

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

### Short-Term Absence

	<u>Northampton</u>	<u>Croydon</u>	<u>York</u>
<b>Definition</b>	Absences that are intermittent and sporadic and are usually unconnected and normally last for a period of less than four weeks	Applies to short term sickness absences or health concerns	Defined as any absence lasting no more than 4 weeks <i>Task Group preferred definition in use by Northampton</i>

### Long-Term Absence

	<u>Northampton</u>	<u>Croydon</u>	<u>York</u>
<b>Definition</b>	A continuous absence of 4 weeks or more.	A continuous absence of 4 weeks or more.	Absence which lasts more than 4 weeks, is continuous and can usually be traced to an underlying medical condition.

### Informal Procedure

<b>Absence Meeting Trigger Points</b>	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 instance, taking into account all the circumstances, when their level of absence meets any of the trigger points below: > 3 periods of absence in a <i>rolling</i> 3 month period, or > 4 or more periods of absence in a <i>rolling</i> 6 month period, or >10 or more days in a 12 month period, or > a trend or an unacceptable pattern of absence e.g. Regular Mon/Fri
<b>Informal Absence Meeting</b>	Purpose of the meeting to: > discuss employees attendance record and reasons for absence	Croydon Council do <b>not</b> hold 'informal' absence meetings as a first stage in their process	Purpose of meeting to: > Offer advice, guidance and support in order to reduce the absence level

- > 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

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 progress towards recovery, when they are likely to return to work and identify if any adjustments are needed to facilitate their return to work.

- > 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.

Persistent short term absence could lead to the formal process being invoked

<b>Formal Procedure</b>			
<b>Formal Absence Review</b>	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.	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</p> <ul style="list-style-type: none"> <li>&gt; up-to-date medical advice</li> <li>&gt; the likelihood of improved attendance as advised by OH, where appropriate</li> </ul> <p>&gt; The employee's overall absence record for the 12 month period</p> <p>&gt; Actions taken by the employee and LM to enable the employee to continue in employment</p>	<p>Purpose of meeting is to:</p> <ul style="list-style-type: none"> <li>&gt; set a review period of 3 months, during which time the attendance or effect of ill</li> <li>&gt; set a target for improvement of no uncertified absence in the next 3 month review period. If any absence occurs</li> <li>&gt; 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 to dismissal). This may take place before the end of the 3 month period.</li> </ul>	<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>

<p>In the case of long term sickness absence...</p>	<p>If the absence continues a Formal Absence Review Meeting will be conducted. The likely outcomes of this meeting are:                  &gt; no further action, or                  &gt; a further referral to OH and a reconvened date to review the                  &gt; a further Absence Review Meeting within a specified period, or                  &gt; where no return is expected within a reasonable period the case may be referred to a Final Absence Review Meeting, and/or                  &gt; a formal warning may be issued and held on the employee's personal file for 12 months (employee has right to appeal)</p>	<p>Once OH advice is received, a Formal meeting will be arranged. Action may include:                  &gt; establishing a time-limited sickness rehabilitation programme accompanied by a formal caution that if the required improvement is not made, a meeting under the Final Stage will be arranged, or                  &gt; 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</p>	<p>Following options will be considered:                  &gt; Rehabilitation                  &gt; Phased return to work                  &gt; Permanent reduction in hours                  &gt; Return to different or less onerous duties for a set period of time                  &gt; Adjustments to the job                  &gt; Provisions of adaptations/aids                  &gt; Additional Support                  &gt; Alternative employment                  &gt; A further review period                  &gt; Termination of employment                  &gt; Ill-health retirement due to permanent incapacity</p>
	<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, &amp; 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>
	<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>

Likely Outcomes...	<p>&gt; No further action</p> <p>&gt; a further review period with targets if appropriate, and a timescale for improved attendance is set. The employee should be told that failure to improve their absence during any review</p> <p>&gt; a formal warning is issued - to be kept on the employees personel file for 12 months.</p>	N/A	<p>a) decide what further action is needed such as setting targets for improvements during next 12 months and,</p> <p>b) to set an action plan to achieve improvement in attendance and set review</p> <p>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 but to extend for a further 6 months the informal warning of the original review period.</p>
End of Review Period...	No mention	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.	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.
		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.	Where an employee has not demonstrated sufficient and/or sustained improvment, LM should move onto next step of the procedure.
<b>Second Stage Review</b>	N/A	N/A	If the agreed actions have not resulted in a return to work in the agreed timescale, a second review meeting should be convened.
Conducted By...	N/A	N/A	Service Head, LM & HR Rep

<p>Purpose of Meeting...</p>			<p>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>
<p>Potential Outcomes...</p>	<p>N/A</p>	<p>N/A</p> <p>f</p>	<p>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.</p> <p>In addition:</p> <ul style="list-style-type: none"> <li>&gt; an immediate and significant improvement in attendance is required, which has to be sustained</li> <li>&gt; an action plan and review dates will be set as appropriate - this may include a further referral to OH</li> <li>&gt; the absence record will continue to be monitored</li> </ul>

	N/A	N/A	<p>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.</p> <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><b>Final Absence Review</b> 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>A final stage meeting will be arranged if:</p> <ul style="list-style-type: none"> <li>&gt; the targets or timescales set during the First Formal Stage have not been met to the manager's satisfaction, or</li> </ul>	
	<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>	<ul style="list-style-type: none"> <li>&gt; the initial improvement made at the end of the First Formal Stage has not been sustained over the following 12 months</li> </ul>	

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

	<p>should be terminated due to the employee's incapability to undertake their duties effectively due to their absence record.</p>	<p>&gt; 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:                  &gt; further actions are possible to enable the employee to continue in employment, or                  &gt; the employee's employment is terminated due to their incapability to undertake their duties effectively</p>	<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 employees 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 consider giving notice of dismissal.</p>	
<b>Dismissal</b>	<p>Where all options have been explored without success:                  &gt; In the case of short term absence, the employee will be dismissed with immediate effect on the grounds of Ill Health Capability , or                  &gt; In the case of long term absence, retirement on the grounds of Ill health or termination of employment on the grounds of Ill Health Capability.</p>	<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 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>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. 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.</p>

		<p>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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