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## Fakenham Town Council

# Sickness Absence Policy

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### 1. Policy Statement

The Council, as a responsible Employer, is committed to maintaining the health, well-being, and attendance of all its Employees. The council understands that employees may need to be absent from work on occasions due to sickness.

The overall aim of the Policy is to provide a standard process and consistent approach for managing sickness absence whilst treating employees in a fair and balanced manner, recognising both individual and business needs.

The policy sets out:

- How Health, Safety and wellbeing are promoted by the Council, including the use of risk assessments to identify and manage hazards impacting on health and safety in the workplace
- What Employees can expect from the Council to support employees during periods of sickness and absence, and
- What responsibility Employees have in relation to their attendance at work.

### 2. Notifying Absence Procedure

Should you be unwell and unable to come to work, you must comply with the following:-

- 2.1 If you are unable to attend work through sickness, accident or personal circumstances you must inform Your Line Manager directly or through the Council office of the reason for your absence as soon as possible but no later than 10:00am on the first morning of absence.
- 2.2 The Council/Clerk will seek to maintain periodical contact with you throughout your sickness absence.

- 2.3 If possible, you should give an indication of how long you expect to be absent so that arrangements can be made for cover if required.
- 2.4 Consideration must be given to your current workload and urgent tasks, or correspondence must be discussed with the Clerk as soon as possible (illness permitting)
- 2.5 If the absence is for a period of less than 7 days, you should complete a Self-Certification Form on your return to work. For periods over 7 days a Medical Certificate 'fit note' is required from your GP or Consultant. Medical certificates should cover ALL periods of absence following the first seven days. If not, the absence will be classified as unauthorised, and the appropriate action taken.
- 2.6 Employees must keep the Council/Clerk informed of their progress, with an indication, if possible, of a return to work date. Employees are responsible for ensuring that medical certificates are submitted on time and cover all periods of absence.
- 2.7 If a 'fit note' is issued and advises that changes to your duties or work environment is recommended (such as light duties, adaptations to office equipment, phased return to work) this must be notified to your Line Manager as soon as possible.
- 2.8 You are expected to mitigate your absence due to sickness or injury by not taking part in activities or events that are likely to hinder a return to work.
- 2.9 On return from sickness, the member of staff should report to their supervisor who will conduct a return-to-work interview as set out in the sickness absence policy and procedure document.

### **3. Maintaining Contact**

- 3.1 When an employee is absent from work due to sickness it is important that communication is maintained between the manager and the employee.
- 3.2 The employee needs to ensure that they continue to feel part of their team and do not become isolated, vulnerable, or out of touch.
- 3.3 The employee should maintain regular telephone contact with the Chair/Clerk during the early stages of absence.
- 3.4 Where it is inappropriate for the Chair/Clerk to maintain this contact or if the level of contact is inappropriate, suitable alternative arrangements must be made.
- 3.5 If the employee is absent from work for more than 4 weeks, the Clerk should arrange to meet with the employee and be accompanied by a member of the HR Committee.
- 3.6 If absences become longer term, regular contact must be maintained.

### **4. Return to Work**

- 4.1 On each occasion that a member of staff returns from a period of sickness he or she will report to the Council/Clerk.
- 4.2 The Council/Clerk will then hold a return-to-work interview to establish the cause of the absence, to register that an individual's absence was noticed, and they were missed and to ensure that the individual is made aware of any factors affecting their work which have arisen during the absence and to see if any help is needed.
- 4.3 A file note of the return-to-work meeting should be made and signed by both parties.
- 4.4 A sensitive approach should be adopted to return to work interviews, and it should be acknowledged that some individuals may find discussing health-related problems embarrassing.
- 4.5 Should environmental factors appear to be relevant to the absence, necessary action should be taken as soon as is practicable.
- 4.6 Preliminary Investigation If the periods of absence are either frequent, forming a pattern, unexplained or from recurring ailments action may be necessary. In these circumstances a

preliminary investigation into the circumstances surrounding the absences is required to determine if further action is necessary.

## 5. Frequent and short-term absences

A short-term sickness absence is considered as one or more episodes of sickness each lasting less than four weeks. Absence trigger points enable the Council to address all absences and ensure absences are managed fairly and consistently. When considering the reasons for absence, and deciding on whether a formal meeting is appropriate, the Council will not consider any pregnancy related absence. The Council will also make adjustments where absences are related to a disability by allowing a higher level of absence before considering whether disciplinary action is appropriate. Where it appears that there is no acceptable reason for absence or the employee has not followed the correct absence notification procedure, the matter should be treated as a conduct issue.

The absence triggers are as follows:

Triggers for employees within their probationary period.

Number of absence events	2
Continuous calendar days of absence	4

Triggers for employees who have completed their probationary period.

Number of absence events	5 in a rolling year
Absence events totalling more than 10 working days (pro-rated)	6
Continuous calendar days of absence	6

Only one of the triggers needs to be reached for the Clerk/HR committee to be required to review the employee's sickness records.

- The Council/Clerk should meet informally with the employee to discuss the fact that an absence trigger has been reached and to discuss necessary actions, such as considering a referral to Occupational Health, implementing any possible reasonable adjustments that may be necessary in relation to disability, or any possible formal disciplinary action.
- The Council may establish that there is an underlying medical condition, and it may be that external advice is required as to the best course of action to take. Disciplinary procedures may not be necessary or appropriate in those circumstances.
- A summary of the meeting should be kept for the employee's personnel file and a copy given to the employee.

## 6. Long Term Absence

Long term absence is any absence which lasts or is expected to last over 4 weeks. In all cases of long-term absence, it is essential for the Council to maintain contact with the employee.

In cases where the return date is less certain this will take the form of consultation and will include:

- Discussions at the start of the absence and periodically throughout
- Obtaining better information on the employees' health and likely prognosis, ideally through an Occupational Health physician.

- Where the employee does not give their consent to the Occupational Health adviser seeking a report from their GP and/or refuses to meet with the Occupational Health Adviser decisions may be made using the information available to management. The implications of this will be discussed with the employee and confirmed in writing.
- Where appropriate alerting employees to the fact that absence is becoming a problem,
- Allowing employees, the opportunity to state their opinion of the condition and considering that opinion.

Where employees experience sickness absence as a result of a disability it will be treated in line with the provisions contained within the Equality Act 2010. This will include considering whether any reasonable adjustments can be made.

Where ill health means that employees are unlikely to return to work for a long period of time, the council may need to consider bringing the employment to an end, In these circumstances, the Council will:

- Review employee absence records to assess whether it is sufficient to justify dismissal
- Consult with the employee
- Obtain up to date medical advice
- Advise the employee in writing as soon as it is established that termination of employment has become a possibility
- Discuss whether the employee may be able to access benefits a pension scheme (where appropriate)
- Meet with the employee to discuss the options and consider views on continuing employment before any decisions are made, allowing employees to be accompanied by a work colleague or trade union representative
- Review if there are any alternative jobs that the employee could do prior to taking any decision on whether to dismiss or not
- Allow a right of appeal against any decision to dismiss the employee on grounds of long term ill health
- Following this meeting, inform the employee of the final decision.

## **7. Formal Meetings**

If it becomes necessary to begin a formal sickness process a fact-finding interview should be carried out and the employee should be seen to discuss the situation. The fact-finding interview should involve the following stages: -

- 7.1** The employee will be given at least 7 calendar day's written notice of the intention to hold any formal meeting.
- 7.2** Both parties should attempt to establish the cause of the absence and to consider possible action to help resolve the problem.
- 7.3** The interviewer should ensure that the employee is clear about the action agreed and what changes are required.
- 7.4** Following the interview, a note should be written to confirm the outcome of the interview; this should be copied to the employee.
- 7.5** If it is considered appropriate, the employee may be referred for an independent medical examination.
- 7.6** If it is determined that the absences are due to a single underlying medical cause, further action could be taken.

If the employees attendance record does not improve sufficiently a formal interview should be called to discuss the matter further.

- 7.7** A letter should be sent to the employee outlining the purpose of the interview and confirming the right to be accompanied by a colleague or trade union representative.
- 7.8** At the interview, it should be indicated that the level of sickness is unacceptable, and the employee should have the opportunity to respond.
- 7.9** Further attempts to resolve the matter should be made at this stage. However, the potential seriousness of the situation should be stressed and the possible consequences detailed.
- 7.10** The outcome of the interview should be confirmed in writing. Depending on the circumstances the letter might be in the form of a formal written warning indicating that the employee has a right of appeal.

If the employee's attendance record continues to be unacceptable a further formal interview will be held in accordance with the arrangements already set out. At this stage the employee will be advised of the serious concern that is being caused and that should matters not improve further action will be taken which may result in dismissal. Once again, the outcome of the interview should be confirmed in writing and will normally constitute a formal written warning.

## **8. Dismissal**

If, ultimately, following all the stages outlined above, the employee's attendance record does not improve to the required standard, a formal interview will be held situation will be outlined by the Chair/Clerk who will confirm that the likely outcome of the interview will be dismissal. The employee will be given the opportunity to respond and present any evidence in mitigation as they consider appropriate. Dismissal can only be decided upon by those empowered to dismiss under the terms of the disciplinary procedure – the Town Clerk or Full Council.

The letter of dismissal will confirm:

- 8.1** The date and outline details of the interview.
- 8.2** Reference to records of any previous related valid warnings.
- 8.3** The effective date of dismissal.
- 8.4** The employee's right of appeal Appeals against dismissal.

## **9. Sick Pay**

Sick pay will be paid in accordance with the employees Contract of Employment and the Green Book scheme.

## **10. Time off for Medical Appointments**

- 10.1** You should try and make Hospital and Doctor's appointments during non-working hours or if this is not possible as close to the start or finish of the working day as possible.
- 10.2** Reasonable time off will be allowed for emergencies and personal commitments.

**Reviewed at Policy & Resources committee 07<sup>th</sup> November 2023 & 19<sup>th</sup> November 2024**

**Ratified at Full Council 22<sup>nd</sup> November 2023 / 27<sup>th</sup> November 2024**

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