



### **SICKNESS AND ABSENCE POLICY**

#### **INTRODUCTION**

Balsall Parish Council is committed to the care and well-being of its employees. The purpose of this policy is to ensure all staff members have access to information relating to sickness and absence and are aware of the steps they must follow when absent from work.

#### **COUNCIL'S COMMITMENT**

By managing sickness and absence, the council will continue to provide a high quality service to members of the public.

#### **SCOPE**

This policy covers:

1. sickness leave
2. unauthorised absence and lateness
3. annual leave
4. compassionate and/or emergency leave
5. time off in lieu
6. medical appointments
7. maternity/paternity/adoption/parental leave
8. disability
9. privacy

#### **1. SICKNESS LEAVE**

The council recognises that there will be occasions when staff members are unable to work due to sickness. The council provides a sick pay scheme for its employees and the following details of sick pay are included in the employee's contract. Maximum entitlement to sick pay is determined according to an employee's length of continuous service with the Parish Council as follows:

During 1st year of service:	1 month full basic pay and, after completing 4 months of service, 2 months on half pay
During 2nd year of service:	2 months full basic pay, 2 months half pay
During 3rd year of service:	4 months full basic pay, 4 months half pay
During 4th and 5th years of service:	5 months full basic pay, 5 months half pay
After 5 years of service:	6 months full basic pay, 6 months half pay.

Where the Parish Council makes full payment in times of illness or injury, this will include entitlement to statutory sick pay (SSP) (see appendix). Where the council pays half pay, SSP will be added but the total pay will not exceed normal full basic pay.

Employees will forfeit entitlement to council sick pay if:

- they fail to comply with notification and certification requirements
- they make or produce any misleading or untrue documents concerning their fitness for work
- their incapacity has been caused by participation in sports or other activities unrelated to their work with the Council



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If an employee is unable to attend work due to sickness, they must telephone their line manager, giving the reason for sickness, the likely duration and the expected date of return, contact details and any outstanding or urgent work that requires attention. This must be done as soon as practical on the first day of absence, or within 1 hour of starting their work pattern, so that service levels can be maintained. Only in exceptional circumstances will the council accept notification of absence from a third party. Regular contact must be maintained with the line manager during a period of absence.

The line manager will record any sickness absence that is notified to them and report this to the Chairman. Arrangements will be made, where necessary, to cover work and to inform colleagues and clients (while maintaining confidentiality).

For absence of seven calendar days or less, employees are required to complete the self-certification documentation as outlined in the Employment Rights Act 1996. For all absences which exceed a seven day period, a medical certificate (or certificates) is required. The certificate should be sent to the line manager as soon as it is obtained.

Employees who are frequently absent could be suffering from poor health which may require medical investigation. The council will offer support and guidance in consultation with the employee, and will consider referral to occupational health specialist services if deemed appropriate.

The council will investigate and assess whether further action is necessary if periods of absence due to short-term self-certification sickness reach unacceptable levels, or if patterns emerge. The council will not normally make payment for more than 6 individual days of absence in any rolling 12 month period.

The council takes a sympathetic view towards genuine ill health problems and will provide a supportive approach to employees who have been subject to long-term sickness. An employee returning to work following a period of long-term sickness will be supported on their return to work, and the following options may be considered:

- phased return to work
- change of role or working pattern
- provision of specialist equipment

Where an employee has returned from any period of sickness, a return to work interview will be conducted by their line manager.

In cases where an employee's absence reaches excessive levels or there is a lack of information about the circumstances of the sickness absence, the council may request medical information about their condition from their GP.

Any medical information received by the council will be treated as strictly confidential. Any expense in obtaining medical information from the GP will be met by the council.

### **2. Unauthorised absence and lateness**

Unauthorised absence occurs when an employee fails to attend work and has not made arrangements with their line manager.



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Where an employee returns to work following an unauthorised absence, they will be required to attend a meeting with their line manager to explain their absence. The employee will be expected to take any unauthorised absence from their annual leave entitlement, or if no entitlement remains, pay will be deducted for the period of unauthorised absence. Unauthorised absence may result in disciplinary action being taken.

There may be occasions when it is unavoidable to be late for work. The employee should contact their line manager to explain the reasons for any delay. The employee will be expected to make up any time lost at work due to lateness. Persistent lateness may result in disciplinary action being taken.

### **3. Annual Leave**

Details of annual leave entitlements are included in an employee's contract.

The annual leave period runs from 1<sup>st</sup> April to 31<sup>st</sup> March the following year. A maximum of five day's annual leave may be carried over from one year's entitlement to the next. Any leave carried over must be taken within the first three months of the new holiday year.

Requests for annual leave are at the discretion of an employee's line manager, with consideration of the operational requirements of the council being taken into account before a decision is made. Annual leave requests will not be unreasonably refused.

Where two or more employees request annual leave on the same dates, and it is not operationally possible to grant all the requests, preference will be given based on the following:

- seniority of role/grade
- length of service
- parental/carer commitments

### **4. Compassionate and/or emergency leave**

Compassionate leave is at the overall discretion of the Staffing Sub-Committee. The council recognises that each individual's respective relationships are different, however in order to achieve consistency, in general paid compassionate leave will be granted in the following circumstances:

- the death of a close family member i.e. spouse, civil partner, child, sibling, parent (or equivalent in-laws) or grand-parent
- the diagnosis of, or final stages of care for, a serious (life threatening) illness affecting a close family relative (as defined above)
- the employee falling victim to a serious crime
- fire/flood/burglary at the employee's home
- road traffic collisions or other distressing accidents/incidents involving the employee or a close family member

The length of paid compassionate leave granted is at the discretion of the Staffing Sub-Committee, but is limited to a maximum of three days. Where a situation requires an extended period of leave beyond three days, other options should be discussed including use of TOIL, annual leave and/or a period of unpaid leave.



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Requests for compassionate leave for situations not included above will be considered on an individual basis.

Requests for emergency leave are at the discretion of the Staffing Sub-Committee. The council recognises that each individual's personal circumstances will dictate what may be deemed as an emergency, however in order to achieve consistency, in general paid emergency leave of one day in any 12 month period will be granted in the following circumstances:

- to provide assistance or make arrangements for the provision of care for a dependant who is ill or injured
- on the occasion of an unexpected disruption or termination of arrangements for the care of a dependant

Employees are expected to use the day's paid emergency leave to make any ongoing care arrangements for dependents. Any additional requests for leave should be considered as requests for annual leave, and assessed using the council's annual leave guidelines.

### **5. Time off in lieu (TOIL)**

Employee's individual weekly hours are detailed in their employment contracts.

The council recognises an employee's right to receive recompense for working beyond their contracted hours. Any paid overtime must be agreed in advance with the line manager and paid at the standard hourly rate.

### **6. Medical appointments**

Employees are expected to arrange medical appointments out of normal working hours wherever possible.

Where it is necessary to make an appointment during normal working hours, employees are encouraged to make the appointments at either the start or end of the day where possible to minimise disruption to the work of the council.

In-patient appointments or procedures taking the whole day will be treated as sick leave in accordance with the procedures outlined in this policy.

### **7. Maternity/paternity/adoption/parental leave**

The council recognises an employee's right to maternity/paternity/adoption/parental leave as set out in the relevant legislation.

### **8. Disability**

Absences relating to the disability of an employee will be kept separate from sickness absence records and managed in accordance with relevant legislation and the Disability Discrimination Act 1995.

If the employee has a condition that means they might be considered disabled within the meaning of the Equality Act 2010, the Council will attempt to make reasonable adjustments to their job to accommodate their requirements. The employee will be fully consulted at all times.



### **10. Privacy**

All information gathered through absence monitoring under this Policy will be held and treated as confidential.

Any abuse in the application of this policy will be dealt with in accordance with The Council's Disciplinary Policy and may possibly result in disciplinary action being taken, up to and including dismissal.

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This policy is cross-referenced to the following Balsall Parish Council's adopted policies and procedures:

- Terms and Conditions of Employment
- Health and Safety Policy
- Dignity at Work & Bullying and Harassment Policy
- Grievance and Disciplinary Procedure
- Equality Policy



### APPENDIX

#### 1. Statutory sick pay (SSP)

- If an employee is no longer eligible for the council's sick pay, they may still be eligible for Statutory Sick Pay (SSP).
- The council has a legal obligation to pay SSP to all employees who meet the regulations set out by the Government.
- SSP appears as a separate item on the pay slip and is subject to tax and National Insurance deductions.
- The SSP amount is set and amended from time to time by the Government, and is paid via the normal monthly salary.
- SSP is paid for full days of sickness absence and not part days, and is only payable for standard contractual working days.
- SSP is limited to 28 weeks in any one period of sickness absence from work. It is only payable if the employee is sick for 4 calendar days or more in a row. The first 3 qualifying days of any absence are known as the "waiting days" – therefore, the employee will receive no pay if they have exhausted their Organisation Sick Pay during the 3 waiting days.
- If an employee has 2 or more spells of sickness of at least 4 days in a row which were within 8 weeks of each other, the first day of sickness is the first day they were off work sick at the beginning of these spells of sickness. There will therefore be no need to have the 3 "waiting days". This is called the "linking period" for SSP purposes.
- Further information regarding SSP can be obtained from GOV.UK website:  
<https://www.gov.uk/statutory-sick-pay>.