

Best Practice Local Authority Sickness Absence Policies - Trigger Points & Stages

<u>Short-Term Absence</u>		<u>Long-Term Absence</u>	
Definition	Northampton Absences that are intermittent and sporadic and are usually unconnected and normally last for a period of less than four weeks	Croydon Applies to short term sickness absences or health concerns	York Defined as any absence lasting no more than 4 weeks Task Group prefer definition in use by Northampton
Definition	Northampton A continuous absence of 4 weeks or more.	Croydon A continuous absence of 4 weeks or more.	York Absence which lasts more than 4 weeks, is continuous and can usually be traced to an underlying medical condition.
Informal Procedure			
Absence Meeting Trigger Points	An employee is required to attend an Absence Meeting with their LM when their level of absence meets any of the trigger points below: > 10 days absence within a rolling 12 month period (either single, or multiple absences self-certified or certified), or > 3 periods of absence within a 6 month rolling period (either self-certified or certified), or > Any unusual pattern of absence i.e. Friday, Mondays, day after a bank holiday	An employee is required to attend an Absence Meeting with their LM when their level of absence meets any of the trigger points below: > 7 days absence in the previous 12 months, or > 5 occasions of sickness absence in the previous 12 months These should be adjusted for part time staff and for those with a flexible work pattern	A review of an employees attendance at work will be triggered by the LM informally in the first instances, taking into account all the circumstances, when their level of absence meets any of the trigger points below: > 3 periods of absence in a rolling 3 month period, or > 4 or more periods of absence in a rolling 6 month period, or >10 or more days in a 12 month period, or or > a trend or an unacceptable pattern of absence e.g. Regular Mon/Fri
Informal	Purpose of the meeting to:	Croydon Council do not hold 'informal'	Purpose of meeting to:

Absence Meeting	<ul style="list-style-type: none"> > discuss employees attendance record and reasons for absence > seek to identify any underlying causes for the absence > consider whether to offer any independent advice, or additional support > consider whether any reasonable adjustments are appropriate > consider whether OH advice should be sought > reiterate the standards of attendance expected of all employees > put together an agreed action plan and targets if appropriate, for improved attendance
	<p>In the case of a long term absence, consideration should also be given to the extent of the employee's illness, the treatment they are receiving and the</p>

absence meetings as a first stage in their process

<ul style="list-style-type: none"> > Offer advice, guidance and support in order to reduce the absence level > consider changes to working practices > identify if additional support in the workplace is needed e.g. training or workplace adjustments > consider use of flexible working or other similar policies > Set specific targets and clarify attendance will be monitored over the next 6 months > reaffirm the standards of attendance expected and to be achieved > Issue where appropriate, an informal warning, indicating formal procedure will be implemented if the necessary improvements in attendance are not achieved. 	<p>Persistent short term absence could lead to the formal process being invoked</p>
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Formal Procedure

Formal Absence Review	<p>If there is insufficient improvement in attendance or where the attendance has improved for a period of time but has not been maintained, a formal Absence Review Meeting will be conducted.</p>
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A formal meeting will be arranged with an employee whose absence has reached a trigger point or whose pattern of absence or health is a concern although none of the trigger points have been reached, or following a long term absence.

If the employee's absence record does not improve to a satisfactory level during an 'informal' review period, a formal first stage review meeting will be arranged

Conducted by...	Conducted by the Senior Manager of the department with advice from HR.	Conducted by Manager	Chaired by LM
Notice Given...	Employee will be given a minimum 5 day's notice in writing of any formal absence review meeting, be advised of the reason for the meeting and of their right to be accompanied by a representative.	Employee will be given at least 7 working days written notice of any meetings they are required to attend. The outcomes of all formal meetings will be confirmed in writing.	Employee will be given no less than 5 working days notice in writing of the meeting, and the key contents and outcomes should be confirmed in writing within 5 working days of the meeting.
Purpose of Meeting...	<p>Purpose of meeting to reaffirm the issues discussed at previous meetings and</p> <ul style="list-style-type: none"> > up-to-date medical advice > the likelihood of improved attendance as advised by OH, where appropriate <p>> Actions taken by the employee and LM to enable the employee to continue in employment</p> <p>> The employee's overall absence record for the 12 month period</p>	<p>Purpose of meeting is to:</p> <ul style="list-style-type: none"> > set a review period of 3 months, during which time the attendance or effect of ill > set a target for improvement of no uncertified absence in the next 3 month review period. If any absence occurs during that period a medical certificate will be required & manager will consider the reasons, duration, frequency and pattern of absence before taking further action. > Formally caution the employee that a meeting under the Final Formal stage will be arranged if during or at the end of the review period, the required improvement was not made to the manager's satisfaction (which could lead <p>Once OH advice is received, a Formal meeting will be arranged. Action may include:</p> <ul style="list-style-type: none"> > establishing a time-limited sickness rehabilitation programme accompanied by a formal caution that if the required 	<p>Purpose of meeting to encourage open discussion between LM and Employee on reasons for absences causing concern, to enquire into the health and wellbeing of the employee, to identify work related factors causing absences and to take action on those inc. risk assessments, to offer advice and support, to reaffirm standards of attendance and clarify attendance will be monitored.</p>
In the case of long term sickness absence...	<p>If the absence continues a Formal Absence Review Meeting will be conducted. The likely outcomes of this meeting are:</p> <ul style="list-style-type: none"> > no further action, or > a further referral to OH and a 	<p>Following options will be considered:</p> <ul style="list-style-type: none"> > Rehabilitation > Phased return to work > Permanent reduction in hours > Return to different or less onerous duties for a set period of time 	

	<p>reconvened date to review the</p> <ul style="list-style-type: none"> > a further Absence Review Meeting within a specified period, or > where no return is expected within a reasonable period the case may be referred to a Final Absence Review Meeting, and/or > a formal warning may be issued and held on the employee's personnel file for 12 months (employee has right to 	<p>improvement is not made, a meeting under the Final Stage will be arranged, or</p> <ul style="list-style-type: none"> > referral to Final Stage where the matter is sufficiently serious and the employee is unable to return to work within a reasonable timeframe, taking into account service needs 	<ul style="list-style-type: none"> > Adjustments to the job > Provisions of adaptations/aids > Additional Support > Alternative employment > A further review period > Termination of employment > Ill-health retirement due to permanent incapacity
	<p>The employee will also be asked to provide further information or any change in circumstances since the last meeting was held. The Senior Manager will also need to consider the impact of the absence/s on service provision.</p> <p>The employee should be told that failure to improve their absence during any review period could result in the termination of their employment.</p>		<p>A review period will be set, & the employee warned that if the options agreed do not result in a successful return to work and their sustained attendance, further actions will be taken. However if progress is satisfactory and employee returns to work, no further action will be taken.</p>
Likely Outcomes...	<ul style="list-style-type: none"> > No further action > a further review period with targets if appropriate, and a timescale for improved attendance is set. The 	<p>N/A</p>	<p>If the agreed actions have not resulted in a return to work in the agreed timescale, a second review meeting should be convened.</p> <ul style="list-style-type: none"> a) decide what further action is needed such as setting targets for improvements during next 12 months and, b) to set an action plan to achieve

	<p>employee should be told that failure to improve their absence during any review > a formal warning is issued - to be kept on the employees personnel file for 12 months.</p>		<p>improvement in attendance and set review Under normal circumstances an employee will also be issued with a formal warning. However, if exceptional circumstances are identified it will be at the manager's discretion, in consultation with HR, not to issue a formal warning</p>
<p>End of Review Period...</p>	<p>No mention</p>	<p>If satisfactory improvement has been made in level of sickness absence, the employee will be advised in writing and reminded of the need to sustain the improvement.</p>	<p>Where it becomes evident that an employee has met the targets set during the review period, employee will be advised in writing but will continue to be monitored.</p>
		<p>if during the 12 months following a successful review period, the employee's absence reaches one of the trigger points, or further health concerns arise, they will be automatically referred to the Final Formal Stage.</p>	<p>Where an employee has not demonstrated sufficient and/or sustained improvement, LM should move onto next step of the procedure.</p>
<p>Second Stage Review</p>	<p>N/A</p>	<p>N/A</p>	<p>If the agreed actions have not resulted in a return to work in the agreed timescale, a second review meeting should be convened.</p>
<p>Conducted By... Purpose of Meeting...</p>	<p>N/A</p>	<p>N/A</p>	<p>Service Head, LM & HR Rep To explore again the reasons for the continued poor attendance and why the employee has been unable to show a significant and/or sustained improvement.</p>

Potential Outcomes...

N/A

N/A

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If there is still some prospect of the employee returning to work, options for support and adjustments will again be explored.
Alternatively, if it is now evident that the employee will not return to work or respond to the adjustments and support already offered, and ill health retirement is not possible, then the employee will be advised that they will be referred for a dismissal hearing.

In addition:

- > an immediate and significant improvement in attendance is required, which has to be sustained
 - > an action plan and review dates will be set as appropriate - this may include a further referral to OH
 - > the absence record will continue to be monitored
- A formal (final) warning lasting 2 years will be also issued that if the required improvement does not take place, the employee will be referred to the Head of Service with a view to termination of employment. Where an employee has a history of persistent absence, the 'final' warning may be required to last upto 4 years.

	N/A	N/A	<p>If at this stage however, exceptional circumstances are identified, it will be at the manager's discretion, in consultation with HR, to extend the review period of the first stage warning rather than proceed to a further (final) warning.</p> <p>Key contents and outcomes from second stage formal review meeting will be confirmed in writing within 5 working days of the meeting.</p>
<p>Final Absence Review In the case of persistent short term absences...</p>	<p>If the absence does not improve during the period of formal warning, a referral to OH will be sought and a Final Absence Review meeting arranged.</p> <p>Where there is no immediate return to work, a further review should be carried out no later than 3 months after the Absence Meeting</p>	<p>A final stage meeting will be arranged if:</p> <ul style="list-style-type: none"> > the targets or timescales set during the First Formal Stage have not been met to the manager's satisfaction, or > the initial improvement made at the end of the First Formal Stage has not been sustained over the following 12 months > medical advice suggests that the employee will not within a reasonable 	

<p>In the case of a long term absence...</p>	<p>Where OH advise that the employee will not be able to perform the duties of their substantive post in the future, even with reasonable adjustments, management needs to consider the options available and discuss this with the employee, including:</p> <ul style="list-style-type: none"> > any further reasonable adjustments that could be made to the employee's current post to assist a return to work > redeployment to a suitable alternative post > eligibility for Ill Health Retirement subject to OH recommendations <p>Once all options and the factors above have been considered, a Final Absence Review meeting will be convened.</p>	
<p>Conducted By...</p>	<p>Conducted by a Head of Service with guidance from HR</p>	<p>Conducted by a panel of at least 2 officers including a HR rep. Meeting will be chaired by the Director or designated Senior Officer</p>
<p>Purpose of the Meeting...</p>	<p>To consider whether there is any further action the Council can take to assist the employee in continuing their employment, or whether employment</p>	<ul style="list-style-type: none"> > confirm the facts of the case, the action taken to date, any developments since > ensure proper consideration is given to the factors

	<p>should be terminated due to the employee's incapability to undertake their duties effectively due to their absence record.</p>	<p>> consider any representations made by or on behalf of the employee and any statement of intent they wish to make regarding their future attendance</p>	
Likely Outcome...	<p>A decision is reached whether:</p> <ul style="list-style-type: none"> > further actions are possible to enable the employee to continue in employment, or > the employee's employment is terminated due to their incapability to undertake their duties effectively 	<p>Notice of dismissal is issued. In exceptional circumstances such as new information becoming available, the panel may set a final review period of 3 months (during which the employee's attendance will be monitored on a monthly basis) and a final caution will be issued. If the required improvement is not met, the panel will reconvene to</p>	
Dismissal	<p>Where all options have been explored without success:</p> <ul style="list-style-type: none"> > In the case of short term absence, the employee will be dismissed with immediate effect on the grounds of Ill Health Capability, or > In the case of long term absence, retirement on the grounds of Ill health or termination of employment on the 	<p>Where the panel consider the level of absence is unacceptable, that sufficient opportunity to improve has been provided and adequate warnings of the consequences given, the employee shall be given notice of dismissal. In the case of long-term absence the panel will also consider, timescales within which the employee may be able</p>	<p>If there continues to be no improvement during the further review period a further meeting should be arranged. Employee will be given a min 14 calendar days notice in writing of a Dismissal meeting. To be conducted by LM's Chief Officer, and a HR advisor must be present.</p>

	<p>grounds of Ill Health Capability.</p>	<p>to return to work, the impact of the continuing absence on the organisation and what alternatives to dismissal may be appropriate under the circumstances.</p>	<p>The employee will be dismissed if the Chief Officer is satisfied that the employee is unable to maintain an acceptable attendance level and all reasonable measures have been taken to assist the employee. However, if the circumstances are such that a dismissal is not an appropriate sanction the Chief Officer may issue a further 'final warning' instead advising that dismissal may arise if there is not a sustained improvement for a further 2 years.</p>
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Best Practice Local Authority Sickness Absence Policies - Key Points

	<u>Northampton</u>	<u>Croydon</u>	<u>York</u>
Introduction	Contains Key principles and information on who the policy applies to	Contains similar key principles to Northampton, and information on who the policy applies to and the responsibilities of Employees and Management	Includes purpose, objectives and the responsibilities of Directors and Service Managers, LMs, HR, Payroll and Employees.
Notification of absence	Within 1 hr of normal start time on 1st day of absence to either Nurse led Absence Service (NLAS) or Line Manager (LM)	As near to usual start time as possible but no later than one hour after to LM or if unavailable to senior manager - details not to be left with colleagues.	Personally notify Supervisor or LM asap, preferably by normal start time but no later than 1 hr after this, giving reason, possible date of return, and info on work that needs covering
	If unwell at work and need to leave, must inform both LM and NLAS	No mention	If unwell at work and need to leave, must inform both LM and NLAS
	For absence longer than 1 day, employee must contact NLAS on 2nd, 4th & 8th day, & as advised thereafter.	If absence is longer than 1 day, employee must contact LM on 4th and 8th calendar day, and every working week thereafter (or as agreed with LM) to report on health and indicate when they expect to return to work.	For absences longer than a day, employee must contact LM or Supervisor on 4th day giving possible date of return. Contact must continue to be made in person on a regular basis. Absence of 7 calendar days or less inc. w/ends require a self-certification form - to be completed on 1st day of return and signed by both employee and LM.
	Must inform NLAS of date when they know they will definitely return to work or on day of return, to close absence	No mention	As soon as the employee knows a definite return date, they must inform LM giving 1 days notice if poss, so that temp cover arrangements can be ended.

Industrial Injury	Absences resulting from a reported industrial injury are still recorded and employees need to notify their absence. These are not included for the purpose of calculating trigger points.	Absences due to a recognised industrial injury whilst working for the Council to be managed in the same way as other absences.	To be managed in the same way as other absences. LM must follow laid-down Industrial Injury procedures. for reporting and investigating such occurrences inc. referral to H&S and/or OH. Payroll should also be informed so that OSP is implemented correctly.
Maternity Absence	Pregnancy related absences are still recorded. Employees need to notify their absence, inc time off for antenatal care. Pregnancy related absences are not included for the purpose of calculating trigger points	Pregnancy related absences to be managed in the same way as other absences.	Needs referring to - needs cross referencing to appropriate procedures
Sick Whilst on Annual Leave	No mention	No mention	Employees who become sick whilst on annual leave will be regarded as being on sick leave from the date of any medical cert or equivalent provided. Employees should notify LM as normal, where possible
Disability Related Absences	Disability related absences of disabled employees inc time off for disability related specialist treatment are still recorded and employees need to notify their absence. These are not included for the purpose of calculating trigger points.	Due consideration should be given to the Council's responsibilities under the Equalities Act	Some level of absence form work may be considered a reasonable adjustment under the Disability Discrimination law for a disabled employee.

	<p>Where all reasonable adjustments have been made to accommodate an employee's disability, in liaison with GPs and HR, but the absence is still cause for concern, it may be appropriate to use the absence management procedure.</p>	<p>Need to consider reasonable adjustments</p>	<p>Other reasonable adjustments to improve an employee's attendance may include adaptations of equipment, retraining, adjustments to working hours/duties /place of work, discounting of disability related absence,</p>
<p>Long Term Absence - Important Actions</p>	<p>> Maintaining Contact > Referral to Occupational Health - where a medical condition is clearly established, with a predictable and defined period of time off work, a medical referral may not be necessary. However, in some</p>	<p>Referral to OH and advice from HR.</p>	<p>>LM will keep in regular contact either by telephone, letter or face to face. LM to > Referral to OH unless it is clear that the employee will return to normal employment in the not to distant future.</p>
<p>Fit Notes</p>	<p>Contains brief para on Fit Note replacing GP sick note If absence continues for more than 7 calendar days, employee must provide a Fit Note</p>	<p>No mention On 8th day, employee must provide a fit Note N/A</p>	<p>No mention If absence continues for more than 7 calendar days, employee must provide a Fit Note to LM N/A</p>
	<p>If Fit Note is issued, employee must inform NLAS so records can be updated and advice given If absence continues for longer, employee must continue to provide medical certs to cover absence. These must be consecutive and cover all days inc. w/ends. Failure to do so, will effect employees entitlement to SSP</p>	<p>No mention</p>	<p>If absence continues for longer, employee must continue to provide consecutive medical certs to cover absence</p>

	<p>Any period not covered by a self-cert or Fit Note, will not be paid and will be considered unauthorised leave - a reasonable time will be given to obtain a retrospective Fit Note</p> <p>An employee cannot return to work prior to the expiry of a Fit Note</p>	<p>No mention</p> <p>No mention</p>	<p>Unauthorised absence should be dealt with under the Disciplinary Procedure</p> <p>No mention</p>
<p>Costs Incurred for Fit Note</p>	<p>Any costs incurred in obtaining a Fit Note requested by Council will be reimbursed on production of a receipt</p>	<p>Reasonable costs incurred by the employee will be reimbursed.</p>	
<p>Sick Pay</p>	<p>Council policy to pay employees full or part salary for defined periods of time during periods of sickness absence - this is conditional upon the employee following the absence reporting procedure, attending a return to work interview and producing a medical certificate where appropriate</p>	<p>No mention</p>	<p>Where an employee is absent sick but repeatedly fails to follow the reporting of absence, consideration should be given to suspending sick pay and disciplinary action being taken. Council policy to pay employees full or part salary for defined periods of time during periods of sickness absence - this is conditional upon the employee following the absence reporting procedure, attending a return to work interview and producing a medical certificate where appropriate. Sick pay will also be stopped if employee fails to visit OH when referred.</p>
<p>Maintaining Contact</p>	<p>More than 4 continuous weeks - shared responsibility for Council, NLAS and employee to maintain contact at agreed intervals to help and support employee</p>	<p>No mention</p>	<p>Beyond 3rd day, contact must continue to be made in person on a regular basis.</p>

	<p>If employee does not make contact during absence and absence is unexplained, LM will take all reasonable steps to contact employee (tel, letter, home visit), in order to:</p>		<p>if employee fails to follow adopted reporting of absence procedure, following actions should be implemented: If employee does not make contact during absence and absence is unexplained, LM will take all reasonable steps to contact employee (tel, letter, home visit), in order to:</p> <ul style="list-style-type: none"> > employee contacted and identify reason sought why they have not followed procedure > employee should be reminded remind them of their obligation to follow procedure as a condition of the entitlement to sick pay
<p>Home Visits</p>	<p>LM will plan to visit employees to discuss wellbeing and anticipated return to work. Where an employee feels their LM would not be appropriate, an employee can request a different Manager attend with a rep from HR. The employee can also request a suitable venue and ask for a trade union rep to be present.</p>	<p>In recognising Council's duty to care to employees, managers are expected to address concerns as soon as they arise. Informal reviews including home visits and referrals to OH may therefore take place before trigger points are reached.</p>	<p>During long term absence, manager will arrange a home visit. If the employee does not wish to have a home visit, the manager will arrange a meeting at another mutually agreed place. Employee will also be given info on support available in the Council.</p>

<p>Referral to Occupational Health</p>	<p>If GP has recommended restrictions to duties the NLAS will advise Line Manager of necessary adjustments - could lead to a referral to OH to ensure app adjustments are made in workplace</p>	<p>Referral to OH at first formal stage if not already done so</p>	<p>Persistent short term absence could lead to a formal warning process and ultimately dismissal. During this process employees can expect to be referred to OH for assessment. In the case of long term absence, employee will be referred to OH to explore various options available. This may be done after 1 month's absence and will certainly be done after 3 months. Employees will be informed why the referral is being made and the process involved.</p>
<p>Return to Work</p>	<p>NLAS will notify LM of when the employee is to return to work</p>	<p>Required to fill out a return to work form for each period of sickness. Failure to do so may result in loss of pay.</p>	<p>In certain circumstance a doctor will advise an employee that they may be fit for work earlier than would normally be</p>
<p>Return to Work cont...</p>	<p>All Managers must carry out a routine return to work interview each time an employee has a period of absence on the 1st day of return - LM may nominate an appropriate Manager to do this on their behalf.</p>	<p>LMs should contact employees asap following return to work. This may take the form of an informal discussion or a more structured meeting depending on circumstances, and LM should ensure form has been completed.</p>	<p>Managers will carry out a return to work interview & update employees on work developments where appropriate</p>

<p>Purpose of interview to establish reason for absence, to check the employee is fit to return, and what if anything can be done to support the employee</p>	<p>No mention</p>	<p>Purpose of interview to allow LM to welcome back and express concern for employees wellbeing, explore and confirm reasons for absence especially where triggers for action have been met, and ensure they are properly recorded. Purpose of interview to establish reason for absence, to check the employee is fit to return, and what if anything can be done to support the employee.</p>
<p>If LM thinks employee is unfit to return for any reason, the employee can be medically suspended and/or referred to OH for a medical assessment - LM should seek advice from HR</p>	<p>No mention</p>	<p>If LM thinks employee is unfit to return for any reason, the employee can be medically suspended and/or referred to OH for a medical assessment - LM should seek advice from HR. If OH feel an employee is permanently unfit to carry out their duties the employee may be redeployed to other work. HR will help facilitate this. Alternatively, or in the event that no alternative employment is available, employees in the pension scheme may apply for ill health retirement.</p>
<p>Employee is entitled to remain on full pay whilst on Medical Suspension. Council may request details from OH on specific condition of employee</p>	<p>No mention Managers should seriously consider any medical advice given before making decisions. Whilst action is taken in light of medical advice, the decisions</p>	<p>No mention Decisions about an employees sickness absence are managerial not medical, even where an OH report has been obtained.</p>
<p>Medical Advice/ Evidence</p>		

<p>Purpose of referral to establish employee's health & how Council can support employee & make appropriate decisions re their employment</p>	<p>themselves are management responsibilities, not medical ones.</p>	<p>Purpose of report is to establish the true medical position so that an informed and fair decision can be made.</p>
<p>Employee will be asked for their permission to contact GP/ Consultant via Medical Consent Form. They will be informed of the reasons why info is being sought and can request to see a copy or referral docs</p>	<p>No mention</p>	<p>employee will be asked to sign a consent form allowing OH to contact their GP.</p>
<p>Content of report will be discussed with employee before any further action is taken</p>	<p>No mention</p>	<p>If OH report indicates there is an underlying medical problem, a formal first stage review meeting should be convened by LM</p>
<p>If an employee refuses to co-operate in the obtaining of medical evidence or undergo a medical assessment, Management will make decisions based on the info available at the time.</p>	<p>No mention</p>	<p>Employee is responsible for attending agreed appointments - if they cannot attend because of health, alternative arrangements will be made</p>
<p>Employee is responsible for attending agreed appointments - if they cannot attend because of health, alternative arrangements will be made</p>	<p>No mention</p>	<p>Employee is responsible for attending agreed appointments - if they cannot attend because of health, alternative arrangements will be made</p>
<p>Council has the right to recover overpaid OSP and will try to seek agreement with the employee on the amount and method of payment from each salary or wage payment (not exceeding 10% of normal gross pay) until full recovery of overpayment.</p>	<p>No mention</p>	<p>No mention</p>
<p>Recovering OSP</p>		

	Where an employee claims loss of earnings for a private insurance or medical company for any period of absence from work, the Council reserves the right to make a third party claim or seek repayment of OSP if an employee receives any income exc. compensation payments made.	No mention	No mention
Invoking Disciplinary Procedure	If an employee refuses to speak to NLAS or LM re their absence and without justifiable reason, it may be dealt with under the Council's Disciplinary Procedure.	No mention	Persistent refusal to visit OH may lead to disciplinary action.
	Where it is suspected that an employee has misled the Council and has not been absent due to sickness, the matter will be dealt with under the Council's Disciplinary Procedure.	No mention	Where it is suspected that an employee has misled the Council and has not been absent due to sickness, the matter will be dealt with under the Council's Disciplinary Procedure.
Return to Work Programme	To reassure the employee on their return to work that their return has been carefully thought through.	At formal Meeting stage a time-limited sickness rehabilitation programme to support return may be established.	
	This should include advice from OH and consideration of a phase return to work, to include the following: <ul style="list-style-type: none"> > shorter hours > flexible working > training new equipment/processes > new developments in the Council 	If a return to work or normal duties is achieved within the time specified, the employee will be advised in writing and reminded of the need to sustain the improvement.	

	<p>> how they wish to handle the subject of their absence with work colleagues</p> <p>> lighter duties for a defined period of time</p>		
Risk Assessment / Work-place Assessment	<p>Council has a duty of care to conduct a risk assessment / work-place assessment on the first day of the employee's return to work, to ensure the safety of the work environment</p>	<p>No mention</p>	<p>Employee may return to work earlier than date given on Fit Note if both employee and LM agree. In those circumstances it may will be necessary to undertake a risk assessment</p>
Representation	<p>Employee has the right to be accompanied by a rep of a trade union or a work colleague. The employee is responsible for making the necessary arrangement with their rep. If they are unable to be represented on the date of the meeting an alternative date will be organised.</p>	<p>Employees have a right to be represented by a trade union official or fellow worker at all formal meetings of the procedure. It is the responsibility of the employee to arrange for her/his representation. Legal representation is not allowed.</p>	<p>Employees are entitled to be accompanied by a trade union official or fellow worker at all formal stages of the procedure. Trade union reps are encouraged to contact their local branch for assistance and guidance. Question: Does it have to be an employee - could it be a parent etc??</p>
Right to Appeal	<p>This should be in writing and set out the reasons for the appeal, and needs to be done within 10 days of receipt of the letter confirming the outcome of any formal stage of the process.</p>	<p>Appeals must be submitted in writing within 10 working days from the date of receiving written confirmation of outcome and must specify grounds for appeal.</p>	<p>Appeals must be submitted in writing to the manager who made the decision, within 14 10 working days from the date of receiving written confirmation of the outcome of any formal stage and must specify grounds for appeal.</p>

	No mention	<p>Employees may appeal against a decision to: set targets or timescales for improvement, or give a formal caution, or terminate employment.</p> <p>Employee may appeal on the following grounds:</p> <ul style="list-style-type: none"> a) the proper procedure was not followed - appeal panel will consider b) considering the info provided the decision reached was unreasonable c) new evidence has become available 	Employee has the right of appeal against any formal review warning or dismissal against them under both the short or long term sickness absence procedures
Purpose of Appeal...	No mention	<p>Before reaching a decision, the panel will:</p> <ul style="list-style-type: none"> > confirm the facts of the case, the action taken to date, any developments since the last meeting and latest medical > consider any representations made by or on behalf of the employee and any statement of intent they wish to make regarding their future attendance > ensure proper consideration is given to the factors <p>Short of dismissal, appeals will be arranged and heard by a Senior Manager within the department, who has no previous involvement in the case.</p>	<p>To consider whether:</p> <ul style="list-style-type: none"> a) there is new or additional evidence not available at the original hearing b) there is evidence to support a conclusion that the original hearing manager made an error of judgement i. whether or not a breach of the Attendance at Work Procedures. ii. The most appropriate action to take c) there is evidence to support a conclusion that the procedure was wrongly applied.
In the case of a formal warning...	If a formal warning is issued as a result of a Formal Absence Review Meeting the employee has the right to appeal to the next level Manager (name to be supplied at meeting).		<p>Upto and including a formal (final) written warning, will be heard by a manager at the same level or above who has not previously been involved in the process.</p>

<p>In the case of a dismissal...</p>	<p>Employee has the right of appeal to the Director (name to be supplied at the Final Absence Review Meeting).</p>	<p>Decisions are not stayed pending the outcome of an appeal, therefore employees who are dismissed will be removed from the payroll and only reinstated if the decision is over-turned.</p>	<p>Appeals will be heard by the Council's Corporate Appeals Committee, and there will be 3 possible outcomes:</p> <ul style="list-style-type: none"> a) Appeal will be turned down and original decision will remain b) The appeal will be allowed with conditions c) The appeal will be allowed without conditions
<p>In the case of a long term absence dismissal...</p>	<p>where an employee disagrees with the OH recommendation to retire them on medical grounds, or disagrees with the tier of ill health retirement, the employee will be referred to an independent doctor, to be agreed with the employee.</p>		