

Managing Absence Procedure

1. Promoting Wellbeing at Work

- 1.1 The Council is committed to supporting employees who may be experiencing health issues and working towards preventing circumstances which may lead to risks to the physical and/or mental health of its workforce through managing the work environment.
- 1.2 Managers can take various actions to promote wellbeing at work including:
 - a. Encouraging good, clear communications
 - b. Ensure employees understand their roles and responsibilities
 - c. Ensure workloads are manageable
 - d. Checking how engaged staff feel
 - e. Encouraging employees to take lunch breaks and rotate work tasks through the day
 - f. Encouraging employees to highlight any health-related concerns and any possible adjustments that may help their health and well-being at work.
 - g. Making staff aware of the support that is available to them from trade unions and staff networks.
- 1.3 The Council wishes to support employees to take a proactive approach towards enhancing their own health and wellbeing.

2 Support

- 2.1 The Council will endeavour to support employees and managers involved in the process of managing health and attendance at work.
- 2.2 Employees will be offered access to:
 - a. Advice from their line managers
 - b. Trade unions
 - c. Any relevant professional body
 - d. HR
 - e. Occupational health
 - f. Employee assistance programme
 - e. Understanding and managing stress at work programme
 - f. Work based learning as appropriate

3. Definition of the types of sickness absence

- 3.1 There are four main types of sickness absence and management actions taken during an employee's absence will vary depending on the reason for the absence:
 1. Short term
 2. Long term
 3. Pregnancy or maternity related
 4. Suspension from work on medical or health and safety grounds

3.2 Short term sickness absence

3.2.1 Most sickness absence normally is due to short-term illness. Most sickness absence will have an impact on service delivery.

3.3 Long term sickness absence

3.3.1 The Council's definition of long-term sickness is an absence from work which lasts 4 consecutive weeks or more. The Council appreciates that some long-term underlying conditions may result in frequent absences of short[er] duration. Consideration will be given to the circumstances of each individual case.

3.4 Pregnancy or maternity-related sickness absence

3.4.1 The Council's Maternity Policy and Procedure has detailed information on managing issues related to maternity.

3.4.2 Managers need to record pregnancy or maternity-related sickness absence separately from other sick leave, so that it is ignored as absence and not used to the employee's disadvantage for example in any disciplinary action, dismissal or redundancy.

3.4.3 If the employee is absent from work for a pregnancy or maternity-related illness in the 4 weeks before the baby is due (date information confirmed in the employee's Mat B1 form), the employee will automatically start their Maternity Leave and Statutory Maternity pay.

3.5 Temporary changes to work duties and suspension from work on medical or health and safety grounds

3.5.1 The Council has a duty to take all reasonable steps to ensure its employees' health and safety and medical welfare. In a situation where hazards have been identified, the Council will undertake a risk assessment and, where appropriate, will consider making adjustments to the duties of any affected employees, or a decision to suspend them from work on medical grounds.

3.5.2 As an alternative to medical suspension, the Council may ask an employee to undertake suitable alternative work for a period of time. Employees should fully co-operate with such requests and participate in relevant discussions and associated processes.

3.5.3 Any temporary modification to an employee's duties for medical reasons or assignment to a different role as an alternative to medical suspension will not impact their remuneration or other terms of employment. Similarly, employees who are suspended on medical grounds will continue receiving full pay and accruing annual leave during the period of their suspension.

3.5.4 Where a decision is made for an employee to be suspended on medical grounds, the Council will endeavour to work towards identifying ways of managing the relevant risks in order to keep the length of the suspension period to a minimum. A regular 7-day rolling review of the suspension will normally be put in place in order to manage and support the employee back to work as quickly as practicably possible.

3.5.5 The council's Head of Safety, Health and Wellbeing should be notified of all suspensions for medical or health and safety grounds.

4. Sick Pay

- 4.1. Employees who are unable to attend work because of illness will be expected to comply with their contractual responsibilities for reporting their own absence. This includes notifying their line manager on the first day of their absence; they should do so within an hour of their normal start time or earlier wherever possible.
- 4.2. Should an employee not report for a shift, their line manager should attempt to make contact with them as part of the Council's duty of care to the welfare of its staff. If it is not possible to make contact with the employee, the line manager should consider contacting HR for advice.
- 4.3. Employees are contractually entitled to paid leave due to an absence because they are too ill to attend work as set out in the sick pay entitlement contained within their Terms and Conditions of Employment (see table below).

| Length of Service | Sick Pay Entitlement |
|------------------------------------|---|
| During 1st year of service | 1-month full pay and (after 4 months service) 2 months half pay |
| During 2nd year of service | 2 months full pay and 2 months half pay |
| During 3rd year of service | 4 months full pay and 4 months half pay |
| During 4th and 5th year of service | 5 months full pay and 5 months half pay |
| After 5 years' service | 6 months full pay and 6 months half pay |

- 4.4. If an employee does not comply with the Council's sickness reporting procedures, including maintaining appropriate contact and providing medical sickness certificates (or self-certificates for absences up to 7 days), their manager should remind them that unreasonable delays or a failure to share the relevant information/documentation may result in the Council suspending their entitlement to sick pay and/or investigating the issue under its Disciplinary Policy and Procedure.
- 4.5. Sick pay entitlement is calculated on the basis of absence levels during a rolling 12-month period.
- 4.6. There are a small number of Council employees to whom different sick pay entitlements apply as they do not work to NJC-equivalent terms and conditions of employment. Where that is the case, specific arrangements are detailed in their particulars of employment and other contractual documentation. Additional information is available from line managers and HR.

5. Review point – Definition, long-term absence, review and escalation

- 5.1 The Council will use the following absence levels as points of reference for reviewing sickness absence levels:

8 single days of absence (or equivalent for employees working part-time) or 3 periods of absence in a rolling 12-month period.

5.2 By their nature, all long-term absences will exceed the Council's absence review point. A long-term absence is defined as

- a. 4 consecutive weeks or more
- b. a total of 20 working days (or equivalent for part-time employees) of absence during a 12-month period made up of several periods of absence attributable to the same reason[s] for absence and/or symptoms of an underlying condition.

5.3 When an employee's absence levels reach or exceed the review point in 5.1, their line manager should decide whether to hold a Stage 1 informal review meeting. The manager will need to consider all relevant facts of the case in making this decision and endeavour to offer appropriate support to the employee in order to facilitate their return to the workplace and overall well-being. It is important to note the difference between Stage 1 informal Review meetings, which a manager may decide to hold in order to review the absence of an employee who has reached or exceeded the review points in 5.1, and return-to-work meetings which should be held as soon as possible after the return of an employee from a period of absence [and regardless of their overall absence levels]. More information on return-to-work meetings can be found in the relevant section (20.) of this Procedure.

5.4 Managers should monitor the absence levels for their employees with reference to the review point as defined in 5.1 and assess an employee's attendance levels, likelihood of improvement, and overall facts of each case in order to make decisions around possible escalation, or de-escalation, between Stages. More information is available in section 6. of this Procedure, and HR will be able to advise managers on potentially appropriate courses of action.

5.5 It is important to clarify that the Council will always measure absence on a rolling 12-month period basis. This means that absence review meetings can, and often will, include reference to 'spells' of absence that have already been reviewed during previous absence review meetings.

6. Review meetings – Stages 1, 2 and 3

6.1 Managers are required to monitor the absence levels of employees. Managers should consider scheduling review meetings when employees reach or exceed the Council's review point.

6.2 **Stage 1– informal review meeting** to discuss how the employee can improve their attendance and what support the Council can provide when an employee reaches or exceeds the review point described above. The manager will consider whether an attendance improvement target and/or further review meeting may be required.

6.3 Adjustments to work duties or environment are an important way in which the Council may be able to offer support to an employee. Stage 1 informal review meetings can include discussions around possible adjustments. Where occupational health advice or other detailed information is required in order to finalise a relevant proposal/decision, any follow-up discussions can take place either within the context of a further absence review meeting or outside of the structured absence review process.

- 6.4 Where an improvement target has been set and/or a review meeting scheduled, managers will have discretion to consider any absence during the review period [and/or between meetings] in deciding whether further review is undertaken within a Stage 1 informal meeting or proceed to arranging a Stage 2 formal meeting. Managers should consider obtaining HR advice as appropriate.
- 6.5 **Stage 2 formal review meeting (FRM)** is an opportunity to review the employee's absence, together with relevant documentation, such as GP, medical consultant, and occupational health reports, and put in place any adaptations to support the employee in returning to the workplace. Stage 2 meetings should not be chaired by the line manager of the employee; they will normally be chaired by a Head of Service or other senior manager.
- 6.6 Following the first Stage 2 FRM, a follow-up Stage 2 FRM will normally be scheduled in order to review progress, consider any further medical, occupational health, and other pertinent information. Once again, managers chairing these meetings and employees are expected to discuss about the likelihood of the employee's return to work and any applicable timelines, as well as any adjustments to work duties or any other support that could assist in the employee's return to work. Potential outcomes could include considering (temporary or longer-term) medical redeployment, secondment, or alteration of duties.
- 6.7 The follow-up Stage 2 FRM will normally take place irrespective of whether the employee returns to work before the scheduled meeting date. If a return to work does occur, the employee's attendance will continue to be monitored. Attendance targets may be set, and further absence will normally result in another Stage 2 FRM being held. Depending on how a case is progressing, a manager may decide to revert to a stage 1 informal review meeting. Managers should consider obtaining HR advice as appropriate.
- 6.8 Further review will be required if the employee continues to be absent at the time of the follow-up Stage 2 FRM or has had further absence between the first Stage 2 FRM and the follow-up one. The manager chairing the follow-up Stage 2 FRM will consider the information available and determine whether it is appropriate to continue reviewing the absence by holding one or more further Stage 2 FRM (this is likely to happen pending receipt of occupational health reports and/or other pertinent information).
- 6.9 If the manager chairing the follow-up Stage 2 FRM, or any subsequent Stage 2 FRM, believes that the employee's attendance is unlikely to show a substantial improvement within a reasonable timeframe, the case should be progressed to a Stage 3 final formal review meeting. Managers should consider obtaining HR advice as appropriate.
- 6.10 **Stage 3 - final formal review meeting** should an employee reach a Stage 3 meeting, they will be advised that their continued employment with the Council may be at risk.
- 6.11 Stage 3 final formal review meetings should be arranged when there is sufficient information available on the likelihood of the employee's return to work (or improvement in attendance), medical condition, impact on the service and potential ways of facilitating an improvement to the employee's attendance (e.g. medical redeployment, secondment), and possible outcomes in case a sustained improvement appears to be unlikely (e.g. ill-health retirement or dismissal).

- 6.12 Stage 3 final formal review meetings should not be chaired by the manager who has been chairing one or more Stage 2 formal review meetings. Stage 3 final formal review meetings will be chaired by a manager who has authority to dismiss (normally a Director or Assistant Director), and managers who have been involved in previous stages of the process will ordinarily present the overall management case and provide the Chair with any appropriate clarification.

7. Formal action and right of appeal

- 7.1 Employees have a right to appeal any formal decisions which are made at the conclusion of a Stage 3 final formal review meeting. While no formal right of appeal applies to Stages 1 and 2 of this Procedure, employees may raise any concerns informally or in line with the provisions of the Council's Grievance Resolution Policy and Procedure.
- 7.2 Appeals must be made in writing (by e-mail or letter) to the Chair of the Stage 3 final formal review meeting within 14 calendar days from the date of issue of the formal notification of the outcome, setting out clearly the relevant grounds of appeal. Alternatively, if the employee believes that directing the appeal to the Chair would not be possible/practicable/appropriate, they can address it to HR who will ensure that appropriate arrangements are made.
- 7.3 The Council will endeavour to arrange appeal hearings without undue delay. Appeal hearings will normally be chaired by a Director.
- 7.4 Appeal hearings will normally focus on addressing the specific grounds of appeal put forward by the employee as opposed to undertaking a full rehearing of a case.

8. Medical, dental and other health-related appointments

- 8.1 Employees are normally expected to make every effort to arrange all medical, dental and other health-related appointments outside of normal working hours and, where that is not possible, at times that will minimise disruption to their work.
- 8.2 Where an employee needs to attend one or more medical appointments during their working hours, they will need to discuss the issue with their line manager. Managers will endeavour to accommodate employee requests in a supportive manner while being mindful of the needs of the service. Arrangements such as time off in lieu (TOIL), as well as any applicable adjustments relating to disability or long-term health conditions, should be considered where appropriate. However, employees may sometimes be required to use annual or flexi-leave, particularly in relation to appointments likely to take up a substantial portion of a day (whether because of the nature of the health issue/s or travel time requirements). Managers should consider contacting HR for detailed advice.
- 8.3 In an emergency, or for non-routine emergency medical treatment or appointments related to a disability or long-term condition, the Council will normally grant time off with pay for the

employee to attend appointments on a case-by-case basis. Where a medical emergency renders an employee too unwell to work, normal sickness absence provisions will apply.

9. Medical Reports

- 9.1 An employee's medical information should be kept confidential and stored securely in compliance with the Access to Medical Reports Act 1988 and the Data Protection Act 2018.
- 9.2 Managers must obtain an employee's consent when seeking a medical report from the employee's own doctor or the employee's occupational health report.
- 9.2 Employees have the right to refuse to disclose [or refuse to allow to be disclosed] personal medical information. Where an employee declines a request for medical disclosure, the employee should be informed that any decisions about their sickness absence will have to be made based on the information available to managers.
- 9.3 The Council is keen to support staff in returning to work and improving their attendance wherever possible and will consider all medical report recommendations carefully before any decision is reached, taking full account of any considerations under the Equality Act (2010) and/or any applicable Council policies as appropriate.

10. Occupational Health Service (OH)

- 10.1 Advice may be sought from the council's Occupational Health provider, but not all cases will require an OH referral. Information provided by OH is advisory and to assist management decision making only.
- 10.2 Managers should seek an employee's consent prior to a management referral to occupational health.
- 10.3 A management referral to the Council's OH is usual practice when an employee:
 - a) has been absent for 28 calendar days
 - b) is projected to be absent for at least 28 days, for example a GP fit note has signed the employee off for at least 28 days
 - c) in certain circumstances of multiple short-term absences
 - d) has been absent for sickness that may be related to their work, e.g. work-related stress
- 10.4 There is no requirement for any sickness absence to have occurred for an Occupational Health referral to be made. Employees should consider informing their line manager of any health concerns, and managers may make OH referrals [subject to employee consent as detailed above] if they believe that an OH assessment may be of assistance in supporting the health needs of an employee.
- 10.5 Employees are expected to make every effort to attend occupational health appointments, as failure to attend an appointment can result in considerable cost to the Council. Employees should contact the Council's OH provider if they have difficulty in making an appointment date/time/location.
- 10.6 Attendance at Occupational Health appointments is considered working time. Employees who attend OH appointments outside of their normal working hours should discuss the issue with

their line manager with a view to making relevant arrangements around flexi-time credits or time off in lieu.

- 10.7 Before arranging a formal meeting or hearing, managers should have received the employee's up to date OH report. The OH report can be then reviewed and discussed with the employee and / or their representative at the meeting or hearing.

11. GP Fit Notes (medical certificates)

- 11.1 GP fit notes or medical certificates are issued by the employee's G.P. as evidence for their manager that the employee is ill or injured and unable to attend work as normal.
- 11.2 The GP may advise that the employee is either:
- Unfit for work** - this confirms that the employee is too ill to work at all for the stated period.
 - May be fit for work taking account of the following advice** (e.g. amended duties or other workplace adaptations, a phased return to work or altered hours). This information confirms that the employee's health condition may allow them to work or undertake some duties with suitable support if available. In this situation, a decision will need to be reached between the employee, their manager and, if appropriate, HR on whether it is possible to accommodate the recommended medical advice to enable the employee to return to work. Further advice may also be sought from Occupational Health.
- 11.3 Employees must give their manager a doctor's 'fit note' (sometimes called a 'sick note') if they've been ill for more than 7 days in a row. This includes non-working days, such as weekends and bank holidays.

12. Sickness absence caused by industrial disease, a work-related accident or assault at work

- 12.1 Employees will normally receive their full contractual remuneration (i.e. not sick pay) in respect of a period of absence attributable to injuries sustained or disease contracted in the actual carrying out of an employee's job, which must be specifically related to the job role and which a health-and-safety, occupational health and/or insurance assessment must confirm as work-related and not caused by the injured employee's own negligence or misconduct. Managers are responsible for reviewing the relevant assessments and approving payments in respect of absence related to industrial injury.
- 12.2 If the injury is caused by an incident at work, it will need to be recorded as an accident at work in line with the Council's Health and Safety guidelines and reported to the employee's line manager. Managers should ensure that accidents and near misses at work are reported to the Council's Head of Health, Safety and Wellbeing.
- 12.3 Although absence relating to industrial injury should be dealt with sensitively by the employee's line manager, action under this Policy and Procedure may be deemed necessary in the case of prolonged absence caused by industrial injury or disease. Managers should obtain HR advice prior to making any decision to undertake a formal review of absence caused by industrial injury.

13. Terminal illness

- 13.1 When an employee is diagnosed with a terminal illness, special consideration should be given including the manager contacting HR for support and guidance regarding the employee's pension options and the possibility of medical retirement.
- 13.2 In the case of an employee with a terminal illness, whilst there is no obligation to break confidentiality to inform the Council or any of their colleagues about their illness, if an employee is in agreement, in certain circumstances, it is normally better to do so to allow support to be provided to team colleagues who may be impacted by the situation.

14. Ill Health Retirement

- 14.1 In certain circumstances retirement on the ground of ill health could be considered where it appears unlikely from the medical advice that the employee will be able to return to their role.
- 14.2 For employees who are members of the Local Government Pension Scheme, advice will be sought from Occupational Health who will assess the employee's eligibility for Ill Health Retirement in accordance with the guidelines specified by the Local Government Pension Scheme
- 14.2 Where ill-health retirement is raised as an option, the employee's line manager should clarify whether the employee is a member of the LGPS and refer them to the appropriate resources for further guidance around potential entitlements.
- 14.3 Further guidance is available as part of the Council's Ill Health Retirement Procedure.

15. Illness whilst at work

- 15.1 Staff who are taken ill whilst at work should be sent home or taken home and this day will not count against their entitlement to contractual sick pay if they have completed at least 50% of their normal contracted hours for that day. If the employee has attempted to work but been unable to continue and has not done 50% of their hours, consideration will be given to treating this as a half day's sickness absence only.

16. Day One - sickness absence reporting procedure

- 16.1 The Council's first point of call for reporting any period of sickness absence is the employee's line manager. The employee should report the matter to their line manager as soon as possible and be ready to provide details of the following:
 - Type of sickness/ailment
 - Estimated length of absence (if known)
 - any information about work they have planned to do which will need to be reallocated during their absence
 - Contact details and arrangements to remain in contact and contact details for example personal phone number and email address.
 - Any medical advice that they already obtained or any intention to seek medical advice
- 16.2 The employee's line manager may make further enquires to enable them to register the sickness absence on CoreHR and manage the employee's workload during their absence.

17. Working remotely and sickness

17.1 A considerable number of Council employees are able to perform most or all of their work duties without needing to be physically present on Council premises or other specified locations. Employees in relevant roles have been issued with laptops and/or other devices appropriate for remote working and are normally able to work from home [or other non-Council premises].

The Council recognises that there will be occasions where an employee may be feeling unwell and simultaneously believing that they are able to undertake work remotely to a reasonable standard and without causing additional risks to their well-being. In some cases, the employee may feel that their work is completely unaffected by the nature of the medical issue (e.g. someone who only undertakes laptop-based work sustaining an ankle injury) or even that undertaking work would be beneficial to their recovery (e.g. as an opportunity to focus on their productivity and professional development while going through a period of heightened stress due to personal/family issues).

17.2 It is important to remember that only the affected employee can assess whether they are feeling well enough to work. Line managers should discuss the issue and consider accommodating any requests for short-term changes to duties (e.g. allocating document reviews to the affected employee and client meetings to another member of the team), but they should make it clear that only the employee can decide whether to continue working or take sick leave.

17.3 The Council trusts, and indeed expects, employees who make the decision to work while feeling unwell to monitor the evolution of their symptoms and notify their manager if they believe that they are too unwell to continue working.

18. Maintaining contact with an employee during a period of sickness absence

18.1 It is good practice and a shared responsibility for the manager (while this is a line manager responsibility, it can be delegated to another manager of appropriate seniority when the line manager is on leave or otherwise unavailable) and the employee on sick leave to keep in touch. This is both to ensure that there is communication around the progress of the employee's health and to support the employee so they do not feel isolated or 'out of the loop' with developments within their team or the wider Council.

18.2 When an employee reports in sick, they should explain to their manager the best time and way to be contacted, for example, home phone or mobile, email or any other method and discuss any issues around frequency of contact as appropriate.

19. Returning to work

19.1 When the employee is fit enough to return to work after a period of sickness, they must endeavour to contact their line manager [or other nominated management contact] prior to the commencement of their shift in order to confirm their plans to return to work. Managers

will then be better prepared to support an employee back into work and plan a return to work meeting.

20. Return to work meeting

- 20.1 Following any period of short-term or long-term absence the employee's line manager should arrange a return to work (RTW) meeting on the employee's first day back to work or as soon as reasonably practicable.
- 20.2 All RTW discussions between the employee and the manager should be private and confidential.
- 20.3 Any outstanding self-certificates and / or medical certification covering the whole period of the employee's absence should be produced at this RTW meeting. Any gaps in medical certification may result in the employee not being paid for that period of absence.
- 20.4 A note of the RTW meeting should be produced by the manager and placed on the employee's Personnel File with a copy given to the employee.
- 20.5 Where an employee's absence levels are identified as a potential cause for concern, managers will carry out a more structured RTW to gain an understanding of the circumstances. Potential events that could warrant a conversation may include any of the following:
 - a. Absences reaching 7 or more working days (pro-rata for part time staff)
 - b. Absences are all self-certificated short-term periods of sickness absence
 - c. There is an underlying health condition or disability (an adjustment to the review point defined in 5.1 may be considered)
 - d. A pattern appears to be present e.g. regular non-attendance on a Monday or Fridays
- 20.6 The main purpose of holding RTW meetings is for the Council to ensure the employee is supported in returning to work. If the manager has any concerns that the absence may not be due to genuine sickness, they may consider seeking some clarification during the RTW discussion and raising the issue in a more structured manner within a subsequent supervision meeting.
- 20.6 In some cases, further action may be appropriate such as setting:
 - a. A review period to monitor attendance/sickness absence
 - b. A referral to Occupational Health Services for an impartial medical opinion or receive guidance
 - c. Implementation of reasonable adjustments
 - d. Progress to a formal procedure

21. Phased return to work

- 21.1 Where an employee has been on long-term sickness absence, a phased return, recommended by the employee's doctor or occupational health, will often be the most successful way for an employee to move from long-term ill-health absence back to full (or sometimes permanently amended) work.
- 21.2 A phased return to work may involve an initial return to work on agreed reduced hours which will gradually increase to the employee's full contractual hours.

21.3 During a phased return to work, employees will receive regular remuneration for the hours they work.

21.4 The Council will 'top up' remuneration within a phased return period as follows:

- a. In respect of weeks during which an employee works less than 60% of their contracted hours, they will be entitled to receive sick pay in respect of the remainder of their contractual hours, in line with their contractual sick pay entitlement [within a rolling 12-month period].
- b. In respect of weeks [within a phased return period] during which an employee works 60% or more of their contractual hours, they will receive their full contractual pay. Their sick pay entitlement will not be affected.

22. Temporary medical redeployment

22.1 In some circumstances the employee and their manager may arrange for the employee returning from long-term sick to consider a different role, should one be available within the same department, or a temporary role available in other departments for a specific time limit on a 'temporary' medical redeployment. The employee's existing rate of pay should be protected during the temporary medical redeployment.

23. Permanent medical redeployment

23.1 Where it appears unlikely from medical advice that an employee will be able to return to their existing role, the manager and the employee with HR support should consider permanent medical redeployment where appropriate and as available. Occupational health advice should be sought before any permanent redeployment decision is finalised.

23.2 Where the employee accepts permanent redeployment, they will agree to a variation of contract to the contractual terms of the new role, including any relevant adjustment in remuneration.

24. Absence in connection with caring responsibilities

24.1 The Council recognises the pressures that can arise when combining work and caring, and managers are encouraged to be sensitive to issues that employees may face. Nevertheless, the focus of this Policy and Procedure is supporting employee health and ensuring sickness absence is managed in a fair and sensitive manner. Employees are only entitled to sick leave in respect of absence resulting from their own sickness; they should familiarise themselves with the appropriate policies under which they may request time off from work for other reasons.

25. Holiday during sick leave

25.1 While the principal purpose of annual leave is to give employees time for leisure and relaxation, employees are permitted to submit annual leave requests during a period of absence.

25.2 When an employee reports sick shortly before a period of pre-booked annual leave, they will be entitled to cancel the pre-booked leave. Should they choose to do so, the relevant period of

leave will be returned to their leave allowance and can be subsequently utilised in line with the Council's regular annual leave procedures.

- 25.3 When an employee falls ill during a period of annual leave, they should report this to their line manager who will arrange for their absence to be classed as sickness from the day on which they fell ill, arranging for the return of the relevant allowance as described in 25.2.
- 25.4 An employee wishing to 'claw back' [part of] their annual leave allowance in the circumstances described in 25.3 will need to furnish the Council with medical certification covering the entire period of their sickness, even in respect of periods of up to 7 days. The Council will reimburse employees for reasonable expenses incurred in obtaining such certification in respect of periods of up to 7 days (reimbursement can be claimed under the normal procedures for expenses claims).
- 25.5 Employees who are entitled to time off with pay during bank holidays but are ill on one or more bank holidays can request for the relevant amount of time to be added to their annual leave allowance, as long as the absence is medically certified. The Council will reimburse employees for reasonable expenses incurred in obtaining such certification in respect of periods of up to 7 days (reimbursement can be claimed under the normal procedures for expenses claims).
- 25.6 Employees who have been prevented from taking the whole of their leave allowance before the end of the leave year due to long-term sickness absence will be entitled to carry over leave to the following two leave years.
- 25.7 Where an employee has a substantial amount of leave carried forward as a result of long-term sickness absence, their line manager should endeavour to discuss the issue with them as part of their return to work conversation and consider devising a plan for the leave to be used in a way that would allow the employee to make good use of it while minimising disruption to service delivery. Wherever possible, managers should encourage employees who have been unable to take annual leave due to long-term sickness within a leave year to use it in the following leave year.

26. Manager responsibilities

- 26.1 Managers are responsible for promoting a healthy and safe workplace, encouraging regular attendance, considering any requests by employees for adjustments, equipment or other support.
- 26.2 Managers are responsible for monitoring employee attendance and keeping relevant records to ensure progress, adjustments, review meetings and other relevant information are appropriately documented in line with relevant legislation and Council policies on confidentiality, data protection, and information security.

27. Employee responsibilities

- 27.1 When employees are too ill to come to work they should follow the correct notification and certification processes, and contact their manager as soon as is practicable, preferably by

telephone, giving as much information as possible about their absence and when they think they will be fit to return to work.

- 27.2 Employees should maintain regular contact with their manager whilst absent due to ill health and speak to their manager as soon as they are reasonably confident of the date of their return to work so their manager can arrange a Return to Work meeting with them.
- 27.3 Employees are expected to observe Council procedures and timescales to the best of their ability. Where an employee feels that they may be unable to engage with these meetings due to medical issues, they should endeavour to make their manager aware at the earliest opportunity so that alternative arrangements can be made (e.g. home visits or remote meetings).
- 27.4 Employees should endeavour to maintain their availability during periods of absence in order to attend meetings with management as required.

28. Meetings and Right to be Accompanied

- 28.1 Meeting/hearing invitations will indicate whether discussions are to be held physically or virtually. Managers will consider any employee requests for meetings to be held in a different format (e.g. requesting a physical meeting instead of a virtual one as a result of an unreliable internet connection at home).
- 28.2 Managers should give employees adequate notice for formal meetings to enable them to review relevant documentation and prepare for the meeting. A minimum of five working days' notice will be appropriate in most circumstances, but meetings can also be held with less notice subject to the availability and consent of participants.
- 28.3 Home visits may be arranged if both the employee and manager agree, however formal meetings will not be held in residential premises.
- 28.4 Employees have a right to bring a companion into a formal meeting or hearing. Employees are entitled to choose to be accompanied to such a meeting by a work colleague or a representative of a recognised trade union.
- 28.5 Employees may request to bring a companion into an informal review meeting, outlining the reasons for any such request to their line manager. When such a request is granted, the parties involved will need to ensure that the meeting is held in a manner that is as timely and as informal as possible. Unless exceptional circumstances apply, managers should refrain from requesting the presence of a HR representative in an informal review meeting. Similarly, co-ordinating the availability of an employee companion to an informal meeting should not result in its postponement for more than 5 working days from the originally proposed date.
- 28.6 The Council appreciates that there may be occasions where an employee may wish to be accompanied by individuals who are not work colleagues and/or union representatives (e.g. an interpreter, carer, member of a professional body related to the employee's duties). While there is no legal or contractual right for employees to be accompanied by such individuals, the Council will consider relevant requests on a case-by-case basis.