Approved October 26

BATTISFORD PARISH COUNCIL SICKNESS ABSENCE POLICY

1. Purpose

The Council recognises that employees will occasionally be unable to attend work because of sickness or injury.

The purpose of this policy is to provide a fair, consistent and supportive framework for:

- reporting and recording sickness absence;
- supporting employees during periods of sickness;
- facilitating a safe and sustainable return to work;
- identifying and addressing persistent short-term absence;
- managing long-term sickness absence;
- considering reasonable adjustments where appropriate;
- ensuring that disability- and pregnancy-related absence is managed appropriately; and
- dealing fairly with situations where an employee may be unable to return to work.

The Council will seek to balance the needs of employees with the operational requirements of the Council.

This policy should be read alongside the Council's other relevant employment policies and procedures.

2. Scope

This policy applies to all Council employees unless specific contractual arrangements or another Council policy applies.

Where there is a conflict between this policy and an employee's contract, collective agreement or statutory entitlement, the applicable contractual, collective or statutory provision will take precedence.

3. Reporting sickness absence

If you are unable to attend work because of sickness or injury, you must:

- telephone your manager, the Chair of the Employment Panel or the Clerk, as appropriate, **before your contractual or normal start time on the first day of absence**;
- provide an indication of the reason for your absence and, where possible, how long you expect to be absent;

- if you are unable to make the call personally, ask someone else to notify the Council on your behalf where reasonably practicable; and
- maintain reasonable contact with the Council during your absence, in accordance with the arrangements agreed with your manager.

The Council recognises that there may be circumstances, including the nature or severity of an illness or disability, which make it difficult to comply with normal notification arrangements.

Any failure to follow the notification procedure will therefore be considered in the light of the individual circumstances.

Unless otherwise agreed with your manager, you should provide an update on your absence at the intervals reasonably requested by the Council.

4. Evidence of sickness absence

4.1 Absences of 7 calendar days or less

If you are absent for **7 calendar days or less**, including weekends and other non-working days, you should complete a self-certification form and provide it to the Council on your return to work or as otherwise reasonably requested.

4.2 Absences of more than 7 calendar days

If your absence lasts for more than 7 calendar days, you should provide a **fit note (Statement of Fitness for Work)** covering the period of absence.

Where a fit note states that you **may be fit for work**, the Council will discuss the recommendations with you and consider whether suitable support, adjustments, amended duties, altered hours or a phased return can reasonably be provided.

A fit note will not automatically determine the outcome of an absence-management process. The Council will consider the medical advice together with the circumstances of the employee's role.

Where a fit note expires and you remain unfit for work, you should provide further medical evidence where reasonably required.

5. Recording and monitoring sickness absence

All sickness and injury absence will be recorded on the employee's employment record and may be monitored periodically.

The Council will record and use sickness and health information in accordance with its dataprotection obligations and its employee privacy notice.

Information will be accessed only by people who need it for legitimate employment, management, health and safety or legal purposes and will be handled confidentially.

Where practical, the Council will distinguish between basic absence records and records containing details of an employee's medical condition.

6. Return-to-work meetings

Following sickness absence, the employee's manager may arrange an informal return-towork meeting.

This should normally take place on the employee's first day back, although it may take place later where this is not reasonably practicable.

The meeting should take place privately and discussions should be treated as confidential.

The purpose of the meeting is to:

- welcome the employee back to work;
- confirm that the employee is fit to return or discuss any continuing restrictions;
- understand, in a supportive and proportionate way, the reason for the absence;
- consider whether any support or adjustments are required;
- identify whether the absence may be related to a disability or pregnancy;
- confirm that the appropriate self-certification or fit note has been provided;
- discuss any relevant pattern of absence during the previous 52 weeks;
- discuss any impact on pay and any appropriate next steps; and
- agree any necessary handover or return-to-work arrangements.

The Council will not require employees to disclose more medical information than is reasonably necessary for managing the absence, supporting a return to work or meeting legal obligations.

7. Medical appointments

The Council recognises that employees will from time to time need to attend medical appointments.

Where reasonably practicable, appointments should be arranged outside working hours or at times that minimise disruption to the Council.

The Council will consider requests for reasonable time off for medical appointments.

Whether such time is paid or unpaid will depend on the circumstances, the nature of the appointment, any applicable statutory entitlement, the employee's contract and any reasonable adjustment that may be required.

Where an employee is disabled within the meaning of the Equality Act 2010, the Council will consider whether time off for medical appointments or treatment is a reasonable adjustment.

Pregnant employees will be given the statutory rights to paid time off for antenatal appointments.

8. Statutory Sick Pay

If an employee is absent from work because of sickness, they may be entitled to **Statutory Sick Pay (SSP)**.

For sickness absences to which the current SSP rules apply, SSP is payable from the **first full day of sickness absence** on which the employee would normally have worked, subject to the applicable statutory rules.

Eligible employees may qualify for SSP regardless of their level of earnings.

For the 2026/27 tax year, SSP is payable at the lower of:

- **£123.25 per week**; or
- **80% of the employee's average weekly earnings**.

SSP is payable for qualifying days for up to 28 weeks, subject to the applicable statutory rules.

The Council will administer SSP in accordance with legislation and HMRC guidance as amended from time to time.

Nothing in this policy limits an employee's statutory entitlement to SSP.

The statutory rate is subject to annual change and this policy should not be interpreted as guaranteeing a particular statutory rate beyond the period for which it applies. (GOV.UK)

9. Council's Sick Pay (Occupational Sick Pay)

Where applicable, the Council may provide contractual or occupational sick pay in accordance with the employee's contract and the Council's relevant sick-pay scheme.

The Council's occupational sick-pay entitlement is: outlined in the contract

Occupational sick pay will be calculated in accordance with the applicable scheme and will include any SSP to which the employee is entitled where the scheme provides for this.

Payment of occupational sick pay may be subject to reasonable compliance with the Council's sickness-absence notification and evidence procedures.

However, the Council will consider the circumstances of any failure to comply before deciding whether contractual sick pay should be withheld.

Occupational sick pay will not be withheld automatically merely because an employee has failed to comply with an administrative requirement where there is a reasonable explanation for the failure.

The Council may require an employee, where reasonably necessary and at the Council's expense, to attend an occupational-health assessment or medical examination in accordance with this policy and applicable law.

10. Circumstances affecting occupational sick pay

Where the occupational sick-pay scheme permits sick pay to be withheld or restricted, this may include circumstances such as:

- failure, without reasonable explanation, to comply with the Council's sicknessabsence notification or evidence requirements;
- unreasonable refusal to participate in a sickness-absence meeting;
- deliberate or dishonest misrepresentation concerning fitness for work or the reason for absence;
- absence resulting from another occupation or activity where this is relevant under the terms of the employee's contractual sick-pay scheme; or
- other circumstances expressly provided for under the applicable contractual sick-pay scheme.

The Council will consider each case on its facts and will act fairly and reasonably.

Occupational sick pay will not be withheld solely because an employee is disabled, pregnant or has a pregnancy-related illness.

11. Medical advice and occupational health

The Council may seek occupational-health advice or other appropriate medical advice where this would assist in managing sickness absence or supporting an employee.

This may include seeking advice about:

- the employee's fitness for work;
- the likely duration of absence;
- the likely date or circumstances of a return to work;
- whether the employee is likely to be able to resume normal duties;
- whether alternative or amended duties may be appropriate;
- whether there may be a disability for the purposes of the Equality Act 2010;
- reasonable adjustments;
- whether an absence may be related to a disability;
- whether an employee may be able to return through a phased return or other temporary arrangement;
- the likelihood of recurrence;
- whether further treatment or support may assist the employee; and
- whether there are alternative employment options that should be considered.

The Council will normally explain the purpose of an occupational-health referral and provide the employee with an opportunity to raise relevant questions or concerns.

The Council will only request medical information that is reasonably necessary for the purpose for which it is being obtained.

Where a medical report is requested from an employee's own doctor or another medical practitioner who is or has been responsible for the employee's clinical care, the Council will

comply with the requirements of the Access to Medical Reports Act 1988 where that Act applies.

The Council will pay the reasonable cost of an occupational-health assessment or medical report arranged by the Council.

Where legally applicable, the employee will be informed of their rights concerning access to a medical report before it is supplied to the Council.

If an employee declines a reasonable occupational-health referral or does not consent to the obtaining of medical information where consent is required, the Council may need to make decisions on the information available to it.

The Council will take the circumstances of any refusal into account and will not assume that the employee's condition is less serious because medical information is unavailable.

12. Persistent short-term absence

Persistent short-term absence means frequent periods of absence, generally of relatively short duration.

The Council recognises that employees will occasionally be absent through sickness and that sickness absence does not, in itself, indicate misconduct or poor performance.

Where absence is frequent or persistent, the Council may arrange an absence-review meeting to understand the reasons for the absence, consider support and determine whether further action is appropriate.

Any absence-review or trigger system will be used as a **review mechanism and not as an automatic disciplinary or dismissal threshold**.

Before deciding whether formal action is appropriate, the Council will consider:

- the reasons for the individual absences;
- whether any absence is related to a disability;
- whether pregnancy or pregnancy-related sickness is involved;
- whether any absence relates to medical treatment or appointments;
- whether the employee has raised any work-related health issue;
- whether reasonable adjustments should be considered;
- whether occupational-health or other medical advice would assist;
- whether the employee has complied with notification requirements and, if not, whether there is a reasonable explanation;
- the impact of the absence on the Council and colleagues; and
- any other relevant individual circumstances.

Where formal action is considered appropriate, the Council will follow the relevant capability or disciplinary procedure, as appropriate to the circumstances.

An employee will receive reasonable notice of any formal meeting and will be informed of the possible consequences.

Where the relevant procedure provides for a right to be accompanied, the employee may be accompanied by a work colleague or trade union representative.

Where a formal warning or dismissal is issued, the employee will have the right of appeal in accordance with the relevant procedure.

ACAS recommends that absence-review points are treated as an opportunity to discuss wellbeing, causes of absence and support, rather than as a punitive system, and specifically identifies disability- and pregnancy-related absence as circumstances requiring particular consideration. (Acas)

13. Disability-related absence

The Council recognises its duties under the Equality Act 2010.

Where an employee has a disability, or the Council knows or could reasonably be expected to know that an employee may have a disability, the Council will consider whether reasonable adjustments are required.

Reasonable adjustments may include, where appropriate:

- adjusting absence-review or trigger points;
- discounting some or all disability-related absence from trigger calculations;
- recording disability-related absence separately;
- allowing additional time for recovery or treatment;
- allowing time off for medical appointments or treatment;
- altering working hours;
- temporary or permanent changes to duties;
- a phased return;
- home or hybrid working where appropriate;
- workplace adaptations or equipment;
- additional support or supervision; or
- consideration of suitable alternative employment.

The Council will discuss potential adjustments with the employee and may seek occupational-health advice where appropriate.

Adjustments will be considered on an individual basis.

Where absence is disability-related, the Council will consider whether the normal absencereview arrangements should be adjusted before progressing to formal action.

14. Pregnancy-related absence

Pregnancy-related sickness absence will be recorded separately from ordinary sickness absence.

Pregnancy-related sickness absence will not be counted towards ordinary sickness absence review or trigger points.

The Council will consider appropriate support for employees experiencing pregnancy-related health difficulties and will comply with applicable maternity, health and safety and equality legislation.

The Council will not subject an employee to a disadvantage because of pregnancy-related sickness absence.

15. Mental health

The Council recognises that mental-health conditions may cause sickness absence and may, depending on the circumstances, amount to a disability under the Equality Act 2010.

Managers should approach mental-health-related absence sensitively and should consider whether workplace factors, reasonable adjustments, occupational-health advice or other support may assist the employee.

Employees should not be required to disclose unnecessary or highly detailed medical information.

16. Long-term absence

For the purposes of absence management, long-term absence will normally mean an absence which lasts, or is expected to last, more than four weeks.

The Council will maintain reasonable contact with employees during long-term absence.

The frequency and method of contact will be agreed with the employee and will take account of their health and circumstances.

Long-term absence management may include:

- discussions at the start of the absence and periodically thereafter;
- obtaining appropriate medical or occupational-health advice;
- discussing the likely prognosis and potential return-to-work arrangements;
- considering a phased return;
- considering reasonable adjustments;
- considering alternative duties or working arrangements;
- considering suitable alternative employment;
- discussing the employee's views and preferences;
- reviewing the effect of the absence on the Council and the employee's role; and

- discussing any applicable pension or other benefits.

Where the employee's return to work is uncertain, the Council will continue to review the position fairly and reasonably.

The Council will not dismiss an employee merely because they have been absent for a particular length of time.

17. Potential termination on grounds of ill health

Where medical evidence indicates that an employee may be unable to return to work within a reasonable period, or may be unable to perform the essential requirements of their role even with reasonable adjustments, the Council may need to consider whether employment can continue.

Before making any decision, the Council will:

- review the employee's absence record;
- obtain up-to-date medical or occupational-health advice where appropriate;
- consult with the employee;
- consider the employee's views and any relevant information they provide;
- consider whether reasonable adjustments could enable the employee to return or remain in work;
- consider whether a phased or alternative return is possible;
- consider suitable alternative employment where appropriate;
- consider whether any applicable pension or ill-health retirement arrangements may be relevant;
- consider the operational impact of continued absence;
- consider all relevant individual circumstances; and
- follow the applicable capability or other formal procedure.

If dismissal is being considered, the employee will be informed in writing, given a reasonable opportunity to respond and, where applicable, offered the right to be accompanied.

Any decision to dismiss will be made only after the Council has considered whether there is a fair and reasonable basis for doing so and whether alternatives have been exhausted or are not reasonably available.

An employee dismissed on grounds of ill health will have a right of appeal in accordance with the relevant procedure.

18. Conduct issues and failure to follow absence procedures

Where there is evidence that an absence is not genuine, or where an employee deliberately or repeatedly fails to follow reasonable absence-reporting requirements without a

satisfactory explanation, the matter may be considered under the Council's disciplinary procedure.

However, failure to follow the normal reporting procedure will not automatically be treated as misconduct.

The Council will consider whether the failure may itself have resulted from illness, disability, an emergency or other relevant circumstances before deciding what action, if any, is appropriate.

19. Data protection and confidentiality

The Council recognises that information concerning an employee's physical or mental health is personal data and, in many circumstances, special-category personal data.

The Council will process health information in accordance with applicable UK data-protection legislation, including the UK GDPR and Data Protection Act 2018.

The Council will:

- only collect information that is reasonably necessary;
- use information only for appropriate and lawful purposes;
- maintain appropriate confidentiality and access controls;
- only share information with those who have a legitimate need to receive it;
- retain information in accordance with the Council's retention arrangements; and
- provide employees with information about the processing of their personal data through the Council's employee privacy notice.

The Council will identify and document an appropriate lawful basis and special-category condition for processing health information where required.

Further information is contained in the Council's data-protection and employee privacy policies.

Health information relating to sickness and injury is special-category data under the UK GDPR and requires an appropriate lawful basis and special-category condition. The ICO also advises employers to limit access and use information only where necessary and proportionate. (ICO)

20. Right to be accompanied

Where a formal meeting is held under the relevant capability or disciplinary procedure and the applicable procedure provides for accompaniment, the employee may be accompanied by a work colleague.

The employee will be informed of any applicable right to be accompanied when notified of the meeting.

21. Appeals

Where a formal warning or dismissal is issued under the relevant procedure, the employee will have the right to appeal in accordance with the applicable Council procedure.

The appeal procedure will be explained in the written decision.

22. Policy review

This is a **non-contractual policy and procedure**.

The Council may amend, withdraw or replace this policy from time to time to reflect changes in legislation, case law, government guidance, organisational requirements or good practice.

The Council will consult recognised employee representatives where required or appropriate.

Manager's key principles

At every stage managers should:

1. **Focus on the employee's wellbeing as well as attendance.**
2. **Consider whether an absence may be disability-related.**
3. **Consider reasonable adjustments before progressing formal action.**
4. **Treat pregnancy-related sickness separately from ordinary sickness absence.**
5. **Consider mental-health issues sensitively.**
6. **Use absence triggers as review points, not automatic dismissal thresholds.**
7. **Obtain occupational-health advice where it would assist decision-making.**
8. **Keep medical information confidential and only share it where necessary.**
9. **Give the employee a reasonable opportunity to explain their circumstances.**
10. **Follow the relevant formal procedure before issuing a warning or considering dismissal.**
11. **Consider alternative duties, redeployment and other options before dismissal for ill health.**
12. **Keep appropriate records of meetings, decisions, adjustments and agreed actions.**

24. Quick reference for employees

If you are sick

Day 1: Contact your manager before your normal start time.

Days 1–7: Keep your manager updated as agreed. Self-certify the absence.

After 7 days: Provide a fit note.

When returning: Attend a return-to-work meeting if requested.

If your condition is ongoing: Keep in reasonable contact and participate in discussions about support and your return to work.

If you have a disability: Tell your manager or HR if you wish to discuss reasonable adjustments.

If your absence is pregnancy-related: Tell your manager or HR where appropriate so that the Council can ensure the absence is treated correctly.

If you are asked to attend occupational health: The Council will explain the purpose of the referral and how the information will be used.

Approved October 26

Review October 27