

## SICKNESS POLICY

### General

WCC takes absence due to sickness or injury very seriously. The main aims of the Sickness and Absence Policy and Procedure is to ensure that employee's health and wellbeing is at optimum level so performance and attendance is maximised, *that employees wellbeing is prioritised and to ensure that WCC provides best value to local taxpayers.* The policy and procedure will ensure that WCC deals with sickness and other absences in a fair and consistent manner.

*This policy covers sickness absence only and should be read in conjunction with the Capability and Sickness Management Procedures.*

### Reporting sickness

Employees who are absent from work due to sickness or injury, must inform their Line Manager by telephone within 30 minutes of the normal starting time on the first day. The employee must provide:-

- The reason for the sickness absence
- an estimate of how long the absence is likely to last
- details of any *work / tasks / meeting / appointments* that may need to be postponed
- instructions for any outstanding work, deadlines, etc. that needs attention during the period of absence

If the Line Manager is not available a message may be left with the Operations Manager or if none of these can be reached, to the Council Manager. Whoever receives the information must communicate it without delay to the employee's Line Manager. Voicemail messages or messages left with a colleague or elsewhere are not acceptable. *Text messages and emails are also not acceptable for initial reporting, but may be used to provide updates, additional information or details as noted above.*

### Recording sickness absence

For periods of sickness ranging from one to seven days (including weekends and bank holidays), a Self-Certification Sickness form must be completed on return to work. These forms are available from the Operations Manager or *on the Company Drive / Sharepoint.* *Once completed, forms should be passed to your Line manager for authorisation and once authorised, to Operations Manager for recording in employees file.*

Employees who are absent due to sickness for a period of more than seven days must consult their doctor and obtain a medical certificate for the whole period of absence. The medical certificate must be immediately forwarded to the Line Manager. Statutory Sick Pay may not be available to employees who fail to provide appropriate medical certificates and this may also lead to disciplinary action.

If sickness absence continues, further medical certificates are required and these must be submitted in the same manner. Except in the case of severe illness or injury, employees are also required to contact their Line Manager on a weekly basis to update them of the situation.

### Statutory Sick Pay (SSP)

SSP rules are governed by legislation and establish the entitlement to payments that will be received by an employee when absent from work through sickness or injury. Payment is automatic and SSP will be incorporated within, but not paid in addition to, WCC sick pay.

SSP only becomes payable after three days of sickness absence. Employees who are sick again for more than four consecutive days within eight weeks of the first period of absence, will receive SSP immediately. The qualifying days for Statutory Sick Pay (SSP) recognised by WCC are Monday to Friday inclusive unless the employee regularly works over the weekend.

SSP is payable for the first 28 weeks of sickness absence. On expiry of SSP employees may be eligible for other government benefits. For more information visit the Department for Work and Pension's website: [www.dwp.gov.uk](http://www.dwp.gov.uk), then Benefits and Services A – Z or the local Benefits Agency (01908 208600) can advise on individual entitlements.

### **WCC sick pay**

Employees who have followed the reporting procedures will receive basic salary that will be inclusive of Statutory Sick Pay where applicable, as follows:-

During 1 <sup>st</sup> year of service	1 month's full pay and (after completing 4 months service) 2 months half pay
During 2 <sup>nd</sup> year of service	2 months full pay and 2 months half pay
During 3 <sup>rd</sup> year of service	4 months full pay and 4 months half pay
During 4 <sup>th</sup> and 5 <sup>th</sup> year of service	5 months full pay 5 months half pay
After 5 years of service	6 months full pay 6 months half pay

Payment for certain absences which are self-induced, avoidable or where the injury or illness could have been reasonably avoided, such as an injury sustained from participating in a dangerous sport, may be restricted to Statutory Sick Pay only. In these cases further sick pay will be at the discretion of the management of WCC on a case by case basis. Employees who are involved in non-work related activities that carry a risk of illness or injury are advised to purchase personal protection insurance which covers unpaid absences. If any illness or injury is as a direct result of the employee working elsewhere, WCC sick pay from WCC may not be available.

WCC reserves the right to deduct all or a proportion of statutory or occupational sick pay from an employee's salary when it is considered that sickness absence was not genuine or procedures for reporting sickness absence were not adhered to. The disciplinary procedure may be invoked in such circumstances

### **Illness or injury at work**

Employees who feel unwell whilst at work must speak to their Line Manager. If it is considered that they are unfit to carry on their duties, arrangements will be made to stop work. Absence will only be recorded in half day segments.

The designated emergency contact/s (as advised on the employee's personal details record) will be informed at the earliest possible opportunity when an employee is admitted to hospital as a result of emergency illness or injury. *Where possible, this will be with the consent of the staff member.*

All injuries, regardless of severity, must be recorded in WCC's accident book kept by the Operations Manager and a First Aider advised.

Failure to comply with this procedure without good cause may jeopardise the entitlement to sick pay and may lead to disciplinary action.

### **Unauthorised absence/AWOL**

Payment of salary and any other allowances will be automatically suspended after any absence without a satisfactory explanation. If such absence extends beyond five working days, WCC will consider that the contract of employment has been terminated by the employee without the required notice. No further payment of salary will be due to the employee from the date of termination of employment which will be considered to be the date of the last working day.

*Prior to termination, WCC will make reasonable efforts to contact the staff member / emergency contact(s) to investigate the absence, as it is understood that there are extreme circumstances that may mean employee contact is not possible.*

## **Long-term sick leave**

Employees who are absent from work due to sickness in excess of two weeks or more may be required to undergo a home visit from a representative of WCC and or an examination by a professional medical practitioner or occupational health specialist to assess when or whether they are likely to return to work, their capability to work and any adjustments that may be necessary upon return to work.

WCC reserves the right to terminate employment before the entitlement to statutory or occupational sick pay has been exhausted. However, prior to considering dismissal due to long-term illness, WCC will make every attempt to make suitable provisions and/or adjustments for the employee. This may include specialist equipment to aid comfort and/or efficiency, transfer to other duties or work pattern on a temporary or permanent basis.

## **Frequent sick leave**

WCC will monitor ALL sickness absence on an on going basis. In addition, any periods of absence that appear to form a pattern over any length of time, will be investigated on a case by case basis

WCC may also require the employee to visit a doctor or occupational health specialist nominated by WCC to determine their fitness to work (refer to the Medical Examinations/Reports section for further details). Whilst WCC will always aim to support such employees, it also reserves the right to invoke the *Sickness Management Procedure* procedure for employees who have frequent periods of sickness absence.

## **Return-to-work meetings**

Employees who have been absent from work due to sick leave may be required to undergo a return-to-work meeting with their Line Manager. The purpose of the meeting is to:-

- establish their current state of health
- find out whether the employee consulted a doctor and/or is taking any medication that may affect their performance at work
- evaluate the employee's fitness to work
- explore whether any sickness relates to the work or workplace
- update them on their team and WCC's latest news and developments
- advise them of their sickness absence record and to inform them of the consequences of a continuation of frequent sickness absence
- identify how WCC can support the employee reduce their sickness absence
- discuss any other related matters.

If appropriate, the employee may be required to have a review meeting to follow-up on the outcome of the return-to-work meeting, for example, to establish whether any adjustments to the work load, type or pattern has improved their health.

## **Medical Examinations/Reports**

To safeguard both the employee's and WCC's interests, in certain circumstances employees may be required to be examined by a doctor or occupational health specialist nominated by WCC. Such circumstances could include the following:

- If an employee's medical condition adversely affects their performance at work;
- where there are frequent and/or recurrent short-term periods of sickness absence.
- If an employee's medical condition could present a risk to other employees.

Unreasonable refusal to co-operate in a medical examination may lead to the Sickness Management procedure being invoked.

The doctor or occupational health specialist will provide an opinion on the employee's fitness or otherwise for work and report it in accordance with the Access to Health Records Act 1990 and Access to Medical Reports Act 1988.

Appropriate action will be taken depending on the information and/or recommendations in the medical report, including termination of employment before sickness benefits have been exhausted. Refer to Long-term Sick Leave section.

## Medical and dental appointments

Wherever possible, routine medical and dental appointments should be arranged outside normal working hours. If this is not possible, prior permission must be secured from the Line Manager. *It is expected that TOIL will be used if appointments are attended during normal working hours, in agreement with the Line Manager / Operations Manager*

## Alcohol, non-prescribed drugs or prescribed medication

The misuse of alcohol and drugs in the workplace is a problem for both the employees concerned and for WCC. It puts at risk the employee's health, safety, career prospects and job security, as well as possibly impairing co-ordination, reaction time and the ability to maintain attention. For the organisation it may mean a greater health and safety risk, increased sickness, increased absenteeism, reduced efficiency and lost productivity.

WCC will not tolerate drinking alcohol, being drunk or taking, or being under the influence of non-prescribed and/or illicit substances, at work. This policy applies to all employees during normal working hours, whilst on the WCC premises or whilst representing WCC elsewhere. This will also apply in any situation where an employee's behaviour brings WCC into disrepute.

In addition, WCC will not tolerate employees discussing the use of, or the sale or purchase of illegal, illicit substances and may lead to disciplinary action and/or dismissal.

WCC reserves the right to request an employee suspected of being under the influence of drink or drugs, to be medically tested for such substances. WCC may also carry out random testing or searches of employees and/or their property, WCC property and vehicles. No notice will be given to the employee if such testing occurs during working hours.

WCC reserves the right to request an employee suspected of being under the influence of drink or drugs, to be suspended with immediate effect.

Employees found, or suspected of distributing illegal substances, will be reported to the police. WCC defines such an activity as gross misconduct which is likely to lead to termination of employment.

To protect employees who are required to take prescribed medication that may affect their performance or attendance at work, the employee must inform their Line Manager and or the Council Manager/Manager so suitable arrangements can be discussed.

## Guidance

- Any disciplinary interview should be held when the employee is not under the influence of drink or drugs and is able to give an explanation of his or her actions.
- Any medically prescribed drugs which may affect performance must be reported to the Line Manager immediately.
- If drink or drug testing takes place, the employee will be advised what they will be tested for and *the reason for testing*. Any tests will be carried out by an independent, medically qualified practitioner.

<b>Last review date:</b>	<b>August 2020</b>
<b>Next review date:</b>	<b>August 2022</b>
<b>Lead:</b>	<b>Operations Manager</b>
<b>Overseeing Committee:</b>	<b>Operations</b>
<b>Approved:</b>	
<b>Review cycle:</b>	<b>2 yearly and/or as per legislation</b>