Health Referrals will be made for the following reasons:-

- In the case of frequent absence if this is the first managers review only if there is an underlying medical condition or this is the second or more review;
- If the Long Term Absence Procedure is invoked;
- If advice is required in relation to a Disability Related Condition;
- If the Mental Health Related Absence Procedure is invoked;
- If the Emergency Action Procedure is invoked;
- For preventative support, including access to counselling, physiotherapy, etc.

The procedure for dealing with Occupational Health Referrals is outlined in the [Guidance Documentation](#)

13. SICK PAY

Sick Pay, in line with the National Schemes of Conditions of Service, is provided to help employees provide for themselves and their dependants at times of sickness absence. The Council expects that the minimum sickness absence will be taken and that employees will make every effort to prevent sickness absence and, during such absence, to restrict its length and to make every effort towards a speedy recovery. Sick pay will be stopped if the employee participates in any activities that prolong their absence from the workplace.

Employees must be aware that the Authority will only provide Occupational Sick Pay if all stages of the Sickness Absence Management Procedure have been met. The Authority reserves the right to stop an employee's pay where the employee unreasonably fails to comply with any part of the Procedure, or where the absence is prolonged due to deliberate conduct by the employee that is prejudicial to recovery. Where appropriate, the Authority may also pursue disciplinary action in such cases.

14. HOLIDAYS DURING SICKNESS ABSENCE

At least 5 working days before any holiday is due to be taken, employees must contact their Manager to inform them of their holiday intentions, The employee will be required to provide a Doctor's Certificate from their Doctor or Consultant to cover their absence during any holiday period. Time off will be classed as sickness.

15. ANNUAL LEAVE CARRY OVER FOLLOWING LONG TERM ABSENCE

Where annual leave cannot be taken because of sickness, a maximum of 5 days leave may be carried over to the employee's following leave year.

If an employee is returning to work on a phased basis, outstanding annual leave may be utilised to avoid half pay. However, once the individual returns to their contracted hours, the maximum carry over of 5 days will apply.

16 ILL HEALTH RETIREMENT

Once advised that an employee is permanently incapable of discharging his/her duties and is not able to undertake any alternative employment within the Authority, the employee will be classified as suitable for ill-health retirement.

The procedure for dealing with ill health retirement is outlined in the [Guidance Documentation](#)

Appendix 1

Access to Work Scheme

Access to Work

The Access to Work programme is a government funding scheme run by Jobcentre Plus. It provides Financial assistance towards the extra costs of employing someone with a disability. It is available to unemployed, employed and self-employed people and can apply to any job, full-time or part-time, permanent or temporary.

Support available to employers

The type of support available includes:

- A communicator at a job interview for people who are deaf or have a hearing impairment
- A reader at work for someone who is blind or has a visual impairment
- A support worker if someone needs practical help because of their disability, either at work or getting to work
- Adaptations to a vehicle, or help towards taxi fares or other transport costs if someone cannot use public transport to get to work because of their disability
- Equipment (or alterations to existing equipment) necessary because of an individual's disability
- Alterations to premises or a working environment necessary because of a person's disability.

Funding available to employers

The funding available depends on the employment status of the disabled individual at the time of application.

For:

Unemployed people starting a job and all self-employed people. The programme will pay up to 100% of all approved costs

People changing jobs. The programme will pay up to 100% of all approved costs.

Employed people who have been with the employer for six weeks or longer. Access to Work will not make any contribution to costs below £300. Above this sum, the programme will pay up to 80% of the costs up to £10,000 and up to 100% of the costs above £10,000

Travel to work

The programme will pay up to 100% of all approved costs irrespective of employment status

Communicator support at interview

The programme will pay up to 100% of all approved costs irrespective of employment status.

A support worker

The programme will pay up to 100% of all approved costs irrespective of employment status

Access to Work funding is made available for up to three years. A review of an individual's circumstances and support needs will take place if further funding is needed after this time.

Appendix 2

The Bradford Factor

The Bradford factor measures an employee's irregularity of attendance by using a simple mathematical formula. Bradford scores are a way of identifying individuals with serious absence and patterns of absence worthy of further investigation. It helps highlight causes for concern.

How to calculate the Bradford Factor

The Bradford factor calculation is as follows:

$$\mathbf{S \times S \times D = Bradford\ points\ score}$$

Where S is the number of occasions of absence in the last 52 weeks and D is the total number of days' absence in the last 52 weeks.

So, for employees with a total of 14 days' absence, for example, in one rolling 52 week period, the Bradford score can vary enormously, depending on the number of occasions involved.

Although a rolling year is common, other timescales such as 13 weeks may be used, with the associated points total correspondingly lower.

Applying the Bradford Factor as a Managers Tool

The Bradford formula is set out above.

The Bradford Factor will be used as a management tool to help to identify any employee with a sickness absence record that is giving cause for concern. If an employee reaches a score of 105 or more a Manager must then identify if any of the indicators have been hit before taking further action.