**UPPINGHAM TOWN COUNCIL DRAFT**

**SICKNESS & ABSENCE (incl. return to work) POLICY**

**Scope**

1. This policy and procedure applies to any employee of Uppingham Town Council.
2. The Council always aims for the attendance of its employees on their agreed days/times. However, it recognises that absence may sometimes be necessary due to sickness (i.e. illness or injury). It is the Council’s policy to offer, as far as is reasonably possible, security of employment during such absence, subject to the policy set out below.

**Notification and certification**

1. If the employee is unable to attend work due to sickness, he/she must notify the Council by contacting the Clerk (but if the Clerk is reporting his/her own sickness, this must be to the Chair of the staffing committee) as soon as possible, but no later than the end of the working day on which the absence first occurs. He/she should indicate the reason for the absence and, if possible, when he/she expects to return to work. The employee must complete a self-certification form for the first seven calendar days of all sickness absences and send it to the Council. This form can be completed on the employee's return to work if the absence lasts less than seven calendar days.
2. If the employee is still absent by the eighth calendar day, they must send a fit note, issued by their GP, to the Council. The employee should also keep in touch with the Council regarding their condition and likely return-to-work date. If the employee does not follow this procedure, any entitlement to contractual sick pay and/or statutory sick pay (SSP) may be prejudiced.

**Return to work**

1. The employee who has been sick for more than 7 calendar days will not be allowed to return to work until their GP deems that they are fit to return. When appropriate, the employee may be interviewed on their return to work so as to:

* check on the employee's fitness to return
* ensure that any support the employee needs is in place
* bring the employee up to date on any changes made during their absence.

**Fit notes**

1. An employee’s GP might indicate on a fit note that the employee “may be fit for work”. If this option is selected the GP will also identify potential amendments to work that should be made, selecting from:

* phased return to work
* amended duties
* altered hours
* workplace adaptations.

1. If a fit note of that type is received, the Council will contact the employee and arrange for a meeting with them. At this meeting the suggested amendments will be discussed, with the aim of facilitating the employee’s return to work. If the suggested amendments are not possible the employee may need to remain on sick leave. If the amendments are possible the employee will return to work, but regular reviews will be carried out to ensure that the amendments are working adequately. Any such amendments are not to be viewed as a permanent change to the contract of employment.

**Medical examinations and reports**

1. The Council reserves the right (for instance, in a case of extended periods of absence) to require the employee to be examined by a practitioner of its choice, in order for a medical opinion to be sent to the Council. (A refusal to be examined may lead the Council to take disciplinary action against the employee, upto and including dismissal.)
2. In order to gain as much information about the employee's medical condition as possible, the Council may also request the employee’s permission to contact his/her GP to ask for a medical report on the employee's condition. The employee may ask to see this report.

**Extended and/or repeated absences**

1. The Clerk will maintain sickness records for each employee (including him/herself), to assist in reviewing sickness trends.
2. The Council will be sympathetic when an employee is ill, but the employee should appreciate that, if they are repeatedly absent through ill-health or long-term injury or incapacity, it will not be possible for this situation to continue indefinitely, and thus the continuation of their employment may be reviewed, at a meeting called with the employee for that purpose. Termination of employment will not take place without:

* medical investigation
* full consultation with the employee
* a consideration of an alternative role with the Council.

**Meetings/home visits**

1. During any absence, the employee may be periodically asked to attend a meeting (if capable of so doing) for the purpose of providing information about their sickness and, as appropriate, facilitating an effective return to work. If the employee is too unwell to leave their home, the Council reserves the right to visit him/her at home.

**Disability**

1. If the employee has a condition that means they might be considered disabled within the meaning of the Equality Act 2010, the Council will attempt to make reasonable adjustments to their job to accommodate their requirements. The employee will be fully consulted at all times. If reasonable adjustments or an alternative role prove not to be viable options, and there is no likelihood of a return to work in the near future, a decision to dismiss may be the inevitable outcome.

**Dismissal and the right to appeal**

1. In the event of dismissal of the employee on sickness grounds as outlined above, the reason for the dismissal and the circumstances leading up to that decision will be given in writing to the employee. The employee may appeal against their dismissal by writing, within five working days of their receipt of the dismissal letter, to the Chair of the staffing committee, stating the grounds on which they wish to appeal. The appeal will be heard in accordance with the appeals process within the Council’s Disciplinary Policy.
2. Similarly, the right of appeal also exists if the employee objects to action by the Council short of dismissal, such as permanent alteration of the employee’s role. Again, the employee’s notice of appeal must be in writing to the Chair of the staffing committee, within five working days of receipt in writing of the decision to which the employee objects, stating the grounds on which he/she wishes to appeal.

**Payment arrangements**

1. If the employee is eligible for the payment of contractual sick pay or statutory sick pay (SSP), it will be subject to the deduction of tax and National Insurance contributions.
2. Any employee entitlement to contractual sick pay is shown in their contract of employment.

**Return of the Council’s equipment**

1. If the employee is off sick for a period of one month or more, the Council may require them to return Council equipment until they are well enough to return to work. If the employee does not return to work following a period of sickness absence, they will be required to return all outstanding Council equipment on the date of termination of their employment

**Absences for reasons other than sickness**

1. Requests for time off for reasons other than sickness will be considered by the Council in the light of the individual’s circumstances, legal requirements and the Council’s operational needs. It is expected that, whenever reasonably possible, employees will use their annual leave entitlement to cover such absences, although compassionate leave may be granted when appropriate.
2. Unauthorised absences for reasons other than sickness will be dealt with in accordance with the Council’s Disciplinary Policy.

**Abuse of this policy**

1. Any abuse of this policy will be dealt with through the Council’s Disciplinary Policy, and may result in disciplinary action upto and including dismissal.

**Alterations and amendments to this policy**

1. This policy and procedure does not form part of employees’ contractual rights. The Council reserves the right to revise the contents of this policy and procedure from time to time or withdraw it, at its absolute discretion.

This Policy was approved by Uppingham Town Council at its meeting on xxxx.