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Framwellgate Moor Parish Council

Sickness Absence Policy

1 PURPOSE AND SCOPE

- a. The purpose of this policy is to ensure that the operational efficiency of Framwellgate Moor Parish Council ("FMPC") can be maintained whilst employees are absent from work for sickness or injury related reasons.
- b. This policy also seeks to provide guidance, security and support to employees during periods of ill-health.
- c. FMPC values the contribution its employees make to the successful running of the Council and greatly misses that contribution when an employee is unable to work for whatever reason.
- d. This policy should be read in conjunction with FMPC's Health and Safety, Disciplinary and Grievance policies and also the employee's Contract of Employment.

2 KEY PRINCIPLES

- a. FMPC will support employees who have genuine grounds for absence.
- b. Each employee is asked and expected to take responsibility for achieving and maintaining good attendance.
- c. Employees should see their Contract of Employment for their own entitlements to sick pay.
- d. FMPC 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.

3 PROCEDURE

- a. Employees who are unable to attend work through sickness, accident or personal circumstances must inform their Line Manager by phone or in person of the reason for their absence by no later than 10am on the first morning. If their Line Manager is unavailable, the employee should contact the Chair or Vice Chair of the Council. The employee should indicate the reason for absence and, if possible, how long they expect to be absent.
- b. If the absence is for a period of less than seven days, employees should complete a self-certification form (available from the FMPC Parish Clerk and set out in Appendix 1) on their return to work.
- c. For an absence of more than seven days employees must obtain fit notes issued by a doctor or any other medical professional covering the entire period of absence.
- d. Where absenteeism appears unreasonable or unwarranted, employees may be liable for disciplinary action for misconduct.
- e. Employees are expected to mitigate their absence due to sickness or injury by not taking part in activities or events that are likely to hinder a return to work.

4 SICKNESS PAY

- a. Sick pay will be paid in accordance with the employee's contract of employment and the Green Book Scheme as issued by the Society of Local Council Clerks ("SLCC").

5 POTENTIAL AMENDMENTS BEFORE RETURN TO WORK

- a. An employee's doctor might indicate on a fit note that the employee "may be fit for work". If this option is selected the doctor will also identify potential amendments that should be made, selecting from:- phased return to work; amended duties; altered hours; and workplace adaptations
- b. If a fit note suggesting amendments for a return to work is received FMPC will contact the employee and arrange for a meeting with the employee. At this meeting the suggested amendments will be discussed with the aim of facilitating the employee's return to work. If the suggested amendments are not possible the employee will remain on sick leave.
- c. If the suggested amendments are possible the employee will return to work, but regular reviews will be carried out to ensure that the amendments are

adequate.

- d. It should be noted that any amendments are not to be viewed as a permanent change to the contract of employment.

6 RETURN TO WORK

- a. Employees should expect a “return to work” meeting with their Line Manager on their first day in the office after any period of absence, to ensure that the employee is fit to work, that all the support the employee needs is in place and to update the employee on developments and their workload.
- b. Requests for temporary adjustments to the employee’s working conditions will be considered by FMPC and will be accommodated wherever possible and if FMPC’s circumstances permit subject to section 5 above.
- c. If the employee is experiencing frequent periods of absence the Clerk will explore with the employee whether there is any underlying reason for the frequency of the absences and whether further support is necessary. Where no underlying reason is identified the Clerk will set up an informal meeting with the employee to discuss the problem. (See Appendix 1)

7 NECESSARY MEDICAL INFORMATION

- a. FMPC may request a fit note issued by a doctor or other medical professional for frequent periods of absence of seven days or less or where there appears to be an unacceptable pattern of absence. In such circumstances FMPC will reimburse the doctor’s / medical professional’s costs for providing the fit note.
- b. Where an employee has frequent absences or there is a long-term absence FMPC will need to gain as much information about the employee’s medical condition as possible,
- c. In these circumstances FMPC may request the employee’s permission to contact their GP and ask for a medical report on the employee’s condition. The employee may ask their GP to show them a copy of this report.
- d. FMPC may also request the employee to see an occupational health adviser to advise the employee and FMPC on the best way to support the employee
- e. FMPC reserves the right to require the employee to be examined by a practitioner of its choice in order to seek a medical opinion.
- f. A refusal to grant permission for contact with a GP or to cooperate with an occupational health adviser will prevent FMPC from gaining a proper

understanding of the reason for the employee's absences. The employee will need to be aware that as a result FMPC will not be able to properly take into account any medical condition in any formal review under the Absence Management Policy.

8 ABSENCE DUE TO DISABILITY / MATERNITY

- a. Where absences are in relation to disability of an employee or to pregnancy then FMPC will record this reason for absence and will take this into account in any informal consideration of frequent absences. This Sickness Absence policy does not apply to absences relating to maternity, paternity and adoption and fostering. In connection with this Sickness Absence policy, its employees, FMPC is also committed to its Equal Opportunities Policy and Data Protection Policy.

9 ABUSE OF THIS POLICY

- a. Any abuse in the application of this policy will be dealt with in accordance with FMPC's Disciplinary Policy and may possibly result in disciplinary action being taken, up to and including dismissal.

10 ADDITIONAL INFORMATION

- a. For further information, please contact the Clerk.

APPENDIX 1

Framwellgate Moor Parish Council

Sickness self-certification form

1. Fill out the form below for all sickness absence of seven calendar days or fewer.
2. This form must be completed on the day you return to work and then passed to the Clerk.
3. For periods of sickness lasting more than seven calendar days, please provide a 'Statement of Fitness For work' (Fit Note) which has been signed by a doctor or your GP

Name
First day of absence owing to sickness
Date returned to work
<p>Number of days away from work owing to sickness</p> <p>Was your sickness caused by an accident at work? If so, please provide brief details and date of the accident, inform the designated person and ensure the accident record book has been updated to include details of the accident.</p> <p>Signature</p> <p>Date</p> <p>Clerk's initials</p>

APPENDIX 2

FMPC ABSENCE MANAGEMENT PROCEDURE

This procedure is non-contractual and does not form part of the terms and conditions of employment with FMPC.

ABSENCE MANAGEMENT PROCEDURE FOR FREQUENT SHORT-TERM ABSENCES

Informal Meeting

If an employee suffers frequent short-term absences FMPC will organise an informal meeting to establish if there is any underlying reason for the absences and whether the employee requires any support from FMPC to improve their attendance record. The meeting will set a date for a future review of the employee's absence record to review the improvement in the attendance record. If no improvement has been achieved this will trigger the first stage of the formal absence procedure.

First Formal Meeting

If no improvement is achieved by the agreed review date, then FMPC will write to the employee specifying its concerns with the level of absence and inviting the employee to a first formal absence review meeting. The employee has the right to be accompanied at the meeting by a work colleague or a union representative.

At the meeting there will be formal consultation with the employee about the attendance record and whether medical information should be sought to establish whether there is an underlying health condition. If following any medical enquiries no underlying reason for the absences is established FMPC will write to the employee setting out the improvement in the absence that is required. FMPC will also set a date for a second formal meeting to evaluate the improvement and write to the employee inviting them to attend the second formal meeting.

Second Formal Meeting

The employee has the right to be accompanied at the Second Formal Meeting by a work colleague or a union representative. The employee's attendance will be reviewed at the meeting and if attendance has improved no further action will be taken although attendance will continue to be monitored.

If attendance has not improved and no underlying reason for the absence is established, then.

a further absence review date will be set for improvement in the standard of attendance.

The employee will be formally warned that if no improvement in attendance is achieved by

the review date then consideration will be given to triggering the final stage of the formal disciplinary process that may result in dismissal.

Third Formal Meeting / Disciplinary Meeting

If no improvement in attendance is achieved by the date of the Third Formal Meeting, a disciplinary hearing will be convened to establish whether the employee should be dismissed. (Refer to disciplinary procedures).

Right of Appeal

At each stage in the formal procedure FMPC will write to the employee setting out the outcome of the meeting and the reasons for any decisions. The employee has a right to appeal against any of the decisions reached at any of the formal meetings including any final decision to dismiss.

If the employee wishes to appeal, they should write to the Clerk stating the grounds on which they wish to appeal within five working days of the employee's receipt of the letter. The appeal will be heard in accordance with FMPC's disciplinary appeals procedure.

ABSENCE MANAGEMENT PROCEDURE FOR LONG TERM ABSENCES

Informal Procedure

In the case of long-term absence FMPC will maintain regular contact with the employee with the aim of remaining informed about their recovery and exploring how FMPC can support the employee. FMPC will agree with the employee what type of contact is acceptable and how frequently contact should be made.

If the employee or their GP believe that there is no prospect of an imminent return to work and it is becoming difficult for FMPC to hold the job open then FMPC will ask the employee's permission to obtain an up-to-date medical report on the employee's ability to do the job now and in the future, a prognosis on the employee's condition and a possible date for return to work.

If the medical information suggests there is no possibility of an imminent return to work, then FMPC may need to trigger a formal procedure to consider the alternatives with the employee. This will be through a formal long-term absence review meeting.

Formal Long-Term Absence Review Meeting

If as a result of the medical information, it appears that the employee has become incapable of fulfilling their job because of ill health then a formal long-term absence review meeting will be set up. The employee will be informed in advance and in writing about the meeting and the reason for the meeting. The employee has a right to be accompanied at the meeting by a work colleague or union representative.

If the employee is not well enough to attend and is not likely to be well enough to attend any meeting, then FMPC will make arrangements to ensure that the employee has a proper opportunity to make their case and offer additional

information before any decision is made. This may be through a representative or written representations or change of venue.

If reasonable adjustments are identified which may help the employee return to work or a potential improvement in the likelihood of a return to work is identified, then a further review date may be set when a further formal long- term absence review meeting will be held.

If no further information is provided to suggest a return to work is likely to prove possible and no reasonable adjustments are identified that would enable the employee to return to work, then a decision may be taken to dismiss. The employee will be given notice of the decision in writing.

Right of Appeal

If the employee wishes to appeal, they should write to the Clerk stating the grounds on which they wish to appeal within five working days of the employee's receipt of the letter.

The appeal will be heard in accordance with FMPC's disciplinary procedure.

Adopted July 2020 – to re reviewed annually in July