

# Sickness absence policy

This policy forms part of your contract of employment. The councils are entitled to introduce minor and non-fundamental changes to this policy by notifying you of these changes in writing and will consult all employees on any significant changes.

## Introduction

1. The Vale of White Horse District Council and South Oxfordshire District Council (the councils) are committed to providing a high quality, cost-effective service to their customers. They are equally committed to the care and wellbeing of their employees. Whilst it is recognised that there will inevitably be sickness absence, high levels can lead to a reduction in service provision and place additional burden on colleagues.
2. To ensure the councils provide the highest levels of service, we also have to commit to ensuring high standards of attendance. Procedures for recording and monitoring absence are detailed in the policy along with the responsibilities of both managers and employees in managing sickness absence. These procedures focus on ensuring all employees are treated fairly and given the appropriate support whilst maintaining service levels.
3. The policy sets out actions in cases where sickness becomes long-term. Where it is clear at the outset that it will be long-term, earlier action will be taken as appropriate with a view to ensuring a speedy return to work.

## Sickness absence policy

4. We will provide a healthy employment environment which promotes the well-being of all employees and reduces levels of absence, thereby ensuring effective service planning and delivery. We recognise the hard work of our employees and will assist those who have been absent to return to work as quickly and fully as possible. We will make sure our managers have the information necessary to monitor and manage sickness absence effectively.
5. We will take appropriate actions to ensure each employee is able to contribute fully and will encourage employees to adopt a healthy work-life balance.
6. Where appropriate we will refer employees to our occupational health (OH) providers for specialist advice, as laid out in this policy. We believe that referral to OH can give employees additional support and specialist advice. We see OH as a positive contribution to employee wellbeing. Employees may request a referral to OH at any time if they feel that it would be of benefit. For further information, please contact HR.

## Responsibilities under the policy and procedures

### Human resources (HR) responsibilities

- to maintain the policy and update as appropriate to reflect legislative changes, best practice etc
- to ensure employees and managers understand their responsibilities in the context of the policy
- to provide managers with training and guidance in delivering return to work interviews, information, counselling etc
- to ensure all employees are trained as appropriate in the use of HRPro self service system
- to provide advice and guidance to the Strategic Management Board (SMB), managers and employees
- to liaise with occupational health (OH) advisors as appropriate
- to provide reports and statistics quarterly and as required.

### Manager responsibilities

- to understand and observe their responsibilities detailed in the managing attendance policy
- to ensure that all employees are treated with respect and receive fair and consistent treatment
- to ensure employees feel valued during periods of sickness absence and in the way their return to work is managed
- to ensure good health and safety standards in their area and to comply with the councils' health and safety policies, as appropriate
- to ensure employees are aware and observe their responsibilities regarding sickness notification and reporting procedures and when recording self certified sickness absence on HRPro
- authorising self-certified sickness on HRPro, normally within 24 hours of it being recorded by individual employees
- to ensure that HR are notified of any long term sickness immediately for recording on HRPro and the appropriate paper work forwarded to HR to authorise the long term sickness (i.e. doctor's certificate etc)

- to maintain contact with the employee during their absence; during long term absence it is recommended that the manager, HR business partner or both arrange a visit or meeting with the employee
- to be aware of the impact on remaining employees of long term absence and take action accordingly
- where there is insufficient information or lack of clarity about the employee's absence, to contact HR for advice and request possible referral to the councils' OH advisors
- to establish whether there is any work-based contributory cause to the absence and to consider taking any appropriate action to enable the employee to return to work (e.g. flexible working arrangements, temporary or permanent)
- to ensure records are made of any sickness or action surrounding sickness and are kept up to date
- to conduct return to work interviews as appropriate
- to ensure that employees are not discriminated against under the Disability Discrimination Act

## **Employee responsibilities**

- to comply with health and safety regulations and policies
- to care for their health and seek medical help as appropriate
- to understand and observe their responsibilities in respect of the sickness notification and recording procedures
- to record **all** periods of absence on HRPro, including, but not limited to: compassionate leave, statutory parental leave, time off for ante-natal care, jury service, annual leave, flexi leave and sickness. Unauthorised absence will be dealt with under the councils' disciplinary policy
- to submit a doctor's certificate for periods of sickness absence exceeding seven consecutive days from the date of notification (including weekends/days not normally worked)
- to refrain from participating in any activity inconsistent with their illness or which might aggravate it
- to comply with the directions of their own GP or the councils' OH advisors
- to refrain from undertaking any unauthorised work or employment whether paid or voluntary during the period of their sickness absence

- where an employee has been absent for some time, or has consistent short term absences, the councils may require an additional opinion from the councils' OH advisors. In this circumstance the employee will be expected to give their permission for the councils' OH advisors to contact their own GP/medical advisor for further details. Depending on the circumstances it may be necessary for the employee to have an appointment by phone or in person with the councils' OH advisors.
- to attend a return to work interview as appropriate and provide his/her manager with an explanation of each sickness absence.

## Notification of absence

7. Employees must ensure they have notified their manager within one hour of their usual start time (or as soon as is reasonable to do so) on the first day of sickness absence, providing the reason for absence and the likely date of return. If absence is stress related, managers need to follow the Active care first day intervention guidelines in Appendix 1.
8. Personal contact must be made either by the employee or an appropriate person on their behalf. The most appropriate method of communication is via telephone, and, whenever possible, to the manager. (Sending a text message via a mobile phone or an email is not an acceptable method of notifying a period of absence, unless you have agreed this as a reasonable adjustment with your line manager).
9. If an employee is unable to return to work when indicated, they should repeat the above process.
10. If an employee is absent due to sickness for less than seven consecutive days (including weekends and days not normally worked), they need to record their sickness immediately on their return to work on the HRPro self service system.
11. If an employee is absent due to sickness for more than seven consecutive days (including weekends/days not normally worked) they must send a doctor's certificate from their own GP/medical advisor directly to the HR team.
12. It is important that employees maintain regular contact with their manager throughout the period of absence.
13. For extended periods of sickness absence, the employee should notify their manager each time a new medical certificate is issued. All medical certificates should run consecutively to ensure that there are no days during the period of absence when there is no certification.

## Recording absence

14. Employees are responsible for recording all absences on HRPro self service as soon as they return to work (details of how to do this are set out in the HRPro training manuals available on the intranet.)
15. As soon as the sickness is recorded the manager\* should aim to authorise the absence within 24 hours of it being entered and this in turn will notify the HR and payroll teams.
16. For absences over seven consecutive days from the first day of sickness, the employee will need to forward a medical certificate immediately to HR. HR will record and authorise the employee's absence on HRPro, which will immediately notify payroll and their manager.
17. Please note that, if absence is not recorded and authorised as above, then this may lead to delay, subsequent adjustment or loss of pay. Where medical certificates are required by the council, but employees are unable to obtain one without cost, the reasonable cost will be met fully by the council.

\* In the absence of the line manager, sickness may be authorised by the senior manager or HR.

## The Bradford Factor

18. The Bradford Factor (BF) is a recognised way of monitoring individual sickness absence on an ongoing basis. The Bradford Factor calculates a score based on the number of times an employee is absent and the number of days they are absent in a rolling 12 month period.
19. The formula used to calculate an employee's BF score is:

**Number of times absent x number of times absent x total number of days absent = BF**

e.g. in the 12 month period an employee is off on two occasions. One time for one day and the other time for two days. The score will be worked out as:

2 (no. of times they are off) x 2 (no. of times they are off) x 3 (total days off) = 12 (BF score)
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20. Depending on the BF score, different steps will be considered in order to manage the employee's absence.
21. Short term absence can be very disruptive to a service and can severely affect the performance of the organisation and the services we provide. Short term absence can also put adverse pressure on colleagues as short term

absences are unpredictable. Repeated short term absence can also be the symptom of a more serious health, work-related issue (e.g. stress or bullying) or personal problem, and so monitoring it using the BF can help these problems be avoided.

22. The BF helps by monitoring sickness absence on a rolling 12 month period and picks up when an employee reaches a certain score as laid out in the table below. Each step can then be taken to help manage the absence appropriately.
23. Each period of sickness will be assessed individually and the potential action as laid out in the table is by no means definitive. Where there are repeated absences for the same reason in quick succession (i.e. within two working days), these will be linked by HR to ensure the score is not artificially raised by an employee attempting to return to work and then having to go off again. Employees are encouraged to work with their managers to resolve sickness absence problems before the BF score becomes exceptionally high. Any action taken will be firstly informal and then becomes progressively more formal until the capability policy is required.
24. Sickness relating to maternity, disability or industrial injury will also be recorded as it still has an effect that needs managing.
25. Below is the BF table which shows the scores and potential actions at each score. They are provided for guidance in order to ensure consistency but consideration should be given to the particular circumstances of the individual in each case. The process can be triggered at any level within the table where there is good reason to do so.

<b>BF points total in 12 month rolling period</b>	<b>Action</b>
Under 27	Manager talks to employee informally
27 – 199	Return to work interview with manager
200 - 359	Return to work interview with head of service (or member of Management Team where appropriate)
360 - 599	Initiate capability or disciplinary process
600 +	Follow next stage of capability or disciplinary process

26. The same scores apply to part-time employees. For some patterns of part-time work managers will need to adjust the totals to reflect the individual's circumstances in considering how to apply the policy and HR can advise on this.
27. Managers should work with their HR business partner and the employee to agree a programme to reduce future sickness absence. This programme may include complementary therapies such as acupuncture or nutritional advice, counselling, support to lose weight or an occupational health referral.

## **Bradford Factor (BF) actions**

### **Return to work interview with manager**

28. All employees should be asked by their manager, informally, how they are feeling and if they feel able to do their job, on their return to work following any period of sickness.
29. Once the number and days of absence has reached the BF score of 27 or over, the employee's manager will carry out a formal return to work interview. This should be done on the employee's first day back at work. The manager should complete the online sickness form on HR pro either during or after the return to work interview. The employee will be able to access all their sickness forms on HR pro.
30. The aim of the return to work interview is to:
  - show interest/concern regarding for the employee's welfare
  - confirm/establish the cause of absence
  - ascertain whether the employee's work environment was a contributing factor in the sickness absence
  - allow discussion of the general attendance record of the employee
  - provide the opportunity to discuss ways in which the employee can be further supported by their colleagues, manager and the organisation
  - ascertain whether the employee's return to work can be aided by different duties in the immediate short term
  - any actions identified at the return to work interview should be acted on without delay.

### **Return to work interview with Head of Service**

31. Should the next level of the BF score be reached, the same process will be performed by the next level manager taking in to account all the above factors.
32. This manager will agree an improvement plan with the employee of which the details will be entered by the employee on the return to work form on their HRPro personnel record. The manager will then be automatically asked to authorise this form by HRPro.

## **Use of the Capability Policy due to absence**

33. The councils believe that every absence is genuine unless there is evidence

to suggest otherwise. However repeated short term absence and long term absence can be extremely disruptive and so can become a capability issue. As such this may be dealt with under the Capability Policy.

34. Once a BF score of 360 is reached the manager will liaise with their HR business partner and make a decision about whether to follow the Capability Policy.
35. The manager and HR will ascertain whether the use of the policy is appropriate by looking individually at each employee who reaches this score. HR will ensure that all cases are viewed fairly and consistently with regard to all the factors involved, and that this policy is applied appropriately and in line with all relevant legislation.

## Long term absence

36. When an employee is absent through sickness for over 20 consecutive calendar days in one episode, the manager will arrange to meet or visit the employee unless there are special circumstances which prevent this. Managers must seek the advice of HR prior to any visit.
37. Regular contact will be maintained with an employee on long term sickness absence to ensure communication is working both ways. The manager should ascertain the employee's expectations of when they will return to work.
38. Employees on long term sickness absence may be referred to the councils' occupational health advisors. Full discussions will take place with the employee before this referral and consent sought to obtain the necessary enquiry forms.
39. If there is no satisfactory indication of a return to work in the foreseeable future, and the team is being put under strain because of the employee's absence, consideration may then need to be given to whether continued employment is reasonable in the circumstances.
40. Taking the employee's views into account and examining all the available evidence, the manager will have a number of options:
  - allow more time for improvement
  - offer alternative employment (if possible)
  - if an employee is or has become disabled then new working methods should be explored
  - refer to their head of service in order to terminate the contract of employment under the Capability Policy (in extreme cases).



## Returning to work after long term absence

41. Every employee is valued for their contribution and so the councils' aim to make an employee's return to work after long term sickness as smooth as possible.
42. If an employee has been absent from work for over 28 consecutive calendar days in one episode due to sickness, and where appropriate, HR will discuss with the employee and the manager a suitable return to work plan. This may include returning to work on reduced hours or with reduced responsibilities.
43. Phased returns to work on the employee's normal working hours will need to be discussed and agreed with our OH advisors and HR.
44. Employees and their manager need to work together with HR and the OH advisors to ensure that the return to work plan is appropriate. Any issues should be discussed immediately as they arise and the plan re-worked if required.

## Disciplinary action whilst signed off sick

45. Any medical certificate or statement, including those containing diagnoses of 'stress', 'anxiety', 'depression' or a similar term will not normally be accepted as a reason for refusing to attend an investigation, disciplinary, capability or grievance hearing unless a certificate or other medical evidence is provided by an appropriate specialist and states that the employee is too ill to participate in any such hearing.
46. The councils reserve the right to withhold sick pay if an employee refuses to attend any of the above without providing an appropriate certificate.

## Sick pay

47. When sick, employees have a contractual entitlement (occupational sick pay) to the following:

During 1st year of service	1 month's full pay and (after 4 months' service) 2 months' half pay
During 2nd year of service	2 months' full and 2 months' half pay
During 3rd year of service	4 months' full and 4 months' half pay
During 4th and 5th year	5 months' full and 5 months' half pay
After 5 years' service	6 months' full and 6 months' half pay

48. In the case of full pay periods, sick pay will be an amount which, when added to statutory sick pay and incapacity benefit receivable, will secure the equivalent of normal pay.

49. In the case of half pay periods, sick pay will be an amount equal to half normal earnings plus an amount equivalent to statutory sick pay and incapacity benefit receivable, so long as the total sum does not exceed normal pay.
50. Eligible employees are entitled to receive up to 28 weeks statutory sick pay in a period of incapacity for work. Eligibility does not depend on length of service. If applicable this will be offset against any payments made under the occupational scheme.
51. The following employees are excluded from the right to SSP if on the first day of incapacity:
- they are engaged on a short term contract of three calendar months or less
  - their average earnings are less than the lower earnings limit for National Insurance
  - they were claiming sickness or invalidity benefit or maternity allowance from the Department of Work and Pensions (DWP) in the period of 57 days immediately before the first day of incapacity. In these cases the employee will be given a 'linking letter' by the DWP to pass onto HR
  - a new employee has done no work at all under their contract of employment
  - there is a stoppage of work due to a trade dispute at the work place unless the employee can show that they did not have a direct interest in the dispute
  - they have provided a leaver's statement which shows that 28 weeks SSP has already been due from their former employer, and there is a gap of 56 days or less since the last day of SSP shown on the statement; or the employee has already received 28 weeks SSP from his employer for a continuous period of incapacity to work or linked period of incapacity to work
  - they are pregnant and within the disqualifying period which is a period of 18 weeks covering the maternity pay period. If the employee is still working, the 18 weeks begins at the fourth week before the expected week of confinement if she is sick with a pregnancy related illness
  - the employee is detained in legal custody or is serving a period of imprisonment.
  - SSP can only be paid for qualifying (i.e. working) days

- employees are not eligible for SSP unless they are sick for four consecutive qualifying days; the first three qualifying days are called waiting days and do not attract payment.

52. Payment of SSP will be made on the first normal pay day practicable after the qualifying conditions have been met. The rate of SSP is reviewed annually and current rates are available from HR.

## Sickness monitoring

53. HR will monitor sickness and managers can use HRPro to run sickness reports for all their employees, including Bradford Factor scores. HR also produces quarterly statistics and bi annual sickness reports.

54. Individual sickness will be monitored on a rolling 12 month basis and each stage of the Bradford Factor model followed as appropriate, although managers will be expected to use discretion and evaluate each individual case of sickness before the Capability Policy is followed.

55. Employees and managers are expected to follow this process when reporting sickness. Failure to do so will be seen as a fraudulent act against the council and will be taken seriously. Disciplinary action could be instigated.

## Communication of this policy

56. The managing attendance policy will be communicated and explained to new employees via the induction process, and to existing employees and to managers and supervisors as appropriate.

Version 1 issued: February 2010

Version 2 issued: October 2011

Version 3 issued: April 2013 (formerly Managing Attendance policy)

Review Due: April 2016

## APPENDIX 1 – ACTIVE CARE FIRST DAY INTERVENTION

### Active care – how it works

‘Active care’ is a service managed by our occupational health provider in cases of stress (regardless of whether the stress has been prompted by personal circumstances or work). It is designed to help employees quickly recognise and manage the causes of stress, thereby reducing the likelihood of ongoing sickness absence. The steps to put the care into place are shown below:

1. Employee calls in sick with stress or submits a ‘Fit Note’ stating stress.
2. Employer (usually the line manager but on occasion a member of the HR team) phones the employee to gain verbal consent to be referred to Health Assured and informs the HR team.
3. Employee must provide verbal consent for the employer to continue the referral.
4. Employer (the HR team) completes a call consent form and emails [activecare@healthassured.co.uk](mailto:activecare@healthassured.co.uk) with the name, address and contact telephone number of the employee.
5. Occupational Health Nurse telephones the employee and gains further verbal consent to conduct the consultation.
6. Occupational Health Nurse carries out a structured supportive telephone consultation.
7. The employee is reminded about the benefits of their Employee Assistance Programme, the on-line stress coaching, and support that can be provided by their own General Practitioner.
8. Occupational Health Nurse will provide a written report which will be sent to the Employer. The employee can see the report before this is submitted should they wish.

Early proactive intervention associated with Active Care positively influences an earlier return to work and supports the individual employee whilst safeguarding the interests of the employer. 95% of employees return to work within 14 days following day 1 intervention from Active Care.