

# Sickness Absence Management Policy

## Executive Summary

### This policy sets out:

- The procedure for absence reporting
- How attendance will be managed
- Sick pay
- Recording sickness and return to work interviews.
- Mental Health and stress
- Short term and long-term absence procedures

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## **1.0 When to use this policy**

1.1 This policy should be referenced when:

- Staff are reporting sickness absence,
- Staff have a planned procedure resulting in a recovery period,
- Absence coincides with booked annual leave,
- Absence is related to mental health or stress and a stress risk assessment is required,
- Occupational health referral is needed,
- To pro rata absence triggers,
- Staff hit trigger points and a formal meeting is required.

## **2.0 Introduction**

2.1 While the Council understands that there will inevitably be some sickness absence among employees, it must also pay due regard to its operational needs. If an employee is persistently absent from work, this can damage efficiency and productivity and place an additional burden on the employee's colleagues. By implementing this policy, the organisation aims to strike a reasonable balance between the pursuit of its operational needs and the genuine need of employees to take time off work because of ill health.

2.2 The policy does not form part of your contract of employment, and we reserve the right to amend it at any time.

## **3.0 Scope**

3.1 This policy applies to council employees. It does not apply to workers, contractors, consultants, or any self-employed individuals working for the organisation.

3.2 The following procedure covers incidences of absence due to sickness, injury, a medical/health related condition, or disability including the following:

- frequent short-term illness,
- long-term medically certificated illness,
- absence for recovery following a planned procedure and
- Inability to perform requirements of a job owing to a medical condition or disability.

3.3 This policy applies to all employees except for chief officer level or any other nominated statutory posts. Reference should be made to the separate

nationally agreed terms and conditions.

3.4 Members of Leadership Team (LT) (excluding the statutory post holders and the chief officers) will be managed through this procedure with the manager role allocated by the Chief Executive Officer (CEO). In order to ensure that the CEO is available to consider any appeal the following roles will be allocated at stages 1 to 3:

- Stage one – the CEO will allocate the manager role to a statutory post holder, either the Section 151 Officer or Monitoring Officer as appropriate.
- Stage two – the manager role would remain with the statutory officer designated by the CEO.
- Stage three – the statutory officer would remain in the manager role with the director (with Deputy Chief Executive responsibilities) hearing the matter at stage 3.
- Appeal – should the matter reach the appeal stage this would be heard by the CEO.

## **4.0 Definitions of absence**

4.1 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 four weeks in duration, from the first day of absence (including half days).

4.2 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.

4.3 Unauthorised absence

If an employee fails to attend work without permission, or you do not comply with the sickness absence reporting procedure or the evidential requirements set out in this policy, this will be treated as unpaid and a potential disciplinary offence which will be dealt with under the council's disciplinary procedure.

## **5.0 Responsibilities**

5.1 The guidelines below for managers and employees provide a high-level overview of the council's expectations and processes. You should always refer to more detailed sections of the policy when managing absence (either yours or your team's).

### 5.2 *Guidelines for line managers*

As line managers, you are responsible for ensuring that you:

- manage attendance and absence in accordance with this policy,
- maintain a proper record of sickness absences by ensuring the sickness is logged on My View,
- require the employee to complete a self-certification eform for sickness of seven calendar days or less and to provide medical evidence for sickness of more than seven calendar days,
- conduct a return-to-work meeting each time the employee returns from a period of sickness absence,
- be alert to patterns of absence, for example frequent absences on Fridays or Mondays, or immediately before or after bank or public holidays,
- seek medical advice through the council's occupational health service<sup>i</sup>, if appropriate, to determine whether or not there is any underlying medical cause for the employee's frequent absences,
- be particularly sensitive when absences are caused by personal or family problems,
- check whether the employee's absences are in any way work related, for example as a result of workplace stress<sup>ii</sup>,
- be aware of the potential for discrimination when managing absence, particularly where the employee's ill health is related to protected characteristics such as pregnancy or disability and
- keep in mind the council's duty to make reasonable adjustments for disabled people when managing absence.

### 5.3 *Guidelines for employees*

As an employee, you are responsible for ensuring that:

- if you are unable to attend work because of ill health, you notify your line manager as soon as reasonably practicable, but no later than 10am that day,(if your line manager is not available you should notify a colleague and ask them to notify the appropriate people)
- you give your line manager a clear reason (i.e. the nature of the illness or injury) why you cannot attend work, and if possible an estimate of how long you think the absence will last,
- you continue to notify and keep in touch with your line manager while unable to attend work as agreed between you and your manager. You must complete the MyView self-certification eform for periods of sickness of seven calendar days or less and provide medical evidence such as a 'fit note' for sickness of more than seven calendar days,

- you attend a return-to-work meeting with your line manager each time you return from a period of sickness absence,
- be open with your line manager about the reasons for your absence, to give your line manager the opportunity to provide support where possible,
- tell your line manager of any extenuating circumstances, for example personal or family problems or an unmanageable workload,
- you bear in mind that the council may seek a medical report, for example from your doctor or occupational health advisers and
- you cooperate with the council in regard to the possible implementation of any adjustments to job duties, hours or working conditions, particularly those suggested by a healthcare professional.

## **6.0 Reporting sickness absence**

- 6.1 On the first day of sickness absence, you must inform your line manager as soon as reasonably practicable that you will not be working because of illness or injury.
- 6.2 You must notify your line manager as soon as reasonably practicable, but no later than 10am that day,(if your line manager is not available you should notify a colleague and ask them to notify the appropriate people)
- 6.3 You should provide a clear reason (ie the nature of the illness or injury) why you cannot attend work, and estimate how long you think the absence will last. You should also be prepared to discuss briefly any consequences of your absence, for example if customer appointments need to be cancelled or any essential work needs to be covered.
- 6.4 Notification of sickness absence must be via telephone, rather than text message, email or social media. In exceptional circumstances where you are unable to telephone (for example, because of hospitalisation), another person such as a friend or relative can contact the organisation on your behalf.
- 6.5 If you come to work, but need to leave during the day because of ill health, you should inform your line manager before leaving work. If your manager is unavailable, you should inform the next most appropriate person within the department.
- 6.6 Sickness absence that begins part way through the day will count as one full day's sickness absence if you leave before completing 50% of your working day. Where sickness absence begins after you have completed 50% of your working day, this will be recorded as half a day's absence.

## **7.0 Evidence of sickness absence**

### 7.1 Self-certification

If you are absent for seven calendar days or less, you must complete and sign a self-certification form within My View, setting out the dates of your absence and the nature of your illness or injury.

### 7.2 Statement of fitness for work (fit note)

If you are absent for eight consecutive days or more (including weekends), you must provide your line manager with a fit note (statement of fitness for work) as soon as possible. If your absence persists beyond the end of the first fit note, you must continue to submit further fit notes to cover the whole period of your absence. It is your responsibility to keep the Council informed about your progress and your likely date of return to work.

Fit notes can be issued by doctors, nurses, occupational therapists, pharmacists, and physiotherapists as long as they have conducted an assessment of your fitness for work.

A fit note may state that:

- you are "not fit for work", in which case you should remain off work or
- you "may be fit for work", if the healthcare professional's recommendations are followed (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations).

While there is no legal obligation to follow the recommendations in the fit note, your line manager will take the recommendations seriously and give fair consideration, in consultation with you and the HR team, as to whether any of the changes recommended can be accommodated. The manager may also need to refer your case to the council's occupational health advisor for further guidance.

## **8.0 Keeping in touch**

8.1 It is important that we maintain regular contact with you while you are absent to:

- see how you are progressing in terms of your health,
- support you and actively maintain your engagement with us,
- provide information to you so that you may make informed decisions (for example, in relation to health-related benefits),
- provide practical support from our occupational health advisers,
- facilitate a phased return to work if required, by making appropriate temporary or permanent adjustments and
- ensure that you are kept up to date about events in the workplace.

8.2 You and your line manager are both jointly responsible for maintaining contact with each other. Once you are absent on sick leave for 28



continuous days, your line manager will contact you to agree the method and frequency of contact. Contact will be on a regular basis, most likely weekly/fortnightly.

## **9.0 Return-to-work meeting**

- 9.1 On your first day back at work after any period of sickness absence, or as soon as reasonably practicable, your line manager will arrange to meet with you to conduct a return-to-work meeting. The purpose of the return-to-work meeting is to provide you with an opportunity to discuss the reason for your absence and whether you need any particular support.
- 9.2 At the meeting, your line manager will inform you if they have any concerns about your absence record and if the need for formal action under the organisation's absence management procedure has been triggered.
- 9.3 All discussions between you and your line manager will be treated sensitively and in confidence. Following this discussion, your manager will complete the return to work eform on My View which will be sent to HR and saved on your personnel file.

## **10.0 Special cases**

### **10.1 Pregnancy-related absences**

If you are pregnant and are absent from work for a pregnancy-related illness, your sickness absence will not be included when checking to see if the sickness absence management procedure has been triggered.

### **10.2 Disability**

If you have a disability, you do not have to tell us. However, we would encourage you to let the council know so that we can support you, for example by making reasonable adjustments to our premises, aspects of your role, our working practices, and/or our sickness absence management procedure.

If your sickness absence is due to a disability, please contact your line manager/HR to discuss potential reasonable adjustments that may help you return to work or support you after you have returned to work. We may need to discuss your needs with you and your medical adviser or occupational health to help us get the right support in place.

### **10.3 Recovery time**

Absence will be discounted towards triggers if you have a doctor's certificate following an operation or procedure outlining recovery time is needed before

returning to work.

#### 10.4 Part-time workers

If you are a part-time worker, the trigger points in the sickness absence management procedure will be pro-rata based on your Full Time Equivalent (FTE).

For example, the trigger of ten days absence within a rolling 12 month will be adjusted for part-time workers to:

- 8 days in 12 months if you work 30 hours per week;
- 6 days in 12 months if you work 22.5 hours per week;
- 5 days in 12 months if you work 18.5 hours per week

### **11.0 Sick pay**

11.1 We operate a contractual sick pay scheme that is more generous than statutory sick pay (SSP). Your entitlement to contractual sick pay is set out in your contract of employment.

11.2 We reserve the right to withhold or suspend sick pay under our contractual sick pay scheme at our discretion. Circumstances in which contractual sick pay may be withheld include where:

- you have failed to comply with the organisation's sickness absence notification and evidence requirements,
- you refuse to attend a medical examination at the reasonable request of the organisation,
- you make or produce a misleading or untrue statement or document concerning your fitness to work,

11.3 You will normally be entitled to receive SSP when contractual sick pay is withheld or suspended, although we can withhold or suspend SSP if we are not satisfied that you are ill, and no evidence of sickness is provided.

11.4 You will be given written notice if your SSP or contractual sick pay is being withheld or suspended.

### **12.0 Medical and dental appointments**

12.1 You should endeavour to arrange medical and dental appointments in your own time. However, we recognise that it may not always be possible or practical to arrange medical and dental appointments outside working hours, and that you may from time-to-time need time off work for such

appointments. This should be managed using annual leave or flexi.

- 12.2 To make a request for time off to attend a routine medical or dental appointment, you should contact your line manager. You should give as much notice as possible of when you need the time off and, wherever possible, arrange your appointments outside your core hours/as near to the start or end of the working day.
- 12.3 If you are given a specific date and time to attend a hospital appointment and fertility treatments, you are entitled to use paid absence. Your manager may ask you to provide proof of the date and time of your appointment. hospital appoint for surgery would be paid absence, but the following days in hospital or recovering at home will be sick pay.
- 12.4 Medical or dental emergencies requiring urgent, unforeseen medical or dental attention and cases where you are admitted to hospital for emergency surgery will be treated as sickness absence in accordance with this policy.

## **13.0 Sickness absence and annual leave**

### 13.1 Sickness during holiday

If you fall sick or are injured while on holiday, you may choose to take your holiday as sick leave subject to the following conditions:

- the total period of sickness must be fully certificated by a qualified medical practitioner,
- you must contact your line manager (by telephone if possible) as soon as you know that there will be a period of sickness during your holiday,
- you must submit a written request to your line manager after returning to work, setting out how much of your holiday was affected by sickness and
- if you are overseas when you fall ill or are injured, the total period of sickness absence must still be evidenced by way of a medical certificate.

If you fall sick or are injured before the start of a period of planned holiday, and as a consequence you are unable to take your holiday, you may postpone your holiday dates to another mutually agreed time.

### 13.2 Holiday during sick leave

You will continue to accrue your holiday entitlement during any period of sick leave.

If you are unable to take your full holiday entitlement due to sickness absence, or if you are still absent at the end of the holiday year, you may carry over any unused holiday to the next holiday year.

Any holiday that is carried over under this provision must be taken within 18 months of the end of the holiday year in which it was accrued.

Alternatively, you may book a period of holiday while on sick leave to receive holiday pay for that period, provided that you give your manager as much notice as possible.

## **14.0 Stress and Mental Health**

- 14.1 There is often a link between stress and mental health. Managers can support employees affected by mental health problems by:
- exploring whether their mental health problem is impacted by problems at work and if so, trying to find a resolution to their concerns,
  - encouraging employees to raise and discuss issues concerning their mental health confidentially,
  - keeping in touch with employees who are off sick; managers should not pressurise employees but should encourage them to keep them informed,
  - offering employees returning to work from a period of mental health sickness absence 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 and
  - reminding employees of the support and advice available to them through the Employee Assistance Programme and/or the Mental Health First Aiders.
- 14.2 Managers should respond to work related concerns that are having an impact on the employee's stress levels and undertake reasonable measures to eliminate or control these.
- 14.3 Where an employee has cited job related stressors within their service areas, managers must conduct a stress risk assessment as soon as reasonably practicable (see Appendix 14 for template).

## **15.0 Medical reports**

- 15.1 At various stages of managing your sickness absence, we may need to obtain a medical report on you to:
- determine your fitness for carrying out your role,
  - determine whether you are fit to return to work after a period of sickness absence, or when you might return to work,
  - determine your entitlement to health-related benefits (e.g. sick pay),
  - assess the need to make reasonable adjustments to your working environment and/or
  - comply with other legal obligations.

- 15.2 Depending on the circumstances, we might instruct your own doctor/consultant, occupational health, and/or an independent medical adviser. When deciding which medical practitioner to instruct, we will consider the purpose of the report and factors such as the need for objectivity, specialist expertise, and knowledge about your medical history and the requirements of your role.
- 15.3 If we decide that a medical report is necessary, we will write to you confirming why we intend to obtain a medical report and from whom the medical report will be obtained. In addition, you will be fully informed of your rights under the General Data Protection Regulation (GDPR).
- 15.4 Where we decide to obtain a medical report directly from your own doctor/consultant, the Access to Medical Reports Act 1988 applies. Therefore, when we write to you, we will also ask you to confirm whether you provide your consent for us to approach your doctor/consultant. You will be notified of all your rights under the Access to Medical Reports Act 1988, including the right to see the medical report before it is supplied to us.
- 15.5 Once we have received the report, we will arrange a meeting with you to discuss the contents and identify the appropriate next steps.
- 15.6 You should be aware that if you refuse to attend a medical examination, or you withhold your consent to a medical report being disclosed to us, we may need to make decisions affecting your employment without the benefit of medical input, which could be to your detriment.

## **16.0 Sickness absence management procedure**

We will work to ensure that we handle any issues concerning poor attendance promptly and fairly. However, where our attempts at encouraging good attendance have been unsuccessful, we will follow a formal sickness absence management procedure. The procedure will be triggered when an employee reaches a certain level of absence. When applying the trigger points for each stage of the procedure, the special rules that apply to pregnancy and disability will be taken into account.

### **16.1 Short term absence level 1**

#### Level 1 - Trigger point

The trigger point for a 'Level 1' formal absence meeting is there have been:

- 10 days or more of absence over the previous 12 months, or
- three or more periods of absence in any three-month period.

If you reach a 'Level 1' trigger point, you will be invited in writing to a 'Level 1' absence meeting.

## Conducting a Level 1 absence meeting

The Level 1 absence meeting will be conducted by the employee's line manager. Where it is considered appropriate, a member of the HR department may also be present.

The purpose of this meeting is to discuss the employee's level of attendance, establish if there are any underlying health problems and whether there is anything that we can do to facilitate an improvement in their attendance levels. A review period will be set, and they will be advised of possible outcomes if expectations are not met.

At the meeting, the employee will be given an opportunity to ask questions, comment on the issues and put forward any explanation they may have for the matters identified by their line manager as amounting to unsatisfactory attendance.

The outcome of the meeting will include:

- setting a 4-month review period and
- setting out the levels of absence that would trigger a level 2 meeting. For full time staff this will be 3.5 days or more and/or 3 spells of absence in 3 months (this will be pro-rated for part time staff).

**Please see Level 1 meeting form at Appendix 6, the completed form should be sent to HR.**

## Level 1 – Follow up review meeting.

If at the end of the review period the attendance expectations have been met, the manager will advise you that:

- no further action is necessary,
- if trigger points for investigation are reached again within 12 months of the review meeting, the procedure will continue from the beginning of Level 2 and
- if trigger points are not reached again within 12 months of the review meeting, but are reached again after that time the procedure will normally start from Level 1.

Where there has been some improvement, but expectations have not been met completely, the line manager may extend the level 1 review period or if the triggers have been met, move to Level 2.

**Please see Level 1 *review* meeting form at Appendix 7, the completed form should be sent to HR.**

## 16.2 Short term absence Level 2

### Level 2 - Trigger point

The trigger point for a stage 2 formal absence meeting is:

- if absence continues beyond the agreed Level 1 review period or
- where the employee's absence hits trigger points within 12 months of a Level 1 review meeting.

The employee may be referred to Occupational Health at this stage and or medical reports obtained from the GP or medical practitioner.

If the employee reaches a Level 2 trigger point, they will be invited in writing to a Level 2 formal absence meeting. The employee will usually be given at least five working days' notice of the meeting, to allow them to prepare and to arrange for a companion to accompany them.

Employees will be entitled to be accompanied by a colleague or a trade union representative if they are a member of UNISON. The responsibility for finding a companion rests with the employee.

#### Conducting a Level 2 absence meeting

The Level 2 formal review meeting will be conducted by the employee's line manager. Where it is considered appropriate, a member of the HR department may also be present.

The purpose of this meeting is to discuss the employee's level of attendance, establish if there are any underlying health problems and whether there is anything that we can do to facilitate an improvement in their attendance levels.

At the meeting, the employee will be given an opportunity to ask questions, comment on the issues and put forward any explanation they may have for the matters identified by their line manager as amounting to unsatisfactory attendance.

The outcome of the meeting may include:

- where it's clear there is no improvement to sickness, the manager may refer the case to a member of LT for consideration in line with level 3 or
- setting a further review period of no more than five days absence in six months or three occasions in three months.

When considering setting a further review period:

- if the employee has previously been through the Level 2 or Level 3 process on more than one occasion, the review period should be 12 months,
- if there is no improvement the matter must be referred to Level 3 and
- where it's considered to be a disciplinary rather than a sickness matter, your manager may refer to the Disciplinary Policy.

**Please see Level 2 meeting form at Appendix 8, the completed form should be sent to HR.**

## Level 2 – Follow up review meeting.

If at the end of the review period the attendance expectations have been met, the manager should advise the employee that:

- no further action is necessary,
- if trigger points for investigation are reached again within 12 months of the review meeting, the procedure will continue from the beginning of Level 2 and
- if trigger points are not reached again within 12 months of the review meeting, but are reached again after that time the procedure will normally start from Level 1.

**Please see Level 2 *review* meeting form at Appendix 9, the completed form should be sent to HR.**

## 16.3 Long Term absence Level 1

If an employee has been absent for four weeks or more continuously, they should normally be referred to Occupational Health. If they are too ill to attend, they must be asked to give consent to obtain relevant medical information.

On receiving advice from Occupational Health, the employee will be invited in writing to a Level 1 formal review meeting. They will usually be given at least five working days' notice of the meeting, to allow them to prepare and to arrange for a companion to accompany them.

If you return to work prior to the Level 1 meeting, the meeting will take place in accordance with the short-term absence procedure.

The employee will be entitled to be accompanied by a colleague or a trade union representative if they are a member of UNISON. The responsibility for finding a companion rests with the employee.

### Conducting a Level 1 absence meeting

The Level 1 absence meeting will be conducted by the employee's line manager. Where it is considered appropriate, a member of the HR department may also be present.

The purpose of this meeting is to review the employee's absence so far, confirm the reason for absence and the likelihood of returning to work in the near future.

The outcome of the meeting will include:

- setting a reasonable date for review,
- considering measures to assist the employee in returning to work and
- outlining the possible range of outcomes.



**Please see Level 1 long term absence meeting form at Appendix 10, the completed form should be sent to HR.**

Level 1 – Follow up review meeting.

If at the end of the review period the attendance expectations have been met, the manager will advise the employee that:

- no further action is necessary,
- if trigger points for investigation are reached again within 12 months of the review meeting, the procedure will continue from the beginning of Level 2 either the Long Term or Short Term procedure, as appropriate and
- if trigger points are not reached again within 12 months of the review meeting, but are reached again after that time the procedure will normally start from Level 1.

**Please see Level 1 *review* meeting form at Appendix 11, the completed form should be sent to HR.**

#### 16.4 Long term absence level 2

Level 2 - Trigger point

The trigger point for a Level 2 formal review meeting is:

- if absence continues beyond the agreed Level 1 review period or
- where the employee's absence hits long term trigger points within 12 months of a Level 1 review meeting. E.g. another absence of four weeks or more.

The employee may be referred to Occupational Health at this stage and or medical reports obtained from the GP or medical practitioner.

If the employee reaches a Level 2 trigger point, they will be invited in writing to a Level 2 formal absence meeting. The employee will usually be given at least five working days' notice of the meeting, to allow them to prepare and to arrange for a companion to accompany them.

The employee will be entitled to be accompanied by a colleague or a trade union representative if they are a member of UNISON. The responsibility for finding a companion rests with the employee.

Conducting a Level 2 absence meeting

The Level 2 formal review meeting will be conducted by the employee's line manager. Where it is considered appropriate, a member of the HR department may also be present.

The purpose of this meeting is to discuss the employee's level of attendance, establish if there are any underlying health problems and whether there is anything that we can do to facilitate an improvement in their attendance levels.

At the meeting, the employee will be given an opportunity to ask questions, comment on the issues and put forward any explanation they may have for the matters identified by their line manager as amounting to unsatisfactory attendance.

Depending on the outcome of the medical advice, the manager may decide on any of the following courses of action:

- where it's clear there is no improvement to sickness, the manager may refer the case to a member of LT for consideration in line with Level 3,
- set a further review period or
- if no improvement the matter will be referred to Level 3 and consideration may be given to the employee's continued employment.

**Please see Level 2 Long Term Absence form at Appendix 12, the completed form should be sent to HR.**

Level 2 – Follow up review meeting.

If at the end of the review period the attendance expectations have been met, the manager should advise the employee that:

- no further action is necessary,
- if trigger points for investigation are reached again within 12 months of the review meeting, the procedure will continue from the beginning of Level 2 of either Long Term or Short Term procedure, as appropriate and
- if trigger points are not reached again within 12 months of the review meeting, but are reached again after that time the procedure will normally start from Level 1.

**Please see Level 2 *review* meeting form at Appendix 13, the completed form should be sent to HR.**

**16.5 Level 3- Sickness and attendance hearing  
(Capability Review hearing)**

Level 3 - Trigger point

The trigger point for a Level 3 formal review meeting is where:

- attendance expectations not being met during a Level 2 review period or
- w the matter has been directly referred to Level 3.

The employee will be referred to Occupational Health for an up to date medical opinion and/or medical reports obtained from the employee's GP or medical practitioner. The employee's line manager will prepare a report including:

- a summary of your employment record: length of service, job description and performance record,
- attendance record during your employment,
- actions taking so far (including notes of previous meetings),
- factual medical information, underlying health conditions,
- reasonable adjustments that can be made or why proposed adjustments are not reasonable,
- the effects on the service and financial impact on the council and
- any other relevant information.

The employee will be invited in writing to a Level 3 formal review meeting by a member of Leadership Team. The employee will usually be given at least five working days' notice of the meeting, to allow them to prepare and to arrange for a companion to accompany them.

The employee will be entitled to be accompanied by a colleague or a trade union representative if they are a member of UNISON. The responsibility for finding a companion rests with the employee.

We will give the employee a copy of all documents relevant to their case in advance of the formal review meeting, and they will be invited to submit any further evidence that they consider to be relevant.

#### Conducting a Level 3 absence meeting

The Level 3 formal review meeting will be conducted by a member of Leadership Team, accompanied by a HR Officer.

The meeting is to discuss the employee's future employment with the council. Depending on the medical advice received, the LT member may decide on any of the following courses of action:

- **Additional review period in current role:**  
*If attendance expectations are not met within review period, your employment may be terminated.*
- **Redeployment with a review period**  
*Part-time work on a temporary or permanent basis with a pro-rata reduction in salary and/or*  
*Transfer to a less demanding post if available (four weeks' trial, salary protection not included)*
- **Dismissal on grounds of ill health retirement**
- **Dismissal on the grounds of:**
  - Non-attendance at work is unacceptably high and is not reasonable for the

council to continue to employ them.

-No long-term improvement can be expected within a reasonable time period.

At the meeting, the employee will be given an opportunity to ask questions, comment on the issues and put forward any explanation they may have for the matters identified by their line manager as amounting to unsatisfactory attendance.

### *Level 3 - The outcome*

The outcome will be confirmed to the employee in writing as soon as possible and usually within seven working days after the formal review meeting.

If performance and attendance expectations have been met, the employee will be advised:

- no further action is necessary and
- if trigger points for investigation are reached again within 12 months of the review meeting, the procedure will continue from the beginning of Level 3.

If there has been some improvement, but expectations have not been met completely, the review period may be extended.

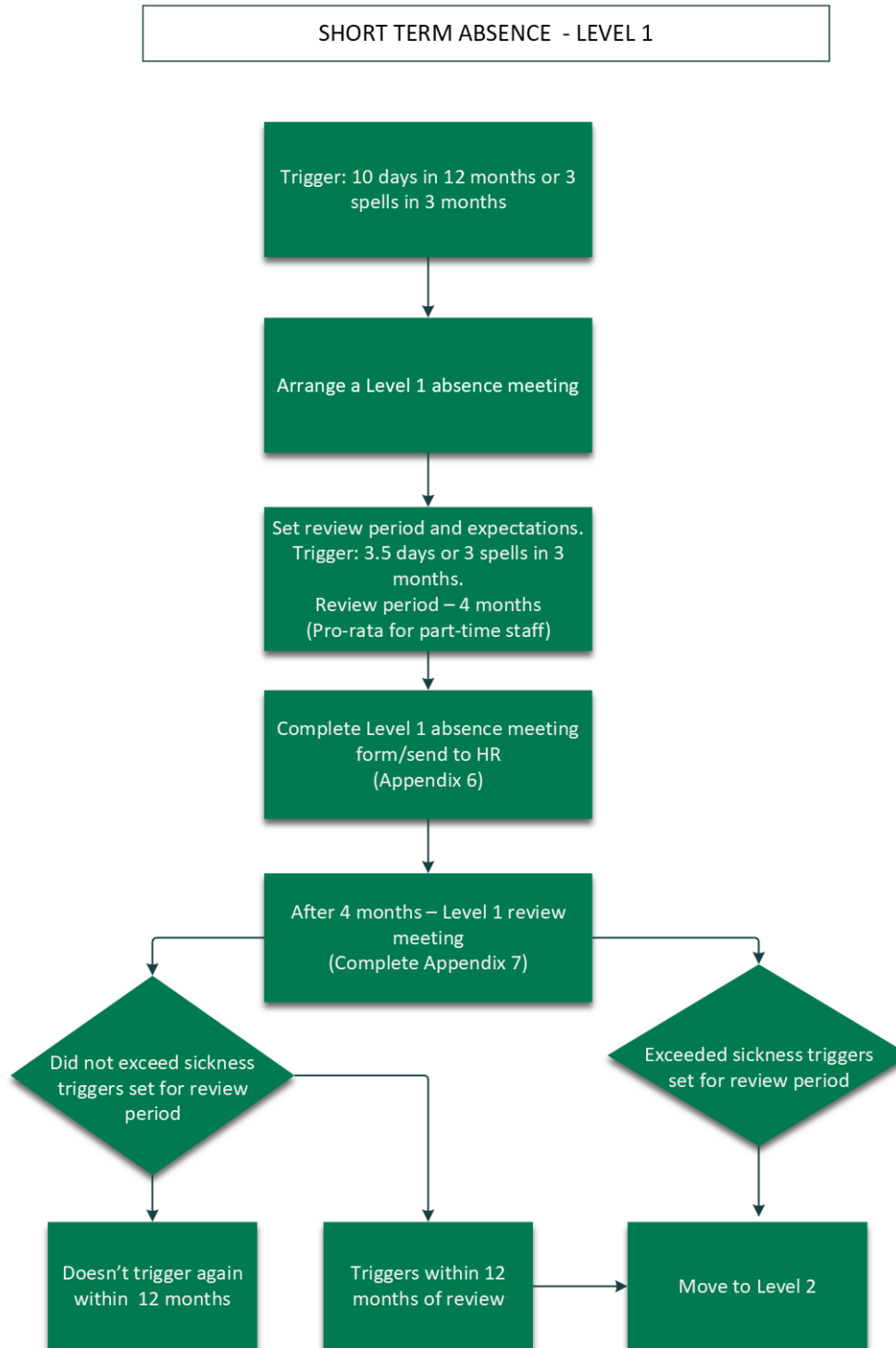
If expectations have not been met, dismissal will be considered. The decision to dismiss together with the reasons for dismissal will be set out in writing and sent to the employee.

## **17.0 Appeal**

The employee has a right of appeal against a sanction issued under Levels 1, 2 or 3 of this policy. This will be dealt with in line with the council's Appeals policy.

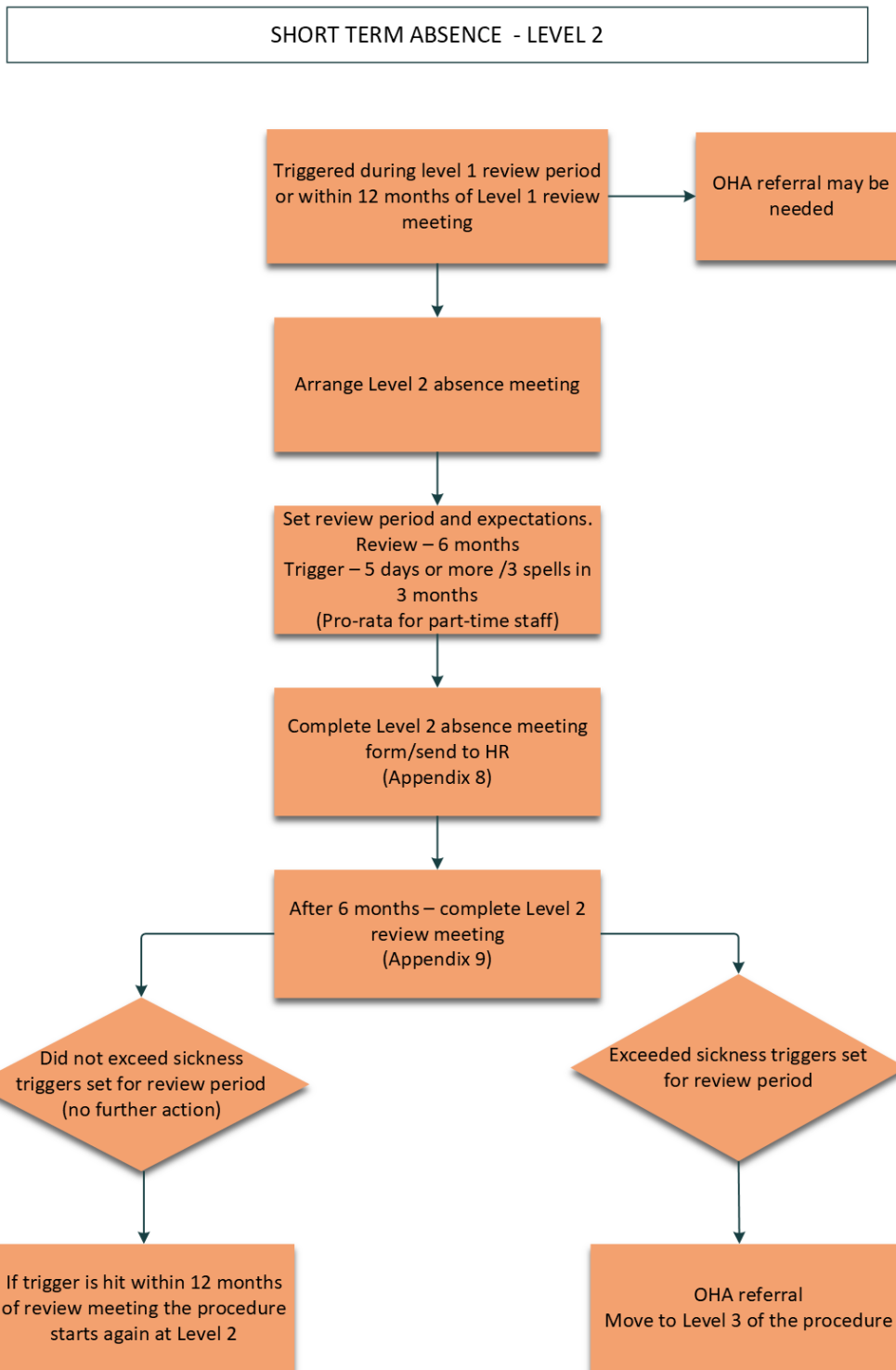
## Appendix 1

### Short Term Absence Flowchart Level 1



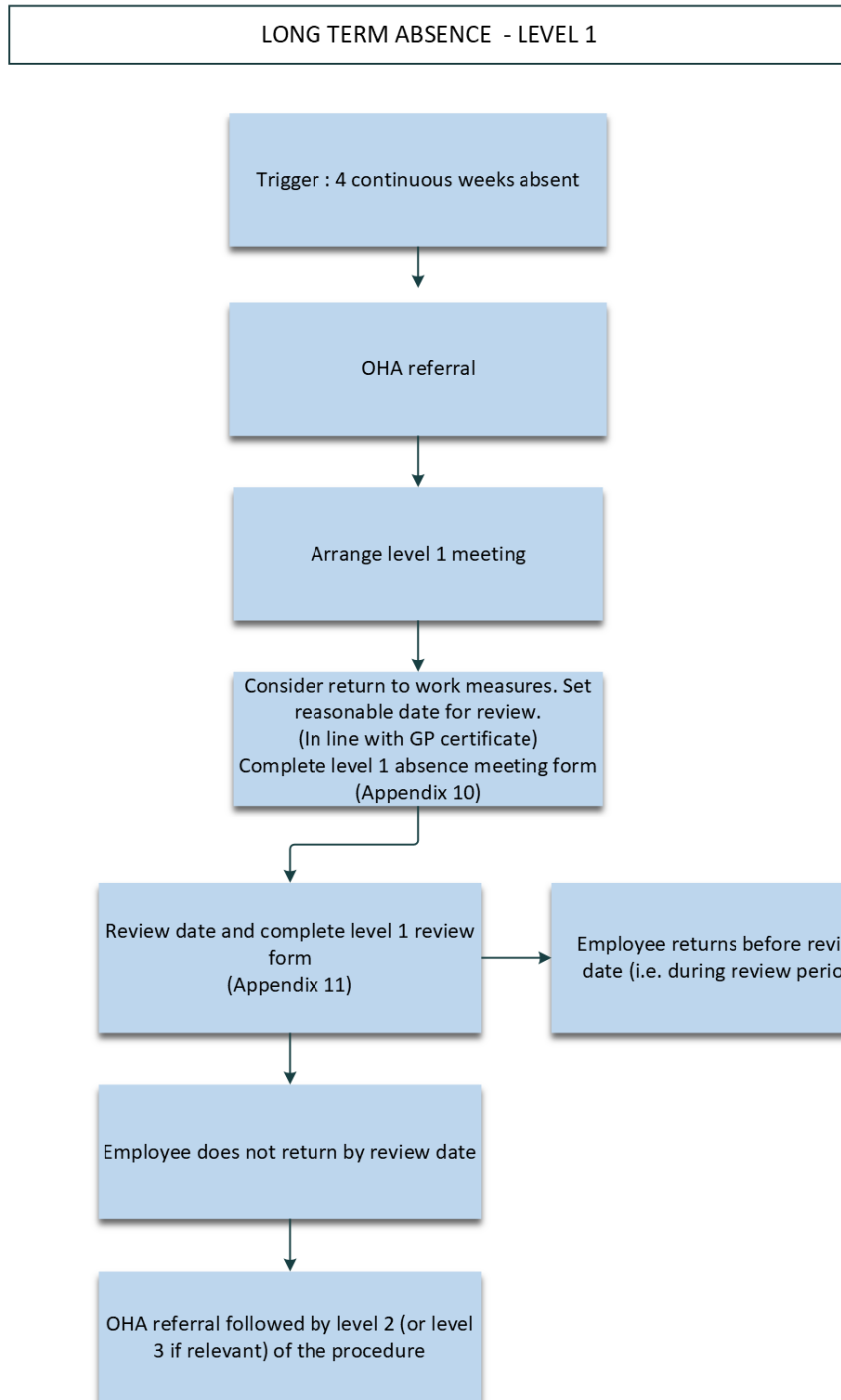
## Appendix 2

# Short Term Absence Flowchart Level 2



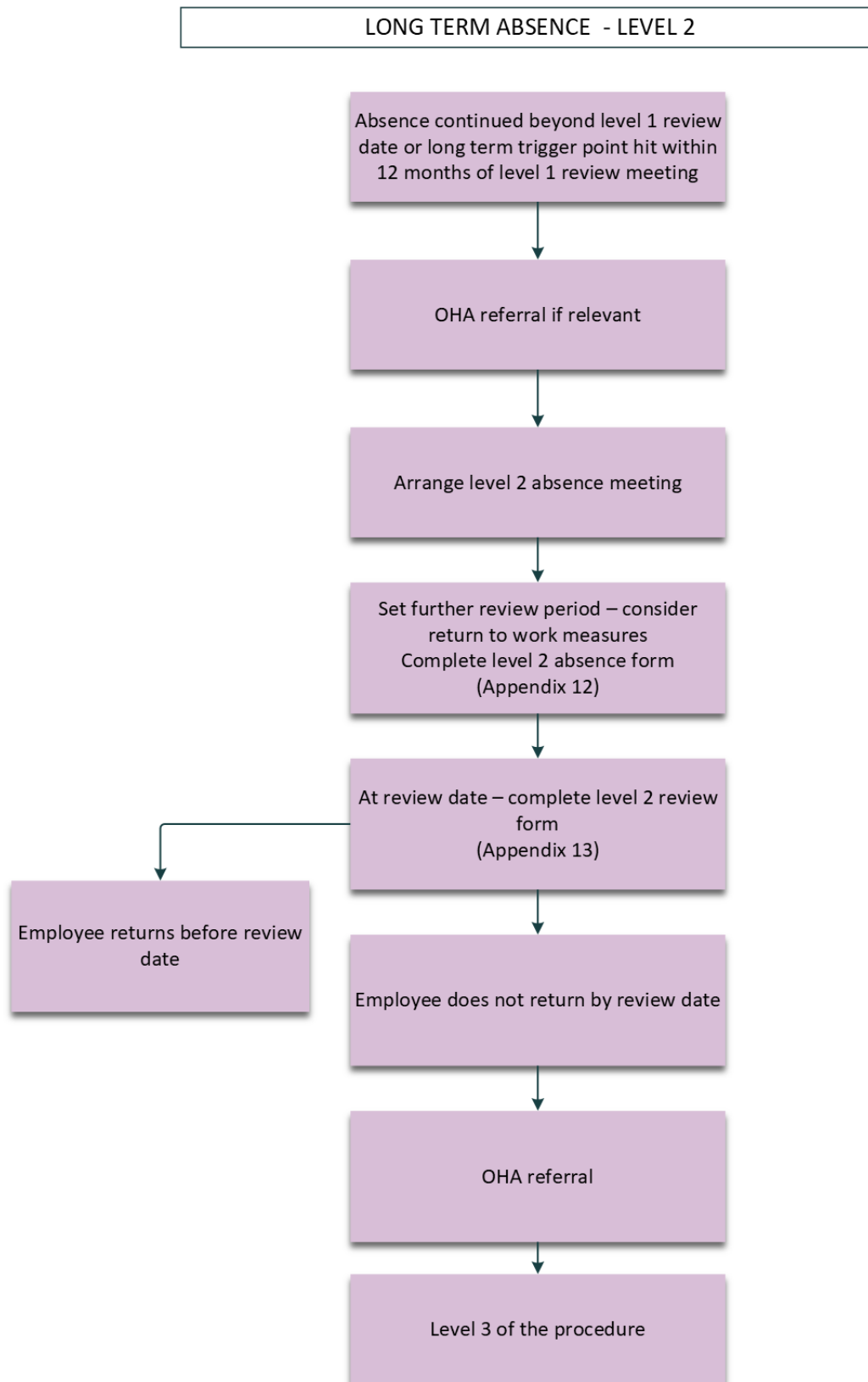
## Appendix 3

### Long Term Absence Flowchart Level 1



## Appendix 4

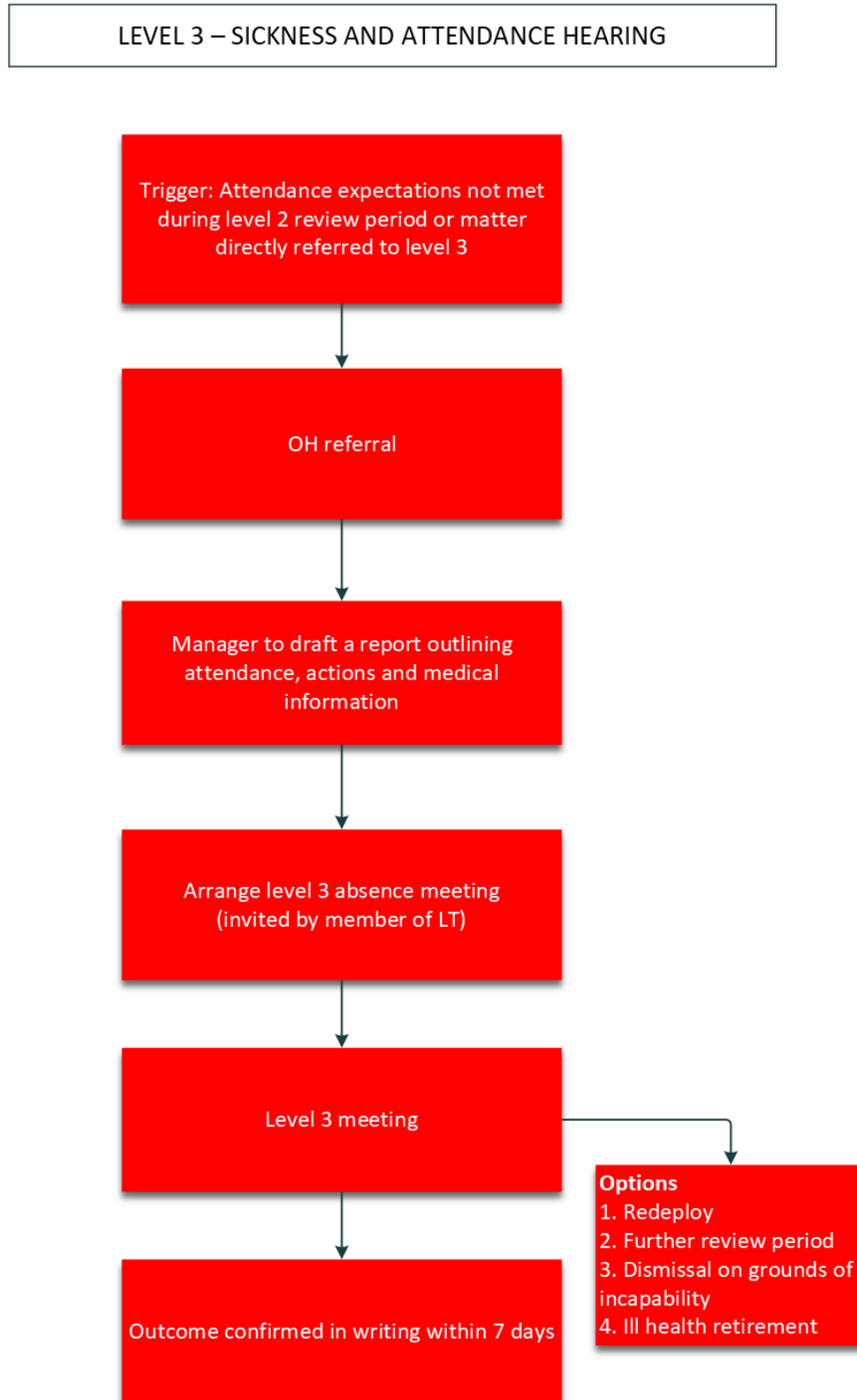
### Long Term Absence Flowchart Level 2





## Appendix 5

### Level 3- Capability Hearing flowchart



## Appendix 6

### Short Term Level 1 sickness meeting form (*initial meeting*)

Employee Name:

Service:

Line Manager Name:

Meeting Date:

Action required	Response
Explain reason for meeting: ( <i>Outline what triggers have been met &amp; confirm absence dates</i> )	
Request explanation for absences. ( <i>check details are correct</i> )	
Is there a pattern of absence/link between sickness bouts:	
Have any health issues been discussed with employees own doctor:	
Any work or personal factors exacerbating absence:	
Level 1 Sickness Meeting Review Date:	
Level 1 Review Period Triggers:	
Explain that Level 2 can be triggered by normal annual triggers which follow in 12 months from review period.	

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

Line Manager Signature \_\_\_\_\_

Date \_\_\_\_\_

## Appendix 7

### Short Term Level 1 sickness review meeting form

Employee Name:

Line Manager Name:

Date of Review Meeting:

Date of L1 Sickness Meeting:

Action required	Response
Outline any absence due to sickness during the review period:	
Have the targets/expectations been met with reference to the council policy?	
If absence is borderline re targets/expectations, is an extension of the review period necessary? <i>State extension period &amp; date as necessary.</i>	
Date sickness review expires if triggers are not met within 12 months.	
Should absence exceed council policy within the next 12-months, state next level of sickness process:	

Employee Signature:

Line Manager Signature:

Date:

## Appendix 8

### Short Term Level 2 sickness meeting form *(initial meeting)*

Employee Name:

Service:

Line Manager Name:

Meeting Date:

Action required	Response
Explain reason for meeting: <i>(Outline how triggers have been met &amp; confirm absence dates)</i>	
Request explanation for absences. <i>(check details are correct)</i>	
Is there a pattern of absence/link between sickness bouts:	
Any underlying health issues:	
Have health issues been discussed with employees own doctor:  What action is the employee taking to improve health / ability to attend?  What support/guidance has been given by GP or medical services.	
Review advice from Occupational Health and any action required	
Any work or personal factors exacerbating absence:  What support is required from work?	
Return to work, agreed support and phased return plan if relevant.	

Level 2 Sickness Meeting Review Date:	
Level 2 Review Period Triggers:	5 days in 6 months or 3 spells in 3 months

Level 2 Sickness Meeting Review Date:	
Explain that Level 2 can be re-triggered by normal annual triggers which follow in 12 months from review period.	

Employee Signature\_\_\_\_\_

Date\_\_\_\_\_

Line Manager Signature\_\_\_\_\_

Date\_\_\_\_\_

## Appendix 9

### Short Term Absence Level 2 sickness review meeting form

Employee Name:

Line Manager Name:

Date of Review Meeting:

Date of L2 Sickness Meeting:

Action required	Response
Outline any absence due to sickness during the review period:	
Have the targets/expectations been met with reference to the council policy?	
If absence is borderline re targets/expectations, is an extension of the review period necessary? <i>State extension period &amp; date as necessary</i>	
Date sickness review expires if triggers are not met within 12 months.	
Should absence exceed council policy within the next 12-months, state next level of sickness process:	

Employee Signature:

Line Manager Signature:

Date:

## Appendix 10

### Long Term Absence Level 1 Sickness Meeting form (initial meeting)

Employee Name:

Service:

Line Manager Name:

Meeting Date:

Action required	Response
Explain reason for meeting: (Outline what triggers have been met & confirm dates)	
Request explanation for absences	
Is the recent long-term absence part of any pattern:	
Any underlying health issues:	
Have health issues been discussed with employees own doctor:  What action is the employee taking to improve health / ability to attend?  What support/guidance has been given by GP or medical services.	
Review advice from Occupational Health and any action required	
Any work or personal factors exacerbating absence:  What support is required from work?	
Return to work, agreed support and phased return plan if relevant.	

Actions required	Response
Level 1 Sickness Review Date:	
Level 1 Review Period Triggers:	

<b>Actions required</b>	<b>Response</b>
Explain that Level 2 can be triggered by normal annual triggers which follow in 12 months from review.	

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

Line Manager Signature \_\_\_\_\_

Date \_\_\_\_\_



## Appendix 11

### Long Term Absence Level 1 sickness review meeting form

Employee Name:

Line Manager Name:

Date of Review Meeting:

Date of L1 Sickness Meeting:

Action required	Response
Outline any absence due to sickness during the review period:	
Have the targets/expectations been met with reference to the council policy?	
If absence is borderline re targets/expectations, is an extension of the review period necessary? <i>State extension period &amp; date as necessary.</i>	
Date sickness review expires if triggers are not met within 12 months.	
Should absence exceed council policy within the next 12-months, state next level of sickness process:	

Employee Signature:

Line Manager Signature:

Date:

## Appendix 12

### Long Term Absence Level 2 sickness meeting form *(initial meeting)*

Employee Name:

Service:

Line Manager Name:

Meeting Date:

Action required	Response
Explain reason for meeting: <i>(Outline how triggers have been met &amp; confirm absence dates)</i>	
Request explanation for absences. <i>(check details are correct)</i>	
Is there a pattern of absence/link between sickness bouts:	
Any underlying health issues:	
Have health issues been discussed with employees own doctor:  What action is the employee taking to improve health / ability to attend?  What support/guidance has been given by GP or medical services.	
Review advice from Occupational Health and any action required	
Any work or personal factors exacerbating absence:  What support is required from work?	
Return to work, agreed support and phased return plan if relevant.	

Level 2 Sickness Meeting Review Date:	
Level 2 Review Period Triggers:	5 days in 6 months or 3 spells in 3 months

Level 2 Sickness Meeting Review Date:	
Explain that Level 2 can be re-triggered by normal annual triggers which follow in 12 months from review period.	

Employee Signature\_\_\_\_\_

Date\_\_\_\_\_

Line Manager Signature\_\_\_\_\_

Date\_\_\_\_\_

## Appendix 13

### Long Term Absence Level 2 sickness review meeting form

Employee Name:

Line Manager Name:

Date of Review Meeting:

Date of L2 Sickness Meeting:

Action required	Response
Outline any absence due to sickness during the review period:	
Have the targets/expectations been met with reference to the council policy?	
If absence is borderline re targets/expectations, is an extension of the review period necessary? <i>State extension period &amp; date as necessary</i>	
Date sickness review expires if triggers are not met within 12 months.	
Should absence exceed council policy within the next 12-months, state next level of sickness process:	

Employee Signature:

Line Manager Signature:

Date:

## Appendix 14

### East Herts Council Stress Risk Assessment Form

The HSE Management Standards cover six key areas of work design that, if not properly managed, are associated with poor health and well-being, lower productivity and increased sickness absence. In other words, the six Management Standards cover the primary sources of stress at work, this form prompts discussion on each source so that action can be informed.

**Demands** – this includes issues such as workload, work patterns and the work environment.

**Control** – how much say the person has in the way they do their work.

**Support** – this includes the encouragement, sponsorship and resources provided by the organisation, line management and colleagues.

**Relationships** – this includes promoting positive working to avoid conflict and dealing with unacceptable behaviour.

**Role** – whether people understand their role within the organisation and whether the organisation ensures that they do not have conflicting roles.

**Change** – how organisational change (large or small) is managed and communicated in the organisation.

### STRESS ASSESSMENT & ACTION PLAN

**Service:**

**Team:**

**Employee Date of assessment:**

**Review date:**

**Manager's signature:**

**HR's signature:**

**Employee signature:**

<b>RISK LEVEL</b>	<b>High</b>	<b>Medium</b>	<b>Low</b>		
	High probability of long term sickness due to work related stress	Medium probability of sickness due to work related stress	Low probability of work-related stress		
	Immediate action required	Action required	Exposure to hazard - rare.		
Potential work-related stressors identified	Risk Rating	Individual concerns	Reasonable adjustments	Target date for implementation and person(s) responsible	Review date
<b>Demands</b>					
What causes you to feel under unnecessary pressure?					
Are priorities clarified?					
Are deadlines realistic and agreed?					
Do you have appropriate skills and knowledge to undertake the tasks?					
Do you have sufficient resources?					
Do you feel the work is boring/repetitive?					
<b>Control</b>					
Is there clarity of who does what in the team?					
Do you have control over the way you carry out tasks?					
Do you have a say in your work speed?					
<b>Support</b>					

Can you rely on your manager to help you with a work problem?					
Does your line manager encourage you at work?					
Are you given supportive feedback on the work you do?					
Do you get help and support from colleagues and staff?					
Do you receive the respects at work you deserve from your colleagues/staff?					
<b>Relationships</b>					
Is there friction or anger between colleagues?					
Are you subject to bullying at work?					
Are relationships at work strained?					
<b>Role</b>					
Do you understand the key aspects of your role?					
Are the standards expected clearly outlined?					
Are there demands placed upon you that are not in line with the role?					

Is there a clear reporting structure?					
<b>Change</b>					
Have you been given the opportunity to comment on change at work?					
Have you been consulted about change at work?					
Have you been supported through change by the team?					
<b>Other stressors</b>					
Do you have any other issues that's affecting your work?					



## **Appendix 15**

Change Log:  
2025 Policy issued.

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