



MEETING : LOCAL JOINT PANEL
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 8 JUNE, 2016
TIME : 2.30 PM

MEMBERS OF THE PANEL

EMPLOYER'S SIDE:

Councillors E Buckmaster, L Haysey, A Jackson and G McAndrew

Substitute:

G Cutting

STAFF SIDE - UNISON

Ms F Brown, Mr S Ellis, Mr A Stevenson and Caroline Wise

Substitute: J Francis

(Note: Substitution arrangements must be notified by the absent Member to Democratic Services 24 hours before the meeting)

CONTACT OFFICER: Lorraine Blackburn
01279 502172
Lorraine.blackburn@eastherts.gov.uk

DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.

2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.

3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

Audio/Visual Recording of meetings

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable, which may include social media of any kind, such as tweeting, blogging or Facebook. However, oral reporting or commentary is prohibited. If you have any questions about this please contact Democratic Services (members of the press should contact the Press Office). Please note that the Chairman of the meeting has the discretion to halt any recording for a number of reasons, including disruption caused by the filming or the nature of the business being conducted. Anyone filming a meeting should focus only on those actively participating and be sensitive to the rights of minors, vulnerable adults and those members of the public who have not consented to being filmed.

AGENDA

1. Appointment of Chairman and Vice Chairman

2. Terms of Reference (Pages 5 - 8)

To note the Terms of Reference for the Local Joint Panel.

3. Apologies

To receive apologies for absence.

4. Minutes (Pages 9 - 12)

To confirm the Minutes of the meeting held on 16 March 2016

5. Chairman's Announcements

6. Declarations of Interest

To receive any Member's Declarations of Interest.

7. Reports by Secretary to the Employer's Side

(A) Absence Management Policy_(Pages 13 - 50)

8. Reports by Secretary to the Staff Side

There are no reports from the Secretary to the Staff Side

9. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

Extract from the Council's Constitution – May 2016

LOCAL JOINT PANEL

(Comprising 4 Members of the Council and 4 representatives of employees drawn from the constituent trade union (currently UNISON), with substitutes)

CONSTITUTION, POWERS AND DUTIES

1. Title: The Committee shall be called the “Local Joint Panel”.

2. Representation

The Local Joint Panel shall comprise of the 4 Members of East Herts Council to be appointed annually by the Local Authority and an equal number of employee representatives.

Named substitute members may be appointed by the employee side, to attend meetings of the Local Joint Panel in the absence of a member thereof provided prior notice is given to the Head of Democratic and Legal Support Services.

If a member of the Local Joint Panel ceases to be a member or employee of the Local Authority he/she shall thereupon cease to be a member of the Local Joint Panel; any vacancy shall be filled by the Local Authority, the organisation or the combination of organisations concerned.

3. Chairman

A Chairman and a Vice-Chairman shall be appointed by the Local Joint Panel at its first meeting in each year. If the Chairman appointed be a member of the Local Authority, the Vice-Chairman shall be appointed from the employee side, and vice versa. The Chairman of a meeting may vote as a Panel member but shall not have a casting vote.

4. Officers

The Head of People and Organisational Development of the

Local Authority shall act as Secretary to the Employer's Side.

5. Functions

The functions of the Local Joint Panel shall be:

(a) To establish regular methods of consultation and negotiation between the Local Authority and its employees on matters of mutual concern with the intent of maintaining and developing an efficient service. This process will aim to address differences should they arise. No question of an individual's discipline, promotion, or efficiency or conditions of employment shall be within the scope of the Joint Panel;

(b) To consider any relevant matter referred to it by a Committee of the Local Authority, or by any of the employee organisations;

(c) To make recommendations to Human Resources Committee and/or a suitable Committee of the Local Authority as to the application of the terms and conditions of service and the education and training of employees of the Authority;

(d) To discharge such other functions specifically referred to the Local Joint Panel with the exception of staffing issues;

(e) To consider matters relating to Health and Safety at Work referred to the Local Joint Panel by the Employee Associations or by a Committee of the Local Authority.

6. Rules and Regulations

(a) The Local Joint Panel shall meet during office hours as and when required, but not less than quarterly. The Chairman or Vice-Chairman may direct the Secretary to call a meeting at any time. A meeting shall be called within seven days of the receipt of a

requisition signed by at least two members of either side. The matters to be discussed at any meeting of the Local Joint Panel shall be stated upon the notice summoning the meeting.

(b) The quorum of the Local Joint Panel shall be two representatives of each side.

(c) Either side will have the right to co-opt, in a consultative capacity, representatives of particular sections affected by a question under discussion which are not directly represented on the Panel but only for the period during which the relevant question is under consideration.

(d) Either side shall arrange for the attendance in an advisory capacity of an Officer or Trade Union Official at any Panel meeting where it would be helpful to the business under discussion.

(e) Attendances at (c) and (d) shall be notified in advance to the Head of People and Organisational Development in their capacity as Secretary to the Employers Side.

(f) No recommendation shall be regarded as carried unless it has been approved by a majority of the members present on each side of the Local Joint Panel, and in the event of either the Local Joint Panel being unable to arrive at an agreement or the relevant Council body disagreeing with the Panel's recommendations, then the matter in dispute should either be referred:

(i) to an independent arbitrator acceptable to both sides, such as ACAS, in order to secure an agreement, or

(ii) to the Joint Secretaries of the East of England Regional Council, should the dispute concern conditions of service, to advise/mediate.

The decisions of the bodies referred to above will be binding on both sides.

(g) The proceedings of any meeting of the Local Joint Panel shall be recorded and reported at the appropriate Council Meeting, but before submission, the Minutes shall be approved by the Head of Human Resources acting as Secretary to the Local Joint Panel and the person nominated by the staff side to act as its Secretary.

MINUTES OF A MEETING OF THE
LOCAL JOINT PANEL HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 16 MARCH
2016, AT 2.30 PM

PRESENT: **Employer's Side**

Councillors E Buckmaster, L Haysey and
G McAndrew

Staff Side (UNISON)

Andy Stevenson (Chairman), Ms F Brown

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Emma Freeman	- Head of Human Resources and Organisational Development
Claire Kirby	- Human Resources Officer

19 **ALCOHOL DRUG AND SUBSTANCE MISUSE POLICY**

The Secretary to the Employer's Side submitted a report inviting Members to approve the revised policy and to make a recommendation to Human Resources Committee, as appropriate. The Human Resources Officer summarised the background behind the proposed changes.

Councillor E Buckmaster referred to paragraph 3.2 of the report as detailed and was pleased to see that the report acknowledged that different symptoms might manifest themselves to be wholly unconnected with substance misuse. He asked that the report provide further

clarification on this, especially for example, that it might be as a result of a mental health issue. This was supported.

In response to a query from Councillor G McAndrew in relation to communicating changes to staff and the process for reporting suspected employees, the Secretary to the Employer's Side clarified the process and explained the role of Occupational Health (OH). She stated that OH would only be called in if needed.

In response to a query from Councillor L Haysey, the Secretary to the Employer's Side explained that legal "highs" would be treated in the same way as alcohol, drug or substance misuse.

The Panel recommended to Human Resources Committee, approval of the report, as amended and as now detailed.

RECOMMENDED – that the revised Alcohol, Drug and Substance Misuse Policy, as now amended, be approved.

20 **SECONDMENT POLICY**

The Secretary to the Employer's Side submitted a report inviting Members to approve the revised policy and to make a recommendation to Human Resources Committee, as appropriate. The Human Resources Officer summarised the background behind the proposed changes.

The Panel Chairman welcomed updates to the Secondment Policy stating that it was a useful way of gaining experience in different organisations and referred to his past positive experience of a secondment, including its usefulness in terms of the transfer of learning and information. The Secretary to the Employer's Side explained how the process was advertised, adding that she was keen to promote this arrangement in working with the Council's partners.

In response to a query by Councillor E Buckmaster, the Secretary to the Employer’s Side explained how the process worked within the shared services arrangement.

The Panel recommended to Human Resources Committee, approval of the report, as now detailed.

RECOMMENDED – that the revised Secondment Policy, as now submitted, be approved.

21 MINUTES

RESOLVED – that the Minutes of the meeting held on 24 February 2016 be confirmed as a correct record and signed by the Chairman.

22 CHAIRMAN'S ANNOUNCEMENTS

The Panel Chairman stated that there were no reports from the Staff Side.

The meeting closed at 2.45 pm

Chairman
Date

This page is intentionally left blank

EAST HERTS COUNCIL

LOCAL JOINT PANEL – 8 JUNE 2016

REPORT BY SECRETARY TO THE EMPLOYER'S SIDE

ABSENCE MANAGEMENT POLICY

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

- Members are invited to approve the revised Absence Management Policy and to make a recommendation or not to Human resources Committee

RECOMMENDATIONS FOR LOCAL JOINT PANEL:

That: Human Resources Committee be advised that:

(A)	the revised Absence Management Policy be approved.
(B)	the Stress Management Policy be deleted

Background

1.1 The Absence Management Policy was last reviewed in 2014. The council's programme of policy review is after three years or sooner in line with legislation and best practice.

2.0 Report

Key Changes in the Policy

1.2 The policy has been updated to include an informal stage to allow managers more discretion on dealing with absence issues in the early stages.

1.3 To accommodate the introduction of the informal stage, one formal stage has been removed. There are two formal meetings

(with associated first and final written warnings respectively) before a performance capability review is convened.

- 1.4 The Stress Management Policy has been deleted and guidance on managing stress related absence has been added to this policy.
- 1.5 The informal meeting between managers and employees regarding hitting sickness triggers will now be held at the return to work interview to avoid duplication of meetings. The return to work form has been amended to reflect this.
- 1.6 The self-certification and return to work interview form have been combined into one form to ensure better completion rates of the return to work forms and to avoid duplication.
- 1.7 The revised Absence Management Policy can be found at **Essential Reference Paper 'B'**.
- 1.8 The guidance on managing employees/employees with family members with cancer and critical illnesses has been developed to support the policy and this can be found at **Essential Reference Paper 'C'**.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None

Contact Officer: Emma Freeman – Head of Human Resources and Organisational Development.
Ext 1635
Emma.Freeman@eastherts.gov.uk

Report Author: Claire Kirby – HR Officer
Ext 1630
Claire.kirby@eastherts.gov.uk

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	Unison and the Leadership Team have been consulted on the revised Absence Management Policy and deletion of the Stress Management Policy.
Legal:	None
Financial:	None
Human Resource:	As detailed in the report.
Risk Management:	None
Health and Wellbeing:	As detailed in the report.

This page is intentionally left blank

East Herts Council

Absence Management Policy

Policy Statement

Policy Statement No 1 (Issue No 4) July 2016

Policy owner: Human Resources

Date of last review: July 2014

Date of next review: July 2019

Contents

1.0	Introduction	3
2.0	Definitions of absence	3
3.0	Unauthorised absence	4
4.0	Sickness whilst on annual leave	4
5.0	Reasonable adjustments	4
6.0	Occupational health	5
7.0	Stress management guidance	5
8.0	Monitoring and recording sickness absence	6
9.0	Notification and certification of sickness absence	6
10.0	Maintaining contact after the first 7 days of absence	7
11.0	Returning to work	7
12.0	Short term sickness	8
13.0	Long term sickness	12
14.0	Capability review hearing	16
15.0	Redeployment	17
16.0	Ill health retirement	17
17.0	Employee Assistance Programme (EAP)	17
18.0	Appeal	17
19.0	Policy review and amendment	18

Appendix A - self-certification and return to work interview form

Appendix B - stress management guidance

Appendix C - short term sickness process

ABSENCE MANAGEMENT POLICY

Policy Statement No 1 (Issue No 4) July 2016

1.0 Introduction

- 1.1 The council aims to encourage all employees to maximise their attendance at work whilst recognising that employees will, from time to time, be unable to come to work for short and sometimes long periods of time.
- 1.2 Whilst recognising that employees may be prevented from working through ill health, the council has a responsibility to maintain service delivery and minimise disruption. The council is therefore committed to managing sickness absence and believes that it is the responsibility of the managers, employees and union representatives to work together to promote positive approaches to the management of sickness absence.
- 1.3 This policy links with the council's Health & Safety Policy and sets out the council's obligations to employees under the Equality Act 2010.
- 1.4 The council is committed to promoting health and wellbeing, and encouraging employees to take action to improve their own health and wellbeing. This policy provides a fair and consistent framework for supporting employees that are absent due to sickness. Whilst the council has a supportive approach, it aims to achieve a balance between the needs of the employee and the needs of the council.
- 1.5 This policy applies to all employees except for Chief Officer level and above, where it should be used in conjunction with procedures set out in the Constitution.

2.0 Definitions of absence

2.1 Short term absence

Short term absence is defined as any period of time where an employee is not at work due to sickness for a period of up to 28 calendar days in duration, from the first day of absence (including half days).

2.2 **Long term absence**

Long term absence is defined as a period of time where an employee is absent from work due to sickness for a continuous period of greater than 28 calendar days.

3.0 **Unauthorised absence**

3.1 It is the employee's responsibility to make sure they let their manager know at the earliest opportunity if they are unable to report for work and the reasons why. However where an employee fails to report for work by 10.00am, without informing their manager, it is important that the situation is investigated and the employee given an opportunity to explain. On the first day of absence the manager should make enquiries of colleagues to try and establish the reason for the absence. Failing this, all reasonable efforts should be made to get in contact with the employee including contacting their emergency contacts.

3.2 If the employee gives their reason as sickness they should be reminded of the sickness reporting procedure and advised, if appropriate, that failure to inform their manager of their absence may lead to their absence from work being considered as unauthorised absence, which may result in loss of pay and possible disciplinary action. Discussions with the employee regarding unauthorised absence should be documented in writing and placed on the employee's personal record file.

4.0 **Sickness while on annual leave**

4.1 Employees who fall sick on annual leave may be reimbursed for their annual leave if their sickness is certified by a Doctor. Managers should be informed of this as soon as is reasonably practical.

5.0 **Reasonable adjustments**

5.1 Under the Equality Act 2010 if an employee, their GP or the Occupational Health Adviser advises the council that the reason for absence is related to a disability, then the manager should consider reasonable adjustments to support the employee returning to work. Examples of reasonable adjustments could be:

- providing specialist equipment;
- modifying days or hours of work;

- modifying duties;
- redeployment;
- support and advice.

5.2 Advice on reasonable adjustments should be sought from Human Resources.

6.0 Occupational health

Referral

6.1 Occupational Health is a service that managers and employees can utilise to support the employee's return to work. Occupational health will provide medical advice and give guidance on support needed for the employee to improve their health and can advise on reasonable adjustments the council may wish to consider.

6.2 Managers or employees who wish to utilise occupational health should contact the HR service to discuss the process and whether it is appropriate to do so based on the circumstances of the case.

Access to medical records

6.3 After the initial consultation, the Occupational Health may decide it is necessary to contact an employee's GP or specialist to gain further information. If so, they will request either verbally or in writing that the employee complete the access to medical records form, which will advise them of their rights under the Access to Medical Reports Act 1988. The employee should complete the form and advise whether or not they are prepared to give consent.

6.4 If the employee fails to return the consent form, it will be assumed that they have withheld consent. Employees should be made aware that refusal to give consent could mean the council might have to make a decision on an employee's capability or conduct with the medical advice available.

7.0 Stress Management Guidance

7.1 For guidance on stress management both for managers and employees on how to identify stress symptoms and reducing stress in the workplace please refer to the stress management guidance document (Appendix B).

8.0 Monitoring and recording sickness absence

8.1 The council monitors sickness absence on a monthly basis and reports to Heads of Service on employees who hit the triggers in accordance with this policy.

9.0 Notification and certification of sickness absence

9.1 Employees must contact their manager by telephone before 10.00am if they are absent from work due to sickness, injury or any other health problem on every day of absence for the first 7 days of absence. If their manager is unavailable they should contact another member of the team. The employee must also confirm when the sickness started, how long they expect to be away from work and the reason they are sick. In exceptional circumstances, if the employee is too ill to notify their absence themselves then they can arrange for someone to do this on their behalf.

9.2 The manager must complete an online sickness notification form when an employee notifies them of their absence; this is available on the HR pages of the intranet.

9.3 Employees must keep their managers up to date if the reason for the absence changes or if the absence is expected to last longer than originally stated.

9.4 For each occasion of sickness absence, employees must complete the first section of the self-certification and return to work form (see Appendix A) for the first seven calendar days (including weekends and public holidays). The manager will then complete a return to work interview with the employee and complete the second section of the form. The completed form should then be signed by the manager and employee and sent to Human Resources.

9.5 If the absence continues beyond seven calendar days then the employee must keep their manager informed of the progress of their sickness on at least a weekly basis and obtain a fit note from their doctor to cover every day of sickness (from day eight). In cases of continuing absence these should be consecutive. Employees must forward fit notes immediately to their manager who in turn will forward these onto Human Resources.

9.6 Employees who are undergoing close monitoring of absence may be asked to provide a fit note from the first day of each absence period. If, as a result of this requirement, the employee incurs a cost this will be refunded, normally through the expense claims process.

9.7 Every absence must be certified and recorded to ensure correct payment of sick pay and to ensure that accurate records are maintained. Failure to comply with the certification and reporting procedures may result in loss of sick pay. Misleading or false statements may be dealt with under the Disciplinary policy.

9.8 If an employee is absent from work through sickness they must refrain from working elsewhere. If this situation were to arise it may be dealt with under the Disciplinary policy.

10.0 Maintaining contact after the first 7 days of absence

10.1 When an employee is absent from work for longer than 7 days sickness it is important that weekly contact is maintained between the manager and employee in order to manage the sickness absence and to ensure that the employee does not feel isolated, vulnerable or out of touch. The manager may need to reallocate work so that service delivery is maintained.

10.2 It may be necessary, particularly in cases of long term sickness absence, to arrange to visit the employee at home, if the employee is in agreement. The home visit should be undertaken by their manager. At least 5 working days' notice will be given to an employee of such a meeting. The employee may request to be supported during this visit.

11.0 Returning to work

11.1 Upon return to work following every period of sickness absence the manager should arrange to meet privately, in an appropriate place, with the employee to conduct a return to work interview. Return to work interviews can be conducted by telephone for home and remote workers. This should happen ideally on the first day back or at least within three days of the return to work. Please refer to Appendix A for the combined self-certification and return to work form. The completed form should be sent to HR as soon as possible so that it can be placed on the employee's personnel file.

11.2 These discussions are deemed to be informal and should raise any concerns around the employee's absence and attempt to resolve any issues before moving to formal procedures.

11.3 In general this discussion should be used to: -

- Discuss the cause of absence;

- Discuss, where appropriate, the general attendance record, and reinforce the council view of the importance of good attendance;
- Take informal action on short term sickness issues when an employee has reached the sickness triggers (see section 12);
- Discuss the support and advice available to the employee to help improve their sickness record;
- Complete the return to work form.

11.4 In the case of long-term sickness absence, the discussion should be used to allow consideration of any particular difficulties or concerns the employee may have relating to their return to work.

11.5 In agreeing support for returners to work, managers should consider whether a risk assessment is required or further advice is needed from Occupational Health and whether a phased return would be helpful. If the latter is required managers and employees should consider using untaken holiday if it would otherwise be lost, and managers may authorise up to 4 weeks phased return on temporary reduced hours on full pay. After 4 weeks, other alternatives should only be agreed after consultation with Human Resources.

12.0 Short term sickness

Informal action

12.1 Monitoring attendance is an integral part of a manager's day to day responsibilities. In most cases this type of management and the use of the return to work meetings, will successfully deal with any attendance issues at an early stage. Please see Appendix C for a flowchart demonstrating the short term sickness process.

12.2 If at any stage it becomes clear the absence is due to a physical or mental impairment that is classed as a disability under the Equality Act 2010, the council will consider providing additional assistance to the employee by ensuring reasonable adjustments have been considered. This will be done in conjunction with advice from occupational health and the HR service.

12.3 If an employee's attendance record is not acceptable and further action is required, this will be discussed at the return to work interview. The return to work interview form asks the manager to

check with HR prior to the meeting whether the employee has reached any of the following trigger points:

- 7 days sickness absence within any twelve-month period;
- 3 separate periods of sickness absence in a 6 month period; or
- A pattern of absence which gives cause for concern, such as frequent absenteeism on a Monday or Friday, or avoiding particular work tasks.

12.4 At the meeting, the manager should discuss the following:

- the absence record with the employee;
- identify any contributing factors affecting sickness absence, for example, relationships with colleagues, domestic issues, workloads within the service, vacancies;
- identify areas for support;
- set targets for improvement and a review date.

12.5 If the outcome is that the attendance level is unacceptable and there are no mitigating reasons, an attendance improvement plan will be put in place, detailing any actions that have been agreed to support the employee's attendance. An informal monitoring period of not more than 3 months will be set. Managers should use the 'details of support offered to employee' box on the return to work interview form to document the attendance improvement plan.

12.6 At the end of the informal monitoring period, if an employee's attendance level has not improved or, where attendance falls below an acceptable level during the next 12 months, the manager should inform the employee that the issue will be referred to the formal stage (advice should be sought from the HR service).

Formal action

First health review meeting

12.7 The formal procedure will be invoked where an employee has not improved their attendance during the informal stage. The manager should convene a first health review meeting with the employee, notifying them in writing giving 5 working days' notice. The employee

will have the right to be accompanied by a colleague or trade union representative. Advice should be sought from the HR service before commencing the formal process.

12.8 The manager will be accompanied at the first health review meeting by an HR Officer. It is their role to advise on procedure, ensure consistency and equity of treatment and ensure process is followed.

12.9 The aim of the first health review meeting is to:

- Discuss the absence record;
- Explore the reasons for the absence and enable the council to have an up-to-date understanding of the latest medical situation and prognosis;
- Confirm the expectation of an improvement in attendance;
- Identify areas for support;
- Discuss the need for a risk assessment;
- Consider whether there are any reasonable adjustments which could be made with regard to the employee's work;
- Set appropriate targets for improvements and an appropriate review period;
- Discuss the effect of past and future absences on the organisation.

12.10 The following outcomes must be considered:

- Advice may be sought from occupational health;
- Reasonable adjustments such as changes in workload, work practices or work patterns may be identified;
- A review period will be set;
- The manager (with delegated authority to issue warnings) should issue a **First Written Warning**. A copy of the warning will be kept on the employee's personnel file but should be disregarded after twelve months of satisfactory attendance.

- 12.11 The manager will write to the employee within 5 working days of the first health review meeting, confirming the points discussed and actions identified. The employee will be informed of the improvements needed in their attendance and advised of the possible consequences if this is not achieved.
- 12.12 An appropriate review period will be set. If at the end of the review period the employee has reached a sustained acceptable level of improvement, this should be confirmed to the employee in writing and monitoring should revert back to informal arrangements with return to work meetings occurring in the event of further absences. However, if the employee's attendance has not improved in the review period or deteriorates again within 12 months of the warning then a second health review meeting will be convened.

Second health review meeting

- 12.13 A second health review meeting will be arranged with the employee, their manager, head of service and with HR support. This will be confirmed in writing giving 5 working days' notice and informing the employee of their right to be accompanied by a colleague or trade union representative.
- 12.14 The head of service at the meeting will hear the case, supported by HR. The manager will also attend the meeting to present the management case detailing the support given, reasonable adjustments made and occupational health advice if applicable to the case.
- 12.15 The second health review meeting will reaffirm the issues discussed at the first health review meeting and the following outcomes must be considered:
- Further advice may be sought from occupational health;
 - Reasonable adjustments which have been made or could be made;
 - A review period should be set;
 - The head of service should issue a **Final Written Warning** at this second meeting. A copy of the warning will be kept on employee's personal record file but should be disregarded after twelve months of satisfactory attendance.

- 12.16 The head of service will write to the employee within 5 working days of the second health review meeting confirming the review period, points discussed, actions identified, improvements needed and confirming the next stage of the process should an improvement not be made.
- 12.17 At the end of the review period if the employee has reached a sustained acceptable level of improvement, this should be confirmed to the employee in writing. However, if the employee's attendance has not improved in the review period or deteriorates again within 12 months of the warning then a capability review hearing will be convened. Please see Section 14.0.

13.0 Long term sickness

Informal Action

- 13.1 Absences in excess of 28 consecutive days are considered to be long term sickness.
- 13.2 The manager should arrange to meet with the employee when they have met the 28 day trigger or sooner if appropriate. If the employee is unable to attend a meeting in the workplace then it may be appropriate to hold the meeting at the employee's home or other mutually agreed location.
- 13.3 The aim of the meeting is:
- To consider the employee's current state of health;
 - To explore the reason for the absence and consider any other underlying factors;
 - To establish the likely duration of the sickness absence;
 - To discuss the employee's expectations of returning to work;
 - To consider any potential impediments to an early return to work;
 - To provide information on the appropriate external support services;
 - To discuss whether there are any additional areas of support that could be offered to the employee;

- To consider whether the absence is related to a disability and therefore should be dealt with in accordance with the council's duties under the Equality Act 2010;
- Where necessary, and in accordance with the procedure, refer the employee to occupational health for medical advice and support;
- To agree how contact will be maintained during the absence.

13.4 Following this meeting and during the period of absence, regular contact should be maintained with the employee concerned to discuss progress. This could include a meeting if appropriate. Managers must ensure that they make notes of the meetings and write to the employee to confirm the outcome of the meeting.

13.5 It is a matter of judgement as to when matters need to be escalated. Further action may not be necessary if the diagnosis is clear, the nature of the incapacity undisputed and/or the prognosis/return to work date known and acceptable. Please see the supporting guidance on the intranet in relation to working with cancer or critical illness. In circumstances where a return to work has not been achieved within an indicated period of time, it will be appropriate to proceed to formal action.

Formal action

First health review meeting

13.6 A first health review meeting will be arranged with the employee, their manager and with HR support. This will be confirmed in writing giving 5 working days' notice and informing the employee of their right to be accompanied by a colleague or trade union representative. If the employee is unable to attend a meeting in the workplace then it may be appropriate to hold the meeting at the employee's home or other mutually agreed location.

13.7 The main aims of the first health review meeting are:

- To review the employee's current state of health;
- To discuss how much longer the employee is expected to be absent from work;
- To discuss the employee's expectations of returning to work;

- To consider any potential impediments to their return to work;
- To provide information on the appropriate external support services;
- To discuss whether there are any additional areas of support that could be offered to the employee;
- To consider whether any reasonable adjustments under the Equality Act 2010 need to be made to facilitate a return to work;
- To review whether further advice is needed from occupational health;
- To review contact arrangements whilst the employee is absent from work.

13.8 At this meeting the manager (with delegated authority to issue warnings) should issue a **First Written Warning**. A copy of the warning will be kept on employee's personnel record file but should be disregarded after twelve months of satisfactory attendance.

13.9 The manager will write to the employee within 5 working days of the first health review meeting confirming the points discussed and actions identified including the review period.

13.10 Depending on advice received from occupational health, managers could explore the following options:

- Continue to monitor – manager to keep in contact with the employee to consult and consider arrangements for their return;
- Return to work on normal full duties – When an employee's GP or occupational health states that the employee is fully fit to return to work. The manager must arrange a return to work meeting with the employee;
- Rehabilitation – an employee may be experiencing difficulties in undertaking the full range of tasks or coping with the work situation and in these cases managers and Human Resources should consider whether there are any ways the employee can return to their current job and whether any adjustments may be required. These could include; phased returns/modified duties, reduced or changes in hours or changes in work practices;

- Redeployment – suitable alternative positions may be considered where appropriate, although the council will not be obliged to create new positions for this purpose. Please see the Redeployment Policy for further information;
- Investigation into whether the employee may be eligible for ill health retirement.

Second health review meeting

- 13.11 A second health review meeting should be held if the employee remains absent at the end of the review period and the prognosis/return to work date is still unknown. The second health review meeting should be convened by the employee's head of service. The head of service will write to the employee giving 5 working days' notice and giving the employee the right to be accompanied by a colleague or trade union representative.
- 13.12 The head of service at the meeting will hear the case, supported by HR. The manager should also attend the meeting to present the management case detailing the support given, reasonable adjustments made and occupational health advice if applicable to the case.
- 13.13 At this meeting the head of service should issue a **Final Written Warning**. A copy of the warning should be kept on employee's personnel file but will be disregarded after twelve months of satisfactory attendance.
- 13.14 The head of service will write to the employee within 5 working days of the second health review meeting confirming the review period; points discussed; actions identified; improvements needed and confirming the next stage of the process should an improvement not be made.
- 13.15 Referral to a capability hearing for long term absence should take place when:
- advice from occupational health has been received and taken into account;
 - all reasonable options for support and individual adjustments to the work place have been considered and appropriate action taken;

- where ill health redeployment is being actively considered; and
- where two formal warnings have been issued.

14.0 Capability review hearing

- 14.1 Where there are continuing concerns regarding short term absences and a final written warning has been given, or in the case of long term absence, options to enable the employee to remain in their current employment have been unsuccessful or are inappropriate and a final written warning has been issued, the employee will be asked to attend a capability review hearing.
- 14.2 The purpose of the capability review hearing will be to consider whether there are any further actions that the council can take to assist the employee in continuing their employment or whether employment should be terminated due to the employee's inability to undertake their duties effectively because of their absence.
- 14.3 The capability review hearing should be held by a director. The employee must be given 10 working days' notice in writing of the date of the hearing and should be advised that they have the right to be accompanied by a work colleague or a trade union representative. The employee will also receive a copy of the management case with this letter.
- 14.4 The capability review hearing may result in one of the following outcomes:
- Further support with a date set for review;
 - Dismissal (the Head of HR and OD must be consulted on any decision to dismiss);
 - Ill health retirement or compassionate retirement in accordance with the rules and procedures of the Local Government Pension Scheme and Retirement policy.
- 14.5 The director at the meeting will hear the case, supported by HR. The manager should also attend the meeting to present the management case detailing the support given, reasonable adjustments made and occupational health advice if applicable to the case.

- 14.6 The employee will be informed of the decision in writing within 3 working days of the capability review hearing.
- 14.7 If there is medical evidence that an employee is no longer fit to fulfil the requirements of the job, the council reserves the right to terminate employment before the expiry of contractual sick pay.
- 14.8 Where decisions have been made to terminate employment on the grounds of ill health, the employee has the right to appeal against the decision. Please refer to the Appeals policy.

15.0 Redeployment

- 15.1 Where occupational health or the employee's GP recommends that the employee is unfit for the duties of their post, but may be able to undertake alternative work, suitable vacancies should be explored into which the employee may be redeployed.
- 15.2 HR will monitor vacancies over a 3 month period to identify a suitable alternative post in accordance with the Redeployment policy. If this does not prove possible, management should convene a capability review hearing.

16.0 Ill health retirement

- 16.1 To qualify for ill health benefits, the employee must be a member of the Local Government Pension Scheme (LGPS). The council, based on an opinion from an independent specially qualified doctor (through Occupational Health) must first be satisfied that the employee will be permanently unable to do their own job and have a reduced likelihood of being capable of obtaining gainful employment before the age of 65. Please discuss with HR.
- 16.2 In situations where an employee disputes the need for ill health retirement, the case will have to be heard in a capability review hearing in order to obtain a dismissal.

17.0 Employee assistance programme (EAP)

- 17.1 The EAP is a confidential advice, information and counselling service available to all employees. The EAP can provide specific advice and guidance to employees who are experiencing ill health. Further details can be found on the intranet.

18.0 Appeal

18.1 The employee can appeal against any formal sanction made under the Absence management policy. Please refer to the Appeals policy.

19.0 Policy review and amendment

19.1 This policy shall be reviewed after three years or sooner in line with legislation and best practice to reflect the best possible level of support and management.

SELF CERTIFICATION AND RETURN TO WORK FORM

First name:	Surname:
Payroll No:	Service:

Please record every continuous day of sickness, regardless of working pattern, this includes weekends and bank holidays. The form must be completed for all periods of sickness absence for half a day or more (absence for more than two hours is recorded as a half day). On the 8th day of absence a medical certificate must be obtained from a medical practitioner. This must cover every continuous day of absence until your return; this includes weekends and bank holidays.

Day	Date	Reason (please tick 1 option)	
Monday	/ /	Flu / Cold	<input type="checkbox"/>
Tuesday	/ /	Headache / Migraine	<input type="checkbox"/>
Wednesday	/ /	Sickness / Stomach upset/problem	<input type="checkbox"/>
Thursday	/ /	Chest Infection	<input type="checkbox"/>
Friday	/ /	Throat Infection	<input type="checkbox"/>
Saturday	/ /	Disability Related Sickness	<input type="checkbox"/>
Sunday	/ /	Other	<input type="checkbox"/>

If other, please specify:	
---------------------------	--

Date of return to work discussion	
-----------------------------------	--

Method of discussion	Face to Face <input type="checkbox"/>	Telephone <input type="checkbox"/>
----------------------	---------------------------------------	------------------------------------

Reason for absence	
<ul style="list-style-type: none"> Update on employee health Medication/changes to be made to workload and for how long Adjustments to be made 	

Is the employee pregnant?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
---------------------------	------------------------------	-----------------------------

Please note that pregnancy related absence will be discounted towards trigger points. Please contact HR for further information.

Does the employee consider themselves to have a disability? Yes No

If the absence is related to a disability please contact HR

Was the absence due to an accident at work? Yes No

If so, was it recorded in the accident book? Yes No

If the absence was due to a third party, will the employee be claiming loss of earnings?
Yes No

Is there a need to refer to Occupational Health? Yes No

PLEASE CONTACT YOUR HR OFFICER TO VERIFY THE FOLLOWING:

Has the employee met the corporate trigger points in a rolling 12 month period?

- 7 days sickness absence within any 12 month period
- 3 separate periods of sickness absence in a six month period
- A pattern of absence which gives cause for concern such as frequent absenteeism on a Monday or Friday, or avoiding particular work tasks

Yes

No

If yes, discuss the following:

- the absence record with the employee;
- identify any contributing factors affecting sickness absence, for example, relationships with colleagues, domestic issues, workloads within the service, vacancies;
- identify areas for support;
- set targets for improvement and a review date.

If yes to the above question please state what stage within the Absence Management Procedure, the employee is within?

Has the employee been made aware of future actions in accordance with the Absence Management Procedure if they are absent again in the near future? Yes No

Details of support offered to employee (actions agreed including timescales, details of attendance improvement plan if applicable)

I declare that the information I have given above is true and understand that this information will be used for the purposes of recording and monitoring sickness absence. I understand that it will be used to establish my right to sick pay and that false statements may lead to my summary dismissal.

Signed Employee

Date

Signed Manager

Date

Stress Management Guidance

Definition

The Health and Safety Executive (HSE) defines stress as:

'The adverse reaction people have to excessive pressure or other types of demand placed on them'.

Stress is not a sickness – it is a state. However, if stress becomes too excessive and prolonged, mental and physical sickness may develop and may be linked to a variety of long-term health conditions that could be covered by the Equality Act 2010 such as depression, heart conditions, back problems and asthma.

The Causes of Work-Related Stress

The HSE has developed six management standards to help assess and tackle the main causes of work-related stress. The standards highlight six overall risk factors.

Main causes of stress	What you can do about it?
Demands: employees often become overloaded if they cannot cope with the amount of work or type of work they are asked to do	Pay attention to the way the job is designed, training needs and whether it is possible for employees to work more flexible hours
Control: employees can feel disaffected and perform poorly if they have no say over how and when they do their work	Think about how employees are actively involved in decision making, the contribution made by teams and how reviewing performance can help identify strengths and weaknesses
Support: levels of sickness absence often rise if employees feel they cannot talk to managers about issues that are troubling them	Give employees the opportunity to talk about the issues causing stress, provide a sympathetic ear and keep them informed
Relationships: a failure to build relationships based on good behaviour and trust can lead to problems related to discipline, grievances and bullying	Use the council's policies on handling grievances, unsatisfactory performance, poor attendance and misconduct, and for tackling bullying and harassment
Role: employees will feel anxious	Review the induction process, work out

about their work and the organisation if they don't know what is expected of them	an accurate job description and maintain a close link between individual targets and the council's objectives through 121s and PDRS
Change: change needs to be managed effectively or it can lead to huge uncertainty and insecurity	Plan ahead so change doesn't come out of the blue. Consult with employees so they have a real input, and work together to solve problems

Depression

There is often a link between stress and depression. In practice, it can be hard to distinguish when stress turns into a mental health problem and when existing mental health problems become exaggerated by stress at work.

Signs of depression to look out for include:

- An increase in unexplained absences or sick leave
- Poor performance
- Poor timekeeping
- Poor decision-making
- Lack of energy
- Uncommunicative or moody behaviour

Many of the symptoms of depression are similar to those that people experience when they are under considerable pressure; the key differences are in the severity and duration of the symptoms and the impact they have on someone's everyday life.

Managers can support employees affected by depression by:

- Exploring whether their depression is caused by problems at work and if so, trying to find a resolution to their concerns.
- Encouraging employees to raise and discuss issues concerning their depression confidentially.
- Keeping in touch with employees who are off sick with depression. Managers should not pressurise employees but should encourage them to keep them informed.
- Offering employees returning to work from a period of depression a gradual return to work.

- Encouraging employees to look after their mental health; ensuring employees take lunch breaks and have a good work-life balance.
- Reminding employees of the support and advice available to them through the Employee Assistance Programme.

Reasonable Adjustments

If a person's mental sickness affects their ability to carry out day-to-day activities then they are likely to be covered under the Equality Act 2010. Under the Act the employer has a duty to make reasonable adjustments to take steps to remove, reduce or prevent the obstacles a disabled worker faces.

Types of reasonable adjustment might include allowing more frequent breaks, arranging a phased return to work after a period of sickness absence, temporarily reassigning tasks to other team members or redeployment to a different role.

Employees' Responsibilities

Employees have a responsibility to raise concerns and tell their manager about possible problems and sources of stress. If the organisation is not aware of a problem it can be difficult for action to be taken. Employees' roles and responsibilities include:

- To understand what work related stress is, what causes it and how it can be prevented and managed.
- To identify potential causes of stress for themselves before they become a problem and to raise them with their manager.
- To identify early when they are beginning to experience excessive pressure that may lead to work related stress and raise this with their manager or HR service so they can help to resolve the problem.
- To work with their manager or HR service in identifying solutions to work related stress.
- To be supportive of colleagues experiencing work related stress.
- To work with their manager or HR service in identifying solutions to help them return to work effectively and quickly after a period of stress or depression related sickness absence.

- To take advice and support that is available to them through the employee assistance programme to help manage their stress symptoms.

Managing stress and depression related sickness absence

Managers should follow the usual processes as outlined in the Absence Management policy for any employee who reports sickness absence for stress or depression related reasons.

In addition, there are further points managers need to consider when managing employees who are absent due to stress:

Occupational health

Upon receipt of self-certification or medical certificates from a GP, where the reason for absence is stated as stress and/or depression the manager should contact the HR Service to refer the employee to occupational health to ensure that appropriate advice and support is made available.

Where employees self-refer to occupational health, claiming stress and/or depression they should advise their manager to ensure that appropriate advice and support is provided.

Appointments for referral and self-referral must be made through the HR Service and accompanied by a completed occupational health referral form located on the intranet.

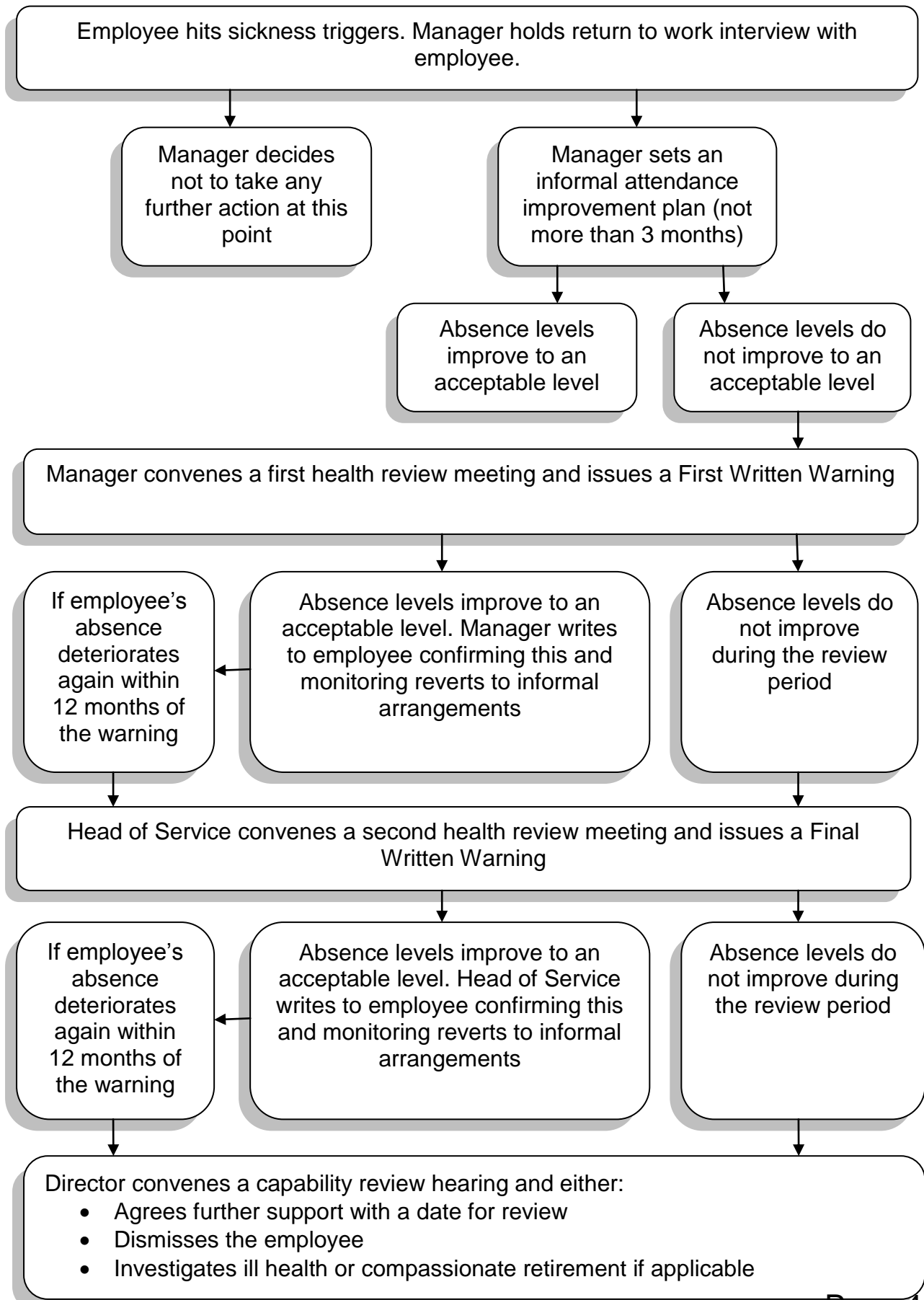
Occupational health will advise managers on rehabilitation or suitable adjustments to the workplace to facilitate a return to work and avoiding a recurrence of the problem.

Stress Risk Assessments

Managers should respond to employee and work place stressors and undertake reasonable activities to eliminate or control the risks from stress.

Where an employee has cited job related stressors within their service areas, managers should conduct a stress risk assessment. These should be conducted under guidance from the HR Service, Health and Safety Officer, and where appropriate the advice of occupational health.

Short term sickness process



This page is intentionally left blank

Working with Cancer or Critical Illness

Introduction

The council believes it has a clear responsibility to provide help and support to any of its employees who are affected in some way by the diagnosis of cancer. Each year approximately 90,000 people of working age are diagnosed with cancer. Each year, as treatments improve, more and more people who have cancer are learning to live with it as a chronic rather than a terminal illness, as are their families, friends and colleagues at work.

This guidance is designed to support employees who are diagnosed with cancer. It also covers the council's approach to employees who have a family member diagnosed with cancer and/or who become carers for someone diagnosed with cancer.

This guidance may also be useful to managers and employees facing other critical illnesses. **This guidance is to be used in conjunction with the council's Absence Management policy.**

Employees Diagnosed with Cancer

Telling your manager and HR

Once you are clear about the nature of your cancer and any impact it will have on your work, you should advise your manager. If you feel unable to discuss this with your manager, you can speak to Human Resources instead. Although this may not be easy for you, it is difficult for your manager, and therefore the council, to support you if we are unaware of your circumstances. Practically, it is also difficult to attend treatment, take time off to meet your own health needs or ensure that your work is covered, without your manager knowing the reason why, and what is involved.

If you wish to have a union representative with you, or a work colleague to accompany you, at any time during discussions with your manager or HR, you may do so.

Once you tell your manager, they will need your permission to share that information with HR and any other managers who may be affected. Equally, you may prefer to tell them yourself. If so, you should do this as soon as you can so that the council can quickly take the appropriate steps to help you.

We are aware that in some circumstances an individual may not know how ill they are until they have begun treatment, or had some form of surgical investigation, and there may be a need to take time off at very short notice. As soon as it is possible and appropriate to do so, HR or your manager will discuss with you:

- your need to take time off to come to terms with the immediate diagnosis
- the likely impact of treatment on your work and whether you would like colleagues and clients to be told about this
- your permission to obtain written advice from your doctor about your illness and recommendations for returning to work and time off

You will be offered information on:

- sick leave and sick pay policies
- Occupational Health and other support services
- flexible working
- relevant benefits provided by the Local Government Pension Scheme (as applicable)
- other sources of information and support

Telling your work colleagues and clients

The council respects its employees' wish for privacy and confidentiality concerning their personal circumstances. At the same time, the council will need to make arrangements to cover sickness absence effectively.

HR and your manager will agree with you from the outset what (if anything) to tell your colleagues at work, and if you want your colleagues to know about your illness but cannot tell them yourself. This will also apply to clients and other third parties.

Payment of salary during sickness absence

The council's sick pay scheme provides up to 6 months at full pay and 6 months at half pay for employees with 5 years' service. Employees with

less than 5 years' service will need to check their employment contract for their sick pay entitlement. You will be required to ask your GP for a medical certificate to cover any periods of absence, and should send them to your manager or HR as soon as possible.

Counselling and support

Employees can access telephone counselling provided by specialist professionals through our Employee Assistance Programme. This is strictly private and confidential; there is no individual feedback to the council.

Employees diagnosed with cancer should also be referred to Occupational Health to ensure that any necessary adjustments are made and the employee is given the best level of support possible.

Working during treatment

Depending on your illness, you may wish to carry on working during your treatment, either full-time or part-time. Before treatment, it is often difficult to know exactly how the treatment may affect you, and it is helpful to let your manager know this so that they are aware you may need to change your work plans at short notice.

If you decide you want to remain at home for the majority of the time and work from there, either on a full-time or part-time basis, you should discuss this with your manager and HR, so they can consider the feasibility of this and arrange for technological support to be provided. In summary, we can help you by:

- planning a reduced or more flexible schedule, for example changing your hours so that you can travel to and from work at less busy times (outside the rush hour)
- arranging for you to undertake 'light duties' for a period, where possible and appropriate
- asking colleagues to be supportive and to help with some of your work
- allowing you to take a short break every now and again to rest
- allowing you to work from home, if possible.

Equally, you may decide that you cannot continue to work but that you just want to keep in touch with what is happening. Again, we can make arrangements for this.

Time off for treatment

If you decide to return to work either during or after treatment you may need to take time off for medical appointments and follow-up procedures. When it is necessary to do this during working hours, you should, as far as possible, let your manager know in advance so that any cover arrangements can be made.

Extended period of absence

If you need to take an extended period of absence, this time off will be treated as sickness absence. You might find you need to take a few days or weeks off. This may be as one period of sickness, or could be a few days every month for a period of time.

Keeping in touch

In the case of an extended period of absence, your HR department or manager will ask you if you would like your colleagues to keep in contact with you to keep you up to date on work matters, and, if so, how frequent you would like that contact to be. We will also provide the option of having regular discussions by phone or in person to review how your absence is being managed.

After treatment - returning to work

After your treatment has finished, and if you have not been working during this period, you'll need to decide with your manager whether you want to return to work and, if so, whether this will be on a full-time or part-time basis. Clearly this will depend on your prognosis as well as your personal circumstances and wishes. Very often a diagnosis of cancer will lead individuals to rethink their lifestyle and their priorities. Some choose not to return to work, others want to resume their everyday lives, including their working lives.

We are aware that returning to work after a long period away can be physically and emotionally stressful. We will provide whatever support we can to assist individuals at this stage in their recovery.

Meeting your manager and HR to discuss options

Coming back to work after a break of a few weeks or months can be difficult to adjust to, and you should take the time to think about what is right for you. If you are still coping with some of the effects of treatment, you should discuss any changes that can be made to your work to help you.

Before coming back to work we will arrange an appointment with Occupational Health. Their advice can then be discussed with you, HR, and your line manager, so that the options for making the transition back to work are clear. Options you might want or need to consider, which the council will do all they reasonably can to accommodate, are:

- making a 'phased return' to work within a fixed timescale, where you increase your hours gradually over a period of time (this is done on the advice of Occupational Health only)
- working from home some of the time (if appropriate for the role) or working more flexibly or reduced hours
- changing your role or some of your responsibilities for a temporary period
- making alterations to your physical location or workstation

Disability caused by critical illness

If your illness causes disability that affects your return to work, the council will make reasonable adjustments to enable you to continue to work. In cases of permanent incapability to work, you may be eligible to receive an ill-health early retirement pension. If you feel this may apply to you, you should contact HR who will be able to discuss with you and arrange an appointment for you with Occupational Health.

Giving up work: Is early retirement an option?

Some people choose to give up work completely when they are diagnosed with cancer. This allows them to focus on their illness and its treatment and to reassess their lives. If work has been a major focus of your life, it can be difficult to adjust to not working.

If a prognosis is given that means that the cancer is likely to be terminal, you may decide that you are unable to continue to attend work. However, it might not be wise for you to formally retire, as death and pension payments attached to your employment may be important to the welfare of your family or dependents. Remember that you cannot

choose to retire early (on an enhanced pension) if you are medically fit to work.

If, having considered your options, you decide that you want to take early retirement on health grounds, or for personal reasons, it is essential that you take appropriate advice. Consider your own circumstances carefully, taking your health into consideration, as well as your finances, before deciding what to do.

If you are a member of the Local Government Pension Scheme your options may include ill-health retirement, early retirement or flexible retirement, depending on your individual circumstances. Other options that may be available to you include taking a period of unpaid leave, or you may even choose to resign.

Everyone reacts differently in these circumstances and HR will be able to work through the options with you so that you are well informed about the best way of dealing with your own personal situation.

When, at the date of retirement, the council is satisfied by the medical advice received that there is a life expectancy of less than a year, your pension may be commuted into a lump sum equal to five times the annual amount of pension given up.

If you are considering giving up work you are strongly advised to contact HR to discuss what options are, or may be, available to you.

Unfair treatment

If you feel that you have been treated unfairly as a result of your illness, you should raise this with your line manager and/or HR, who will try to resolve the problem informally. If you are unable to resolve the issue, it will be considered under the council's grievance procedure.

Carers or Family Members Affected by Cancer or Critical Illness

If you are a partner or family member of someone who has cancer, you may need to take time off work to look after them or deal with issues arising from their condition.

The council believes it has a responsibility to support employees affected in this way and will be as flexible as possible in its approach, bearing in mind each individual's personal circumstances and the needs

of the business. This guidance may also be useful to employees with family members facing other critical illnesses.

Telling your line manager and Human Resources

Once you are clear about the nature of the illness and its potential impact on your work and family life, you should tell your line manager about your circumstances. Although this may not be easy for you to discuss, it is difficult for your manager, and therefore the council, to support you if we are unaware of your circumstances. Practically, it is also difficult for you to take time off to support your partner or family member without your manager knowing the reason why, and what's involved.

Once you disclose your situation to your manager, they will need your permission to share that information with HR and any other managers who may be affected by your absence. Equally, you may prefer to tell them yourself. If so, you should do this as soon as you can so that the council can quickly take the appropriate steps to help you. The kind of help we can give you is:

- planning a reduced or more flexible working schedule
- allowing emergency leave
- asking colleagues to be supportive and to help with some of your work
- allowing you to work from home, if possible.

Telling your work colleagues and clients

The council respects its employees' wish for privacy and confidentiality concerning their personal circumstances. At the same time, the council will need to make arrangements for any absence arising from the situation.

HR and your line manager will agree with you from the outset what, if anything, to tell your colleagues at work. This will also apply to clients and other third parties.

Counselling and support

Employees can access telephone counselling provided by specialist professionals through our Employee Assistance Programme. This is

strictly private and confidential; there is no individual feedback to the council.

Impact on work: family and parental leave

You are entitled to reasonable time off to make necessary arrangements to deal with an unexpected or a sudden problem concerning a dependant. This leave can be taken as flexi-leave or as unpaid or annual leave.

Dependants are defined as your parents, spouse, partner, children or someone who lives as part of the family. Where a dependant is critically ill, compassionate leave may be taken in the following circumstances:

- to make emergency or longer-term care arrangements
- to deal with the death of a dependant
- to deal with an unexpected disruption or breakdown in care arrangements with a dependant

In addition, up to 5 days discretionary leave can be authorised by your Head of Service.

If you are the parent of a child who is critically ill, you will be entitled to up to 18 weeks of parental leave to look after your child. The council may allow you a longer period of leave depending on your individual circumstances. Parental leave is unpaid.

Advice

Please contact your HR Officer to go through the options available to you.