



## POLICY AND SCHEME FOR MANAGING ATTENDANCE

### 1. INTRODUCTION

Antrim Borough Council as an organisation has responsibilities and obligations to meet in respect of various groups, or stakeholders, both internally and within the community. This includes customers (internal and external), local government employees, the wider community and suppliers of funding - including ratepayers, grant awarding bodies and central government. The Council recognises that in order to carry out its duties effectively and efficiently it must consider fully the needs and expectations of each of these groups and try to optimise relationships between them. The Council's employees are recognised as being central to this process, and the success of the Council depends on the contributions of employees. Therefore, the Council wishes to create a culture within which all employees work together to maximise productive attendance for the benefit of all of the Council's employees and other stakeholders.

#### 1.1 Employee Morale

It is also recognised, however, that high levels of employee absence increase the workload for other members of staff who may be required to provide cover for absent colleagues. This is disruptive, and serves to lower morale and motivation in the workplace. In turn, this lessens the quality of service provided to other stakeholders, including internal customers and the public. Employee absence is also financially expensive for the Council, in terms of sick pay, payment for deputising, the employment of casual staff and lost productivity. As such, the Council wishes to promote good attendance and to ensure that, as far as possible, staff absence is minimised. To this end, the Council will adopt a consistent, fair, flexible and sympathetic approach to the management of attendance.

#### 1.2 Relationships Between Managers and Staff

High levels of attendance are associated with the promotion of a positive attendance culture together with explicit, unambiguous and well-understood attendance management procedures. Recognising this, the Council notes that effective attendance management requires a continuous and co-ordinated effort by all managers and supervisors together with policy support from senior management and relevant human resources procedures. It also requires co-operation and commitment to the process from individual employees. Good attendance will be valued and acknowledged, and employees will be treated in a sympathetic, consistent, fair and trusting manner in relation to employee absence. Employees, in turn are expected to apply the same high standards in meeting their responsibilities by avoiding persistent, casual and unnecessary absence. Within the framework outlined below, Line Managers will be expected to play a major role in influencing employee behaviour and performance, and creating a fulfilling working environment, which in itself plays an important role in improving attendance at work.





## **2. POLICY STATEMENT**

As an employer, the Council is concerned about the health, safety and well being of all its employees, and commits itself to promoting good health throughout the organisation. The Council will ensure that it complies with all relevant health and safety legislation and, through its managers, will provide a safe and healthy working environment for all employees. Management will be responsible for implementing this policy and for ensuring that all employees are aware of their health and safety responsibilities. Each individual employee will be responsible for co-operating with management in respect of health and safety matters, and is required to take reasonable care for his/her own health and safety and that of others.

The Council recognises that it is probable that some employees will experience periods of ill health, which prevent them from attending work. The Council will ensure that all such sickness absences are treated fairly and sympathetically, and is committed to providing appropriate support and encouragement to employees who are absent. The Council will take all reasonable steps to assist employees return to work.

## **3. OBJECTIVES OF THE SCHEME**

The objectives of the Scheme are to adopt a balanced approach towards protecting and enhancing the interests and well-being of all of the Council's employees in tandem with those of all other Council stakeholders.

## **4. SCOPE**

The Scheme applies to ALL Council employees.

Failure on the part of an individual employee to comply with any aspect of the Attendance Management Procedures may result in action being taken in accordance with the Council's Disciplinary Procedures.

## **5. THE ROLES AND RESPONSIBILITIES**

The Council believes that the primary responsibility for attendance management rests with the Line Manager. The Line Manager has primary responsibility for employee performance and it is acknowledged by the Council that seeking to control employee performance through the intervention of the Human Resources Section is wrong.

However, it is acknowledged that Human Resources do have a major role to play in attendance management. The effective and efficient implementation of any attendance management procedures also depends on the co-operation and participation of individual employees, and it is therefore of central importance that employees understand fully the



importance of attendance management, and their own rights and obligations under the scheme.

The roles of all three parties - Line Managers, Human Resources Representatives and Employees in managing attendance are summarised below.

## 5.1 Line Managers

Managing employee attendance is a line management responsibility. Line Managers are responsible for:

- ensuring the Council's Sickness Notification Procedure is followed
- conducting initial investigations into the cause of absence on each occasion that an employee is absent from work
- meeting with returning absentees to conduct return to work interviews
- examining employee Absence Records forwarded by the Human Resources Section to enable identification of absence patterns
- authorising sickness/industrial injury payment and be satisfied that the absence complies with the Sick Pay scheme
- ensuring absence returns are completed and returned quickly to the Human Resources Section for absence monitoring and sick pay purposes
- constantly reviewing every employee's attendance record in accordance with the Absence Review Thresholds discussed below
- ensuring that employees follow all aspects of the procedures for reporting absence outlined below
- ensuring that a new employee, as part of the induction process, is made aware of and understands the rules and procedures for attendance management
- establishing action plans for managing attendance in conjunction with individual employees and ensuring their implementation as appropriate
- ensuring a disciplined attitude is adopted towards unexcused absence and tight control is exercised where appropriate
- ensuring that quick, appropriate and firm but sensitive action is taken with continuous offenders where other interventions such as counselling have





failed to correct a problem

- acting fairly and consistently and in a manner sensitive to individual case characteristics (including for example, gender issues) in applying the appropriate procedures and basic controls
- seeking specialist help and advice from the Human Resources Section when required
- working with Trade Union representatives or other employee representatives where appropriate on policy matters relating to improving attendance

## 5.2 Human Resources Section

While the primary responsibility for attendance management lies with Line Managers, Human Resources representatives provide an important source of advice and have a central role to play in facilitating and supporting Line Managers in their efforts to manage employee attendance. This facilitation and support is provided through:

- the recruitment and selection process - by arranging and checking results of pre-employment medicals and referees' reports
- induction training for new employees to ensure that the rules and procedures associated with attendance management are clearly understood. This should highlight the cost of absence to the Council in terms of disruption to work schedules, inefficiency, reduced productivity, additional work pressures placed on colleagues, overtime payments and reduced quality of customer service.
- assisting Line Managers to identify any tendency towards absence during an employees' probationary period
- providing training to Line Managers to ensure they are equipped with the necessary knowledge and skills (procedural and interpersonal) to manage attendance effectively
- providing Line Managers with professional advice and interpretation of policies and procedures in relation to attendance management
- making referrals to the Council's Occupational Health Consultant to establish the actual medical position of an individual employee as part of the process of managing attendance, and usually following a recommendation from a Line Manager



- ensuring accurate and up-to-date attendance records are maintained and that reports are produced to enable Line Managers to monitor and measure attendance
- implementing disciplinary actions in cases of absence arising from misconduct
- aiming to introduce work-life balance policies which will enhance employee relations and motivation
- working with Trade Union representatives or other employee representatives, where appropriate, on policy matters relating to improving attendance
- reviewing and evaluating attendance management policies and procedures

### **5.3 The Employee**

Within the terms of the Attendance Management Scheme detailed below, employees are required to contribute to attendance management by:

- being fully aware of the requirements of the Scheme and its application
- reporting absence as laid out in the Scheme (failure to comply with the Council's sickness notification procedure may result in non-payment for absences and/or disciplinary action)
- participating in return to work interviews
- providing in a timely manner such documentation as is required under the terms of the Scheme, including self certification of illness and doctor's medical statements
- co-operating fully with the Absence Review Threshold and procedures
- not undertaking any activity which might be detrimental to his/her speedy return to work
- not participating in any activity which would bring into question the reason for continued absence
- complying with any reasonable treatment of any medical condition to ensure the earliest recovery





- attending absence related interviews, medical examinations etc. as far as practically possible at a mutually suitable time and location
- co-operating with the manager to achieve an acceptable level of attendance
- not undertaking any other employment of full time or part time nature while claiming sick pay
- receiving line management approval prior to going on holiday while on certified sick leave. Such approval will not be unreasonably withheld
- reporting for examination by an Occupational Health Consultant when requested to do so

## 6. THE SCHEME FOR MANAGING ATTENDANCE (THE SCHEME)

The precise mechanisms of the Scheme for Managing Attendance (the Scheme) are contained in this section. This takes the form of a 10-point set of procedures, designed with the specific aim of balancing the needs of the individual and the organisation.

### 6.1 The Principles

**Within this framework the Council will:**

- require staff to comply with the procedures for reporting absence to their manager, and for claiming Occupational Sick Pay (OSP) /Statutory Sick Pay (SSP)
- ensure that early contact is made with an employee experiencing ill health, and that such contact is maintained throughout the period of illness
- seek medical advice from the Council's Occupational Health Consultant and where appropriate from an employee's General Practitioner (GP)
- ensure that managers make contact with an employee on his/her return to work
- treat fairly, sympathetically and confidentially, all cases of intermittent or long-term absence due to ill health in consultation with the officer concerned, and in line with procedures

The requirements and obligations on each party (the Line Manager, the Individual and the



Human Resources Section) are clearly laid out at each stage in the process. The Scheme is summarised in Section 7. The roles of employees as stated within this policy may change on occasions due to operational circumstances. In all such cases an employee of equal or higher grade than indicated in the policy will be nominated by the appropriate manager in conjunction with the Human Resources Section.

## 6.2 Absence Records

As a central principle of the Scheme, each period of absence will be formally recorded and the employee will be required to meet with his/her Line Manager on return to work for this purpose.

The primary purposes of formally recording absence are to provide the Line Manager with information on the employee's attendance/absence over the past year, and to assist the Line Manager in his/her efforts to develop a high attendance culture.

The employee's Absence Record may be used as part of any review of absence or on any other occasion, or where the employee or the Line Manager believes that the information contained therein is of material relevance to any decisions regarding the employee.

## 6.3 Advance Warning Of Absence

It is the responsibility of individual employees to inform their Line Manager in writing at the earliest opportunity of any planned absences for medical reasons, such as hospital, dental or doctor appointments of a non-urgent nature and provide documentation to this effect. These should be recorded in accordance with the Absence Recording system. In so far as is possible, employees should endeavour to arrange such appointments outside working hours, and Line Managers should seek to accommodate such arrangements subject to the provisos contained in Section 6.7 - Absence Review Threshold.

Employees must also advise Line Managers as soon as possible of scheduled confinements for medical treatment. Such confinements remain subject to the normal absence reporting mechanisms contained in Section 4.





## 6.4 Reporting Unforeseen Absence

### 6.4.1 Responsibilities for Reporting

In all cases, responsibility for reporting absence rests with the individual employee and the appropriate point of contact within the organisation is the employee's immediate Line Manager. The employee should speak personally to his/her immediate Line Manager, or the Line Manager's nominee. Absence may be reported to the nominee only if the Line Manager is unavailable. The nominee is normally the manager noted on the employee's annual leave card unless otherwise instructed. A telephone call to the manager from a relative or friend will only be acceptable if exceptional circumstances prevent employees from making contact themselves. Line Managers have responsibility for recording each occasion of absence.





## 6.4.2 Notification and Certification Requirements

Day	Notification Required	Certification Required
<b>First Day</b>	In cases of unforeseen absence, employees are required to notify their immediate Line Manager as early as possible if they are unable to attend for work. Normally, this will be not more than one hour after the start time, or as specifically arranged with the Line Manager. The employee (or the person making contact on behalf of the employee) should make the manager aware of the nature of the illness and the projected length of absence, including likely date of return.	The Line Manager receiving the notification will complete Part 1 of Council's Absence Notification Form. In cases where the period of illness does not extend beyond 3 working days, the employee will normally be required to submit the Council's Self Certification of Illness form to his/her Line Manager on the day of return to work.
<b>Fourth Day</b>	Where the period of absence extends (or is likely to extend) beyond 3 working days or, includes a weekend period within the 3 days absence (for example Friday to Tuesday inclusive), the employee is required to report to his/her Line Manager (or nominee) as above on the first day of absence, and subsequently on days 4 and 7 to provide an update on his/her condition and the likely date of return to work.	The Line Manager, on receiving notification on day 4, will complete Part 2 of Council's Absence Notification Form. Once the period of illness extends to 4 working days (or 3 working days but incorporating a weekend period) a Self Certification of Illness form must be submitted to the Line Manager stating the reasons for absence.
<b>Eighth Day</b>	In cases where it is apparent from the outset of the illness that the employee will be absent from work for more than 7 calendar days, medical statements should be submitted to the Line Manager as soon as these become available. An employee is not required to contact his/her Line Manager on absence days which are covered by medical certificates.	If the employee's absence extends to a period of more than 7 calendar days, he/she must forward a doctor's medical statement directly to his/her Line Manager.  Where appropriate, the Line Manager will complete Part 2 of Council's Absence Notification Form.





Subsequent Days	Notification Required	Certification Required
<b>Returning to Work</b>	An employee is not required to contact his/her Line Manager on absence days which are covered by medical certificates.	<p>The employee must submit subsequent medical certificates to his/her Line Manager as often as required for state benefit purposes in those cases where the sickness absence extends beyond the period covered by the initial statement. These certificates must run concurrently and should be forwarded to the Line Manager not later than one working day after they are due.</p> <p>Where appropriate, the Line Manager will complete Part 2 of Council's Absence Notification Form.</p>
	Employees must inform their Line Manager of their intended return to work date following a period of long-term absence (ie. more than 20 working days). This is to ensure that appropriate return to work arrangements can be made.	<p>In all cases where the employee receives a medical certificate, he/she must produce to his/her Line Manager a final statement as to his/her fitness to resume duties. For health &amp; safety reasons, employees will not be permitted to return to work until this certificate has been received by management.</p> <p>Line Managers to complete Part 3 of Council's Absence Notification Form during a return to work interview</p>



### **6.4.3 Illness during Normal Work Routine**

If taken ill during the course of the normal work routine the employee must inform the Line Manager/Supervisor immediately in order to relieve the employee of his/her duties and ensure appropriate cover is provided. This will be recorded by the Line Manager as a period of absence.

### **6.4.4 Illness on a Day Release/Training Day**

Normal absence reporting procedures should still be followed if the employee falls ill on a day when he/she is on day release or is attending a training course/conference etc. In addition, the Line Manager should notify the course/conference provider.

### **6.4.5 Illness immediately before Annual Leave**

If ill immediately before annual leave the employee should contact the Line Manager/Supervisor to advise whether:

- (a)** The employee has recovered and will be taking annual leave as planned
- or**
- (b)** The employee is still unwell and will not be taking annual leave

Normal absence reporting procedures must be adhered to in accordance with section 6.4.2.

### **6.4.6 Illness during Annual Leave**

In exceptional circumstances if an employee becomes ill whilst on annual leave and wishes to request that the time be recorded as sickness the following procedure applies:

- (i)** Normal absence reporting procedures should be adhered to unless exceptional circumstances prevent this
- (ii)** A medical certificate must be provided in all cases to cover the period requested
- (iii)** Requests for approval must be submitted in writing to the Chief Executive within five working days of return to work

### **6.4.7 Illness during Public/Statutory Holidays**

Employees will continue to receive sick pay if a public or statutory holiday falls during the period of absence. The employee will not, however, be granted a substitute public or extra statutory holiday.





### 6.4.8 Suspension from Work on Medical Grounds

There may be occasions when an employee is suspended from work on medical grounds and this is normally in order to protect the health and safety of the employee and that of others. In all such circumstances the employee will be entitled to receive normal contractual pay. The period of absence on this account will not normally be reckoned against entitlement under the sickness scheme.

### 6.5 Absence Administration, Sick Pay Entitlement, Forms And Certificates

The Line Manager will be responsible for forwarding all medical certificates to the Human Resources Section.

Entitlement to sick pay depends upon the employee's length of service, notification of absence to the Line Manager and timely submission of evidence of unfitness to work due to illness.

On the fourth day of absence the Line Manager must forward the Self Certification of Illness form submitted by the employee to the Human Resources Section in line with the procedures outlined in Section 6.4. It should be noted that when a period of sickness includes Saturday and Sunday, e.g. from Thursday to Monday inclusive, this constitutes 4 days of absence for Occupational Sick Pay purposes (Sunday is not included).

If the employee's absence extends to a period of more than 7 days, he/she must forward a doctor's medical statement directly to their Line Manager (see Section 6.4). The Line Manager must forward this to the Human Resources Section.

If the employee does not return to work on the expiry date of the medical certificate, further consecutive certificates must be supplied to cover the entire period of certified absence.

All employees whose absence is covered by a medical certificate must provide their Line Manager with a signing off line on return to work. The Line Manager must forward this to the Human Resources Section on the day of receipt. In cases where an employee considers him or herself to be fit for work, and wishes to return to work before the expiry of a medical certificate, he/she must submit a doctor's signing off line to indicate his/her fitness for return.



## **6.6 Return To Work**

Following each absence from work due to sickness, the employee must report to and meet with his/her Line Manager for a return to work interview, to confirm the reason for absence and to enable the Line Manager to record formally the duration of and reason for the absence.

Primarily, the purpose of the meeting between the returning employee and the Line Manager will be to facilitate the employee's return to work. The Line Manager will confirm the reason for the absence, complete Part 3 of Council's Absence Notification Form and, if appropriate, investigate if there are any underlying reasons or likelihood of recurrence. The Line Manager should, when necessary, use the meeting to inform the employee of changes and developments in the workplace, and to offer support to help them cope with their return. The onus is on the employee to complete Part 3 of Council's Absence Notification Form and no payment will be made under the sickness scheme until this is completed.

In situations where the employee is remote from his/her Line Manager, suitable arrangements must be made by the Line Manager for reporting for duty upon return to work. The employee should speak to his/her Line Manager by telephone on the first morning of his/her return to work, and he/she should meet with the Line Manager within 72 hours. It is the responsibility of Line Management to ensure that suitable arrangements are put in place.

Where requested, and if possible, the return to work interview may be carried out by a Line Manager of the same gender or by a more senior member of the management team.

On each occasion of return to work, the employee's Absence Record will be reviewed by the Line Manager. In circumstances where the employee's absence reaches the trigger points identified in the Absence Review Threshold (Section 6.7) the Line Manager must carry out a Formal Absence Interview upon the employee's return to work.

## **6.7 Absence Review Threshold**

A Formal Review of Absence will be conducted once appropriate trigger points indicate to management that a particular employee's pattern of absence has raised cause for concern and a need to investigate.

The use of trigger points will ensure a consistent approach to the control of absence in such circumstances, and include:





where in any sequential 12 month period the employee has met any of the following criteria:

- (i)** in a 13 week rolling period recorded 5 working days absence made up of 2 or more periods of absence
- (ii)** in a 26 week rolling period recorded 8 working days absence made up of 2 or more periods of absence
- (iii)** in a 52 week rolling period recorded 9 working days absence made up of 2 or more periods of absence
- (iv)** recorded at least 10 days intermittent absence (whether self-certified or medically certified) including working hours lost through appointments during working hours
- (v)** displayed an unacceptable pattern of absence (e.g. regular Fridays and Mondays)
- (vi)** 20 days continuous absence

When needed, the Council reserves the right to conduct a formal review of absence in any circumstances.

## 6.8 Absence Review Procedures

When it is clear that the employee falls within the criteria identified in Section 6.7, the Line Manager will instigate the Absence Review Procedures. This may take one of two formats, depending on the characteristics of the individual case. Specifically, in cases where the employee is attending work (i.e. has returned to work) an Absence Interview will be held with the employee. In cases of ongoing long term sickness absence the procedures detailed in Section 6.8.4 will be followed.

The Absence Interview is a formal procedure and will be conducted in accordance with the Absence Interview pro forma. The Absence Interview must be conducted in privacy and in a sensitive and courteous manner. It is the responsibility of the Line Manager to complete the Absence Interview Documentation during the interview, and the employee is required to sign the pro forma. Copies of the documentation should be retained by the Line Manager and the employee, with a third copy being forwarded by the Line Manager to the Human Resources Section. Reflecting the formal nature of the Absence Interview, the employee is entitled to be accompanied by a Trade Union representative or a work colleague.

The Absence Interview should be used to determine the best method of dealing with the issue. Initially, this requires that the absence be categorised into one of the following:

- unrelated, intermittent absences, each with a separate (non-related) medical explanation
- related intermittent absences caused by a related, underlying and ongoing medical condition
- intermittent or continuous absence with no underlying medical condition



Continuous absence (ongoing absence) attracts its own Absence Review Procedures, detailed in Section 6.8.4.

The references within this section (Section 6.8) to 'Line Manager' relate to officers at Scale 6 and above. Where an employee's supervisor is below Scale 6, the supervisor should agree with the Line Manager or Department Head on action that is to be taken under the Absence Management Policy.

### **6.8.1 Use of Occupational Health Consultant**

In all cases where a formal review of absence is to be conducted the Council reserves the right to request employees to attend for Medical Examination by the Council approved Occupational Health Consultant.

In accordance with The Access to Personal Files and Medical Reports (Northern Ireland) Order 1991, the employee is entitled to withhold consent to medical examination and has specific rights of access to the doctor's report, if he/she so wishes, before it is forwarded to the Council.

In addition to Absence Review, an employee may also be referred to Occupational Health as part of the disciplinary process, e.g. in connection with capability, to ascertain whether or not there is an underlying medical condition.

In the event of an employee withholding consent to a medical examination, the Council will base decisions in connection with employment on the information currently available.

### **6.8.2 Unrelated Intermittent Absences, Each With A Separate (Non-Related) Medical Explanation**

The Absence Interview should take the format of an in-depth discussion focusing on the frequency of absence and the reasons for it. The outcome should be agreement between the Line Manager and the employee on the improvement required and how this is to be brought about e.g. referral of the employee by the Line Manager to training programmes or may involve redeployment, reduction in hours or a change in duties.

Specifically, the following points should be covered in each Absence Interview:

- quantification of absence in terms of frequency and duration
- exploration of reasons for absence
- comparison with the general level of absence within the Section/Department or for similar employees in terms of age, grade, gender and skill/experience





## First Absence Review Meeting

The impact and the serious nature of the absence on the workload should be emphasised by the manager and an action plan with specific target dates for improvement should be agreed with the employee and his/her representative in order to minimise further periods of absence. The employee should be advised verbally that his/her job could be at risk if absence levels do not improve.

The responsibility for the subsequent management of attendance and the achievement of agreed action plans rests with the Line Manager. Advice and assistance will be available from the Human Resources Section.

If attendance improves in line with the agreed action plan, the Line Manager should explain to the employee that their absence is no longer under formal review.

## Second Absence Review Meeting

If the agreed action plan is not adhered to a further meeting must be arranged with the employee. A counselling approach should be adopted, with the aim being to assist the employee in improving his/her attendance. Agreed desired improvements should be noted, including dates for further review and a record of the meeting and agreed action plan retained on the employee's personnel file. The employee should be advised verbally that his/her job could be at risk if absence levels do not improve. The employee must be informed of this in writing and a record of the meeting retained on the employee's personnel file.

## Final Absence Review Meeting

Following this, further lack of improvement will result in a final absence review meeting, at which a further written communication will be issued by the Council. This will be to the effect that a continued lack of improvement will lead to a Formal Case Review (see Section 6.9), and may result in dismissal on the grounds that the employee is unable to provide regular and sustained attendance.

### 6.8.3 Related Intermittent Sickness Absence Arising From A Single Related, Underlying And Ongoing Medical Condition

When the information available indicates that the employee's absence falls within the category of intermittent and persistent absence arising from an ongoing, underlying medical condition, the Line Manager should, during the Absence Interview, examine any underlying reasons for the absence and indicate that the current level of absence is a cause for concern.



## First Absence Review Meeting

At this interview, the manager should explain the effects of absence, the cost to the organisation and remind the employee that each member of staff has responsibility to ensure that such absences are kept to a minimum. Management of the medical condition should be discussed, and all alternatives considered. This might include, for example, redeployment, reduction in hours or a change in duties. At this stage an action plan is agreed. The employee should be advised verbally that his/her job could be at risk if absence levels do not improve.

## Second Absence Review Meeting

The manager should set a date to review attendance. If attendance has improved by this date, the Line Manager should explain to the employee that their absence is no longer under formal review. However, the employee should be made aware that, if after initial improvement, their absence pattern continues over an extended period, the absence management procedure will be applied immediately and the Line Manager will refer the employee to the Council's Occupational Health Physician for confirmation of any underlying medical condition. The employee should again be advised verbally that his/her job could be at risk if absence levels do not improve.

## Third Absence Review Meeting

If attendance does not improve, the Line Manager should, through the Human Resources Section, arrange to have the employee medically examined:

- (i) if medical advice indicates that the employee is unlikely to provide regular and reliable service, the Line Manager should arrange to meet the employee with a representative from Human Resources to discuss the options available, and the possibility of a referral to NILGOSC for ill health retirement. The Line Manager and the Human Resources representative may decide at this stage to conduct a Formal Case Review (see Section 6.9). The employee has the right to be accompanied by a Trade Union representative or a work colleague
- (ii) if the medical report indicates that an improvement is likely, the Line Manager and a representative from Human Resources should meet with the employee to confirm the doctor's prognosis and review absence. At this interview, the employee has the right to be accompanied by a Trade Union representative or a work colleague. The format should follow the initial absence review stage and a date should be set for the next review. If no improvement is noted during the second review, the Line Manager, in conjunction with the Human Resources representative, should undertake a Formal Case Review.





## 6.8.4 Long Term Sickness Absence

Long term ill health can be defined as one period of sickness extending for more than 4 consecutive weeks (20 working days). While the Council will extend every support to the employee in this situation, it is important to emphasise that the need to provide an efficient and effective service is of paramount importance.

The procedures for managing long term ill health require various actions to be adopted by the Line Manager prior to the individual employee's return to work, in other words before the opportunity arises to conduct a formal Absence Interview.

Managers should ensure that they maintain regular contact with employees who are on long term sickness absence. Informal contact should be made with the employee during the first 4 weeks of absence, and arrangements should be made for regular formal contact thereafter e.g. by week 6. A home visit by the Line Manager and either a colleague of the employee who is absent or the Health, Safety & Welfare Officer should be offered to the employee. The meeting can take place at a mutually agreed venue if preferred.

The Line Manager will maintain monthly contact with employees who are on a period of long term sickness absence in order to keep employees in touch and make their return to work easier.

It is also important for Line Managers to act consistently and adhere, as far as possible, to the timetable outlined below in relation to medical reports and appointments.

**Week 2:** The Line Manager should forward a copy of any medical certificate received to the Human Resources Section for their information. Where an employee's absence is certificated as an industrial injury, stress or where the diagnosis is not specific, i.e. debility, the employee will be referred for medical examination at the first available opportunity.

**Week 5:** An Absence Interview will be carried out during week 5 of absence. The Human Resources representative shall request the employee to attend for medical examination by the Council's Occupational Health Consultant at the next available date (in certain circumstances this may be deferred until a later date, e.g. where the employee is hospitalised or on the grounds of other medical information received from the employee's GP). The purpose of this examination is to gain a better understanding of the employee's illness and when the employee is likely to return.



Depending on the medical advice, the employee may be referred for further assessment to the Council's Occupational Health Consultant. Under normal circumstances, there will be no more than 2 medical reassessments, unless a review is recommended by the Occupational Health Consultant.

Following the first Absence Interview at week 5 of absence the Line Manager will carry out subsequent Absence Interviews as required.

Most cases of long term sickness absence will fall into one of the following three categories:

- (i) **Physical Ailment** - attempts should be made to secure the earliest possible return of employees who are absent due to a physical ailment. If the injury prevents the employee returning to work, the Human Resources representative should, through consultation with the Line Manager, consider altering the duties or work pattern of the employee, e.g. placing them on part-time work for a short period. The alternative working pattern should last for a short period only, and the circumstances should be reviewed regularly
- (ii) **Work Related Illness** - where a medical certificate indicates that the employee is absent due to a work related illness, the causes of the illness should be investigated
- (iii) **Mental Ill Health** - in situations where the employee is suffering from a mental health disorder, the employee should, in the first instance, be referred to the Council's Occupational Health Consultant

If the report advises that the employee is no longer capable of providing a regular and reliable service, the Human Resources representative and the Line Manager should arrange to meet the employee to discuss the options available, e.g. suitable alternative employment or ill health retirement.

Where, after the referral to the Occupational Health Consultant the sickness absence or prognosis continues to give cause for concern, e.g. there is no clear indication of a return date, it may be appropriate to consider the long-term employment prospects of the individual. The Line Manager, in conjunction with the Human Resources representative, will need to consider, after extensive consultation with the employee and his/her representative, the following factors:

- the length of the absence to date, and the likely length of the continuing absence
- the nature of the illness and medical advice/prognosis on the individual
- the effect of the individual's absence on the workload and performance of the work unit





It is acceptable for the manager, having reviewed all of these factors, to consider that the employee is no longer capable of discharging the terms of his/her contract of employment. At this stage a Formal Case Review should be carried out, due consideration having first been given to the Disability Discrimination Act (1995) and the procedures which surround Ill Health Retirement.

## **Disability Discrimination Act 1995**

Under the Disability Discrimination Act 1995, if the nature of the ill health means that an employee is classed as a disabled person (i.e. a person who has a physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day activities), the Council must consider making reasonable adjustments to accommodate the disabled person.

Examples of reasonable adjustments include:

- making adjustments to the premises
- altering his/her working hours
- providing training
- acquiring or modifying equipment

This list is not exhaustive and the Human Resources Section must be consulted in the event of any query relating to disability, it is the responsibility of the Human Resources Section to refer to the relevant legislation.

## **Ill Health Retirement**

Retirement on the grounds of ill health can only be recommended in cases where the employee is permanently incapable of carrying out his/her regular duties due to a medical condition.

Upon receiving such advice, the Human Resources representative will immediately make arrangements with the employee to discuss the situation. The meeting must be handled sensitively, with due care being given to the potential need for counselling and advice.

In order that the Human Resources Section may provide appropriate guidance and advice on pension rights, the Line Manager must advise of the full extent of the employee's illness.

The employee should be advised of the benefits to which they are entitled, and arrangements should be made by the Human Resources Section to inform the Superannuation Committee and to make the necessary arrangements for the employee to be examined by the NILGOSC Occupational Health Consultant.



In some instances the employee may disagree with medical advice received by the Council. If this is the case, the employee must submit a medical report to the Human Resources representative, stating that they are not permanently unfit to undertake the duties of their post.

### **6.8.5 Intermittent Or Continuous Absence With No Underlying Medical Condition**

Cases of absence where there is no underlying medical condition will be dealt with under the Council's Disciplinary Procedures. Absence Interviews will be carried out in accordance with the stages described in section 6.8.3.

### **6.9 Formal Case Review**

The appropriate Assistant Director and the Human Resources Section shall undertake a Formal Case Review:

- where all possible steps have been taken and have failed to secure regular and sustained attendance (in the case of intermittent sickness absence see Sections 6.8.1 and 6.8.2)
- where all possible steps have been taken and have failed to secure the employee's return to work

Before undertaking the Formal Case Review, the Human Resources representative will have considered if the employee falls within the definition of disabled as contained in the Disability Discrimination Act 1995. If so, the Human Resources representative will consider whether any reasonable adjustments could be made to enable the employee to return to work.

The Assistant Director and Human Resources representative will consider all material evidence of relevance to the individual case in conducting the Formal Case Review. This will include:

- ascertaining the nature of the illness
- considering medical evidence/prognosis and determining the likelihood of recurrence
- considering the length of absences and periods of good health between these
- assessing the level of disruption and appropriateness of action to date
- assessing the impact of the absence on the work of the Department
- considering all aspects of mitigation presented by the employee and his/her representative





The employee and his/her representative will be given the opportunity to present relevant facts in support of their case as part of the Formal Case Review. The Council reserves the right to conduct the meeting in the employee's absence, dependent upon the circumstances.

The Assistant Director and the Human Resources representative will carefully consider all the information before them prior to making a decision in relation to the action to be taken. The decision will be communicated to the employee in writing as soon as possible after the Formal Case Review and this should normally be within one working week.

In instances of ill health dismissal, the employee will have the right to appeal in writing against the decision to an Appeals Committee.

## 6.10 Monitoring Information

Based upon the information submitted by Line Managers, the Human Resources Section will issue monthly absence reports to Line Managers. These reports will provide details of employees who have an unacceptably high level of absence and will seek feedback from Line Managers on action that has been taken.

The monthly absence report for each section will also be forwarded to the relevant Director for information. Line Managers must report to Assistant Directors on a quarterly basis on action that has been taken in respect of absence cases falling within the review criteria.

### 6.10.1 Audit

An audit will be carried out to ensure managerial compliance with the above policy.

This policy will be reviewed on an annual basis.

## 7. SUMMARY SCHEMATIC

### 7.1 Summary Schematic: Employees

#### **FORESEEN ABSENCE**

Line Managers to be informed as early as possible.





### **UNFORESEEN ABSENCE**

Line Manager to be informed as soon as possible on each day up to 3 days. If no return

- After 3 days Self Certification to be submitted
- After 7 days Medical Certificate to be submitted

### **RETURN TO WORK**

Report to, and arrange to meet with, Line Manager

- Absences 1-3 days Submit Self Certification Form
- Absences 4 or more days Submit medical evidence as appropriate

## **7.2 Summary Schematic: Line Managers**

Line Managers are required to:

- Promote and foster a positive attendance culture
- Treat all employees sympathetically, fairly and consistently
- Record all periods of absence
- Liaise with all appropriate support functions, including Human Resources and Salaries and Wages
- Meet with employees to facilitate resumption of duties on return to work
- Monitor and review employee attendance records
- Adhere to and implement policy with regard to absence review thresholds

