

Sickness Absence Policy

Policy Purpose

The aim of this Sickness Absence Policy is to provide clear and consistent guidelines for managing employee health and wellbeing across the council. It sets out the procedures for reporting, monitoring, and managing sickness absence, along with the support available to staff during their absence and when returning to work.

The policy also defines the responsibilities of both employees and managers, ensuring effective communication and accurate documentation throughout the absence process. By promoting a supportive and fair environment, the policy seeks to maintain strong attendance levels and productivity while addressing individual health needs.

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Introduction

At SBC, we are dedicated to fostering an environment where wellbeing is a core part of our culture. We recognise the importance of employee health and encourage individuals to prioritise their wellbeing while maintaining a consistent level of attendance at work.

We understand that employees may occasionally become unwell or require time off to manage a long-term health condition. This policy is designed to guide both managers and employees through the process of reporting, monitoring, and managing sickness absence. It also outlines how we support employees during their absence and help them return to work in a way that ensures continuity of service while addressing their health needs.

Scope

This policy outlines the procedures for reporting, monitoring, and verifying all sickness absences, regardless of their length or frequency. Separate guidance is available for managing sickness absence when it becomes a cause for concern. This policy applies to employees of the Council and not school employees. It does not apply to agency staff or contractors.

Detailed Sickness Absence Management guidance is available on the intranet and includes:

- **Regular or short-term absences** – defined as three or more instances of absence, or a total of 10 days (consecutively or cumulatively), within a rolling 12-month period.
- **Long-term absences** – where an employee has been, or is expected to be, absent for four consecutive weeks or more.

This policy does not cover other types of leave, such as family leave, personal time off, or medical appointments.

In cases where there is suspected misuse of sickness absence, the disciplinary policy may be applied. Disciplinary action may be considered if there is evidence that:

- the absence was not genuine or was misrepresented;
- the employee engaged in inappropriate activities while on sick leave, such as working for another employer; and/or

- the proper procedures for notifying and evidencing sickness absence were not followed, including failure to provide valid Fit Notes in a timely manner.

Reporting and evidencing sickness absence

Reporting absence

On the first day of sickness absence, employees must notify their line manager as soon as reasonably possible that they are unable to attend work due to illness or injury. In exceptional situations where the employee is unable to make contact themselves—such as in cases of hospitalisation—a friend or relative may contact the line manager on the employee's behalf. The employee should resume direct communication as soon as they are reasonably able to do so.

Employees are expected to follow their team's standard sickness reporting procedure, which typically involves calling their line manager. In some cases, alternative methods such as text messages or emails may be accepted depending on operational requirements. Line managers must ensure that all team members know who to contact if the manager is unavailable.

When reporting sickness absence, employees should:

- State the reason they are unable to work
- Provide an estimate of how long they expect to be absent
- Identify any key deadlines or critical work that may need to be rescheduled or reassigned
- Agree with their line manager on a preferred method and frequency of communication during their absence

If an employee becomes unwell during the workday and needs to leave early, they should inform their line manager or another appropriate person before leaving.

Keeping in touch

For short-term sickness, employees are generally expected to update their line manager each morning regarding their condition. If alternative arrangements are agreed upon, these should be followed consistently and not changed without the manager's approval.

In cases of long-term sickness absence, the employee and manager should agree on a regular communication plan. The frequency and method of contact typically weekly or fortnightly will depend on the nature and expected duration of the illness.

Recording absence

The line manager records the sickness absence on Agresso as soon as it is reported. The end date for the period of sickness absence should be left blank until the employee's return date is certain or they have returned to work. This will ensure the employee is paid correctly.

Line managers must ensure that they record both the start and end of an absence promptly to prevent under or overpayment, which could affect the employee's wellbeing.

All periods of absence, including sickness, must be accurately recorded on Agresso as soon as reported and when the individual returns to work. It is the line manager's responsibility to ensure all sickness absence is recorded correctly.

SBC's disciplinary process may be used to investigate any misuse or omissions, which could lead to disciplinary action for those responsible.

Self- Certification

Absences lasting up to 7 calendar days (including non-working days) are self-certified and must be recorded by completing the self-certification form on Agresso. This should be submitted upon the employee's return to work.

Fit notes

While absences of up to 7 calendar days can be self-certified, any sickness absence lasting longer than 7 calendar days (including non-working days) must be supported by a Fit Note. From day 8 of absence, employees are required to provide a Fit Note, which can be issued by healthcare professionals such as a GP, hospital doctor, nurse, occupational therapist, pharmacist, or physiotherapist.

Employees should submit a copy of their Fit Note to their line manager as soon as possible and no later than 14 calendar days from the start of the absence to ensure accurate pay while off work. If the sickness continues beyond the end date of the current Fit Note, a new certificate must be provided before the previous one expires.

Line managers are responsible for uploading all Fit Notes to the employee's sickness absence record on Agresso as soon as they are received.

Fit Notes may indicate that the employee is:

- **Not fit for work** – in which case the employee should remain off work; or
- **May be fit for work** – subject to adjustments recommended by the healthcare professional, such as a phased return, amended duties, modified hours, or workplace adaptations.

Where possible, these recommendations will be followed. However, there is no legal obligation to do so. Line managers should consult with HR and/or Occupational Health if additional advice is required.

In some cases, a line manager may request a Fit Note for absences lasting fewer than 7 consecutive days. If this is necessary, SBC will reimburse any associated cost except in situations where the certificate is required to support a claim of sickness during annual leave taken overseas (see *Sickness Absence and Annual Leave* section).

If the employee's unexpected absence is likely to be because the employee has failed to submit an up-to-date certificate or for some other reason that doesn't cause their Line Manager to be immediately worried about the employee's safety, the Line Manager will try contacting the employee, firstly by using their work contact details, if there is no response, they will use the employee's personal contact details. If there is still no response, the Line Manager will leave a message or send an email requesting that the employee makes contact.

If there is no response after the first day of absence, the Line Manager will make further reasonable attempts over the following couple of days to contact the employee by telephone, email, text, or other confidential means that may reach the employee. If the Line Manager is unable to get a suitable response from the employee, they should contact HR to discuss next steps who may recommend contacting the employee's next of kin.

Line Managers should record the date, time and method of each attempt to contact the employee.

Returning to work

Once an employee returns to work, the manager must update the employee's sickness absence on Agresso with their return-to-work date as soon as they return.

Before the Return-to-Work meeting, the line manager will review the employee's absence record to determine if formal action under SBC's Sickness Absence Management process has been triggered.

Line managers should check absences for the 12 months leading up to the absence start date. For example, if the employee's absence began on 1 April, the employer should review the period from 1 April the previous year to 31 March.

Line managers will also assess whether the employee's absences have been frequent, regular, or follow a repeated pattern.

Absences related to pregnancy will not be considered when determining if formal action under the absence management process is required.

Absences that are wholly or partly due to disability-related reasons may be included. However, the line manager will consult with HR to determine if the trigger points outlined in this policy need to be adjusted as accommodation to suit the employee's situation. In such cases, the employee's attendance targets may be adjusted based on their individual circumstances.

Return to work discussion

On the first day back at work or as soon as possible after any period of sickness absence, the employee's manager will arrange to meet informally with them, either in-person or remotely using Microsoft Teams.

If the employee hasn't returned to work after a period of 10 days and is likely to be on long-term sickness absence, the manager should refer to the Sickness Absence Management guidance on how to arrange a Return-to-Work meeting.

The Return-to-Work meeting should take place in a private setting, with all discussions between the employee and the manager remaining confidential. The line manager will document the meeting in the employee's record on Agresso by selecting the Return-to-Work form.

During the Return-to-Work meeting, the employee and manager will discuss:

- The employee's self-certificate or fit note, and whether the sickness absence reporting process was followed correctly
- The employee's sickness absence record over the last 12 months, including any trends, concerns, or issues
- Possible solutions or proactive actions, including any diagnoses, whether they consulted a healthcare professional, or attended hospital
- Any temporary adjustments or support needed in their work
- The sickness absence management process and when it might apply
- Any relevant wellbeing support that may benefit the employee

The line manager will also inform the employee if they have reached a trigger point and outline the next steps in the process.

Return to Work meetings should be held after every period of absence.

Updating the employee's absence management record

The line manager will be responsible for ensuring that the employee's absence record on Agresso is updated. The entry can be made by either the employee or line manager. It is very important that Agresso is updated each time the employee returns to work, so that the employee is paid correctly, and the line manager can keep track of the employee's absences.

There may be occasions when the underlying reasons for the employee's absence are not easily classifiable. For example, the employee may have more than one health condition, in these cases the main sickness reason should be confirmed by the employee and the record on Agresso by the line manager with notes of any additional reasons added on the return-to-work form.

Sickness absence during annual leave

Sickness during holiday

If an employee falls ill or sustains an injury during a period of holiday leave, they may be able to record the absence as sickness leave instead of holiday leave, provided they take the following steps:

- Follow their team's local arrangement for reporting sickness absence (where possible)
- Provide a fit note from a healthcare professional, which could be from a GP, hospital doctor, nurse, occupational therapist, pharmacist, or physiotherapist. If there is a charge for the fit note (for example, for sickness lasting less than 7 days), the employee should provide a receipt so their manager can arrange reimbursement.
- Employees who are overseas when they fall ill or are injured must provide evidence, written in English, in the form of a medical certificate or proof of a claim on an insurance policy for medical treatment received abroad. The charge for this evidence may be covered by holiday insurance, but it will not be automatically reimbursed by SBC.

The fit note or medical evidence provided must confirm that the employee was genuinely unfit to work, rather than simply unable to fully enjoy their holiday. Only the period covered by the fit note will be counted as sickness absence.

If an employee is ill or injured before the start of a period of planned holiday and is consequently unable to take the holiday, the line manager will agree with the employee to postpone the holiday to a mutually agreed time. The employee must provide medical evidence confirming they are unfit, or likely to be unfit, to take the holiday.

Any period of sickness absence that was originally booked as holiday will be treated according to the Sickness Absence Management guidance, depending on the duration of the sickness.

Holiday during Sick Leave

Holiday entitlement continues to accrue while employees are absent due to sickness for that holiday year period.

It may be appropriate for an employee to book annual leave while on sick leave, for example, when they:

- Are not physically able to work but are able to take a holiday
- Have a mental health condition that may benefit from a holiday
- Are off sick long-term, and a holiday may aid their recovery

After the employee has taken their holiday, sick leave can continue if they are still unwell and unable to return to work.

If the employee has used all contractual sick pay or is only receiving statutory sick pay, they can use holiday entitlement during sickness to receive full pay for that period. This can be arranged by the line manager through HR.

The sickness absence will still be considered when the line manager checks the employee's absence record to see if formal action under SBC's Sickness Absence Management guidance has been triggered.

Sickness Absence When Annual Leave Request Was Refused

Sickness absence may be investigated as unauthorised absence under the Disciplinary Policy if it occurs during the same period that the employee's request for annual leave was previously declined. The employee may be asked to provide a medical certificate (Fit Note) covering the absence period. If the sickness absence is less than 7 days, the employee will be able to claim reasonable expenses for obtaining a private Fit Note from an appropriate UK-based healthcare professional.

Carrying Over Unused Holiday

If an employee has not been able to use all their annual leave allowance during the current holiday year due to long-term absence, they may be eligible to carry over unused entitlement of up to 20 days (the UK Working Time Regulations statutory holiday entitlement), less any holiday already taken, into the next holiday year. The carryover

balance will be pro-rata for part-time employees. Any carried-over holiday entitlement must be used within 18 months from the date it is carried over.

The employee will not be permitted to carry over outstanding holiday entitlement (more than the standard allowance of up to 5 days) if they return from absence with enough time to reasonably use that entitlement before the end of the holiday year.

Unauthorised absence

Unauthorised absence, also known as being Absent Without Leave (“AWOL”), is when an employee doesn’t attend work when they are supposed to. Guidance on unauthorised absence that is not related to sickness absence can be found on the intranet.

Failing to report sickness or provide certification

Absence may be considered as unauthorised if the employee fails to follow the sickness absence reporting procedures or if they fail to provide a Fit Note certificate for their period of sickness absence lasting more than 7 calendar days. Where the sickness absence lasts longer than the period on their Fit Note, the absence may be unauthorised if the employee fails to provide an updated Fit Note certificate to cover their extended period of absence, within 7 days of the previous certificate’s expiry date.

If the Line Manager reasonably believes that an employee is unfit for work and there could be a risk to the employee, their colleagues, services users, other third parties or the council; depending on the suspected illness, or condition, the Line Manager may decide to send the employee home or tell them to cease working. This is a precautionary measure designed to prevent the spread of disease in the workplace and/or further harm to the employee or others.

Being sent home from work

The Line Manager may decide that the employee is unfit for work for various reasons, including where the employee:

- is or could be infectious, e.g. suffering from some form of ‘flu, or other contagious disease, e.g. chickenpox, and there is a risk of them infecting others;
- appears unwell and has a safety-critical job, such as working with heavy machinery or driving etc.
- appears to be mentally unfit in some way, e.g. they are acting irrationally or with impaired judgement.

As an alternative to cease working, the Line Manager will initially consider if the employee could reasonably work from home (or another location) and/or if they could transfer to suitable alternative duties.

Where the employee is told to cease work on health grounds, they will usually receive contractual sick pay. Where contractual sick pay is less than their normal pay (such as where the employee does not have sufficient service or has previously exhausted their entitlement to sick pay at full pay), they will continue to receive their normal pay until they have been assessed by their GP, Occupational Health or another appropriate healthcare professional.

The employee may return to work as soon as they have been assessed as fit for work by their GP, Occupational Health or another appropriate healthcare professional.

If the employee fails to obtain appropriate medical advice within 2 weeks of being told to cease work or if they refuse to see their GP or healthcare professional and/or do not consent to an Occupational Health assessment, they will cease to receive any contractual sick pay entitlement, and the matter may be investigated under SBC's disciplinary policy.

Occupational advice

Line Managers may want to get advice on an employee's fitness for work from Occupational Health before starting the sickness absence management process or at any point during it. The purpose of a referral is to get advice on how best to support the employee and how to manage the situation.

Before making a referral, Line Managers will discuss the reasons for making the referral with the employee and gain the employee's consent to make the referral. All information in the referral process, including the advice provided by Occupational Health, will be kept confidential and employees have the right to view the advice before it is provided to their Line Manager and HR. Employees who wish to see the advice in advance will have 7 days in which to view it. Employees who do not view the advice within 7 days can still see the advice at a later date after it is sent to their Line Manager.

Decisions around any support or future actions may be made without Occupational Health advice when employees do not provide consent for an Occupational Health or, unreasonably delay in providing consent or refuses to give the employer access to Occupational Health advice. In these situations, decisions will be based on the information available.

Medical appointments

Medical appointments including dentist, doctor and medical rehabilitation appointments should not be recorded as sickness leave.

Where possible these appointments should be made outside of working hours or covered using a flexible working approach. Where this is not reasonable or practical to do so, employees should talk to their manager in advance of an appointment and get agreement for time off. Agreed time off should be reported as Medical Leave on Agresso, paid time off can be agreed, and employees may be asked to provide confirmation of the appointment

which can be uploaded to the Agresso entry. Line managers will not unreasonably refuse paid time off work to pregnant employees who have been advised by a medical practitioner, midwife or nurse to attend an appointment. This includes antenatal appointments

Withholding Occupational Sick pay

SBC may withhold any contractual sick pay entitlement, which is over and above the employee's entitlement to Statutory Sick Pay, in cases where:

- the employee fails to follow the sickness absence reporting process
- the employee fails to submit a valid Fit Note within 14 days of the sickness absence start date
- the absence lasts longer than the Fit Note, and the employee fails to provide an updated Fit Note certificate within 7 days of the previous certificate's expiry date
- The employee does not seek medical advice or obtain a FIT note from their GP or a suitable healthcare professional when requested by SBC
- the employee fails to actively participate in any requested referral to Occupational Health, the stress support service or other specialist medical support without providing a reasonable explanation
- SBC finds that the employee is not following the recovery plan recommended by their medical adviser, such as missing hospital or physiotherapy appointments.
- The employees fails to engage in the sickness absence management process
- the employee is found to be undertaking inappropriate activities while off sick, such as carrying out work for another organisation
- SBC finds that the absence is due to avoidable circumstances, such as elective surgery (and any subsequent surgical complications); alcohol or drug consumption; high contact/dangerous sports/activities; or the employee's own negligence or misconduct.

Terminal illness

We will endeavour as far as possible to accommodate the wishes of employees diagnosed with a terminal illness. This includes advising them of the death in service benefit and/or investigating ill health retirement, as appropriate.

We will support employees who wish to continue working, and if there comes a time when they are unable to continue working, the Line Manager will discuss the options with the employee.

Employees are not obliged to inform their manager or colleagues if they are terminally ill. However, it is encouraged to have a confidential discussion with the Line Manager about the illness, to explore any support that can be provided.

Employee's Assistance Programme

Employees can access support by contacting SBC's Employee Assistance Programme (EAP). This service provides free, professional, independent and confidential support, advice and short-term counselling. Details of this service can be found on the intranet.

Maintenance of this Policy

This policy applies to all employees, it is not contractual, and it can be changed by the council at any time. Separate provisions will be put into place in situations where employees are prevented from attending work due to explicit government guidance.