

# Sickness Absence Guidance

## Purpose of this guidance

This guidance is designed to offer clear and practical steps for managing sickness absence at SBC. Its aim is to ensure that all sickness absences are addressed consistently, fairly, and promptly, while considering both the council's needs and the health and wellbeing of our employees. It outlines the processes that managers and employees should follow when managing sickness absences, ensuring respectful treatment for all and maintaining confidentiality throughout.

This guidance is intended to assist in managing sickness absence when it becomes a concern. It ensures that any actions taken are fair, proportionate, and aligned with our policies and legal requirements. By offering a clear framework for handling sickness absence, we aim to support employees in their recovery and return to work, while maintaining high levels of attendance and productivity.

Contents:

## Introduction

Employees are encouraged to look after their wellbeing and maintain the best possible levels of attendance at work. It is only natural for employees to become ill from time to time and they may need to take sickness absence. However, if an employee is persistently absent from work, or is absent for a long period of time, this can negatively impact efficiency and productivity.

This guidance aims to strike a reasonable balance between maintaining good quality service delivery and the employee's genuine need to take time off work when they are unwell.

All sickness cases will be managed within a non-discriminatory framework and in accordance with SBC's equality, diversity and inclusion (EDI) policy. Further information about SBC's processes for sickness absence and sick pay can be found on the intranet.

## Scope

This guidance should be used in conjunction with the Sickness Absence policy, which sets out the process for reporting, recording, evidencing, and returning to work from occasions of sickness absence. It is essential that both managers and employees have a shared understanding of the actions that must take place at the time of sickness absence.

## Sickness Absence Triggers

There are two distinct situations where sickness absence starts to cause a concern:

- Regular or frequent short-term absence: when an employee has been absent from work on 3 occasions or absent for 10 days (in a row or added together) within a period of 12 consecutive months.
- Long-term absence: where an employee has been or is expected to be absent for 4 continuous weeks, or more.

If either of these sickness triggers are met, an automated email will be sent to the Line Manager. The line manager will also check the employee's absence record prior to each Return to Work meeting.

The Sickness Absence Management process can be used at any time when either sickness becomes a concern, is having a significant impact on work, or if a more formal approach would help.

The process for the management of short-term absence has different timelines and requirements than for long-term absence, which is described within this guidance.

Stage	Action	Short Term Absence	Long Term Absence
<b>Return to Work meeting</b>	Informal	After return from every sickness absence	After return from a period of long-term absence
<u><a href="#">Keeping in Touch Meeting</a></u>	Informal		Where appropriate, after 10 days of continuous absence, then usually at least every 4 weeks until the employee returns to work.

<a href="#"><u>First Steps – Line Manager Review Meeting</u></a>	Informal		After 4 weeks of continuous absence.
<a href="#"><u>Stage 1 – Line Manager Hearing</u></a>	Formal – Potential Outcome a formal Attendance Improvement plan and monitoring period	If employee's absence had reached one of the triggers within a 12-month rolling period.	If absence continues after First Steps meeting and employee is absent, or likely to be absent, for 8 weeks
<a href="#"><u>Stage 2 – Second Line Manager Hearing</u></a>	Formal – Attendance Improvement plan extended	If the improvements outlined in the employee's <a href="#"><u>Attendance Improvement Plan</u></a> aren't achieved and sustained during the review period.	If absence continues after Stage 1 hearing and employee is absent, or likely to be absent, for 16 weeks or more.
<a href="#"><u>Stage 3 – Independent Manager Hearing</u></a>	Formal – Potential Outcome of Dismissal	If the improvements outlined in the employee's <a href="#"><u>Attendance Improvement Plan</u></a> aren't achieved and sustained during the extended review period.	If absence continues after Stage 2 hearing and employee is absent, or likely to be absent, for 24 weeks or more; and <a href="#"><u>other criteria reach</u></a> .

### **Summary of the stages in the sickness absence management process**

#### **When the stages in the process may be accelerated**

The stages set out below are guidelines only. There are limited circumstances in which it will be appropriate for an employee to move directly to a more advanced stage of the process.

For example: it may be necessary to skip straight to the Stage 3 Independent Manager Hearing where the medical advice is that the employee will never be able to return to work. Additionally, if an employee has frequent short-term absences that form a pattern suggesting a significant health concern or potential misuse of the sickness policy, it may be necessary to escalate the case to a more advanced stage, such as a Stage 2- Second Line Manager Hearing, to address the underlying issues more effectively.

#### **When attendance concern changes between Long and Short-term absence**

If an employee has been managing short-term sickness absences (such as frequent, brief periods of illness), and then they have an absence lasting 4 weeks or more, the process for managing their absence will shift to long-term sickness absence procedures. However, any Improvement plans and review periods given for short-term absences will still apply until

they expire. These will also be considered when deciding which stage of the long-term sickness absence process should be used for managing their current absence.

Similarly, if an employee has been on long-term sickness leave and then returns to work but later hits a trigger for short-term sickness (for example, they have frequent short absences), the improvement plan and review period they received during their long-term absence will remain valid. The new short-term sickness absences will then be managed according to the next appropriate stage of the short-term absence process.

#### **Key Points:**

- Improvement plans within a stage of the formal process for short-term sickness remain in effect, even if the employee transitions to long-term absence.
- If an employee switches between short-term and long-term sickness, their previous record will influence how their current absences are managed.
- The absence management process will adjust based on whether the employee is in short-term or long-term sickness, but prior formal improvement plans will still be considered.

## **Employee Responsibilities**

Employees are expected to actively engage in the sickness absence management process. Failure to do so may result in disciplinary action and/or withholding enhanced occupational sick pay.

## **First Steps Line Manager Review Meeting – Long term absence**

The First Steps Line Manager Review Meeting will be held by the employee's Line Manager when their absence reaches the long-term sickness trigger of 4 weeks or more. During the meeting, the Line Manager will document the discussion and record the outcomes, providing the employee with a copy of the notes.

At the meeting, the line manager will discuss the issues described in [Appendix A](#).

## **First Steps Outcome**

After reviewing all the available information and any mitigating circumstances given by the employee, the Line Manager will decide which of the following steps to take:

- a) **For Long-term sickness absence:** The Line Manager will provide details of any steps or targets that have been agreed to help the employee to return to work, and any support that can be offered to the employee.

- b) **If there is (or could be) an underlying health problem or disability:** The Line Manager will arrange a referral to Occupational Health and encourage the employee to book an appointment with a healthcare professional, if this has not already been done.
- c) **Make reasonable adjustments where appropriate:** Additional allowances are deemed necessary as a reasonable adjustment for disabilities, the line manager will consider the specific circumstances and may decide to make accommodations. This could include adjusting the absence triggers or providing additional support measures tailored to the employee's needs. These adjustments aim to ensure that the employee is given a fair opportunity to improve their attendance while considering any underlying health conditions or disabilities.
- d) **No further action is required currently, and the employee exits the process.** This is used in exceptional circumstances where it is found that the employee's absences should not be managed under this sickness absence management process, such as occasions of pregnancy related absence that are discounted from the standard absence triggers.

Within one week of the meeting, the Line Manager will provide the employee with a copy of the notes from the meeting, which will clearly set out the level of attendance expected, the rationale for any reasonable adjustments, the required improvements and support available to the employee.

If the employee meets the improvements set for their attendance, they will exit the process, and no further action will be taken.

If the employee fails to meet the expected attendance levels, or any improvements set, the employee will move to Stage 1 of the formal sickness absence management process.

## Stage 1 – Line Manager Hearing

### Overview

The first formal stage in the process starts when an employee:

- when an employee has been absent from work on 3 occasions or absent for 10 days (in a row or added together) within a period of 12 consecutive months.
- has been, or is expected to be, absent on Long Term Sickness for 8 weeks or more.

Line Managers will contact HR to log the case and will be assigned HR support.

The Line Manager will invite the employee to a Sickness Absence Line Manager Hearing.

If the employee is on Long-term sickness absence, the manager should refer to the guidance below on Keeping in touch and arranging meetings during Long-term absence.[\\_](#)

Except in exceptional circumstances, the Line Manager will not invite the employee to a hearing unless they have previously held 'Return to Work' / 'Keeping in Touch' meetings with the employee for the periods of absence that they are considering at the hearing.

The Line Manager will write to the employee, giving at least 1 weeks' notice of the hearing and setting out the details of the previous Return to Work / Keeping in Touch meetings, any support given, and progress made. The employee can arrange to be accompanied by a trade union representative or an SBC colleague.

A possible outcome of the hearing is that the employee is given a formal improvement plan and moved to a formal attendance review period.

## **Stage 1 Line Manager Hearing**

The Stage 1 Line Manager Hearing will be chaired by the employee's Line Manager. The Line Manager will also arrange for notes to be made of the hearing.

The Line Manager should contact their assigned HR Support to obtain a guidance document on how to conduct a Sickness Absence Line Manager hearing.

At the hearing, the line manager will discuss the issues described in [Appendix A](#).

## **Stage 1 Outcome**

Within one week of the hearing, the Line Manager will write to the employee outlining what has been decided as a result of the Stage 1 hearing. The letter will include details of any steps or targets that have been agreed to help the employee to improve their attendance/help the employee return to work, and any support that the council is providing for the employee.

**The possible outcomes from the Stage 1 - Line Manager Hearing are:**

- **For Short-term Absence:** A formal improvement plan with an attendance Review Period;
- **For Long-term absence:** A formal improvement plan with an attendance review period that continued absence cannot be sustained indefinitely and details of support available; or
- No further action.

## **Formal Improvement plan and Attendance Review Period**

The outcome of a Stage 1 Line Manager Hearing could be that the manager decides that the employee should be managed formally within stage 1 of the policy, and their attendance will be monitored and supported through an Attendance Improvement Plan, and they will enter a formal Attendance Review Period.

## **Employee Records**

A Improvement plan and attendance review period will remain active on the employee's file for 12 months but will be disregarded for sickness absence purposes after that period, providing the required standards of attendance are reached and sustained during the Attendance Review Period.

The Line Manager will forward copies of the outcome letter and all related documents to their HR Support, who will arrange for appropriate information to be uploaded to the employee's record on Agresso.

### **During the Attendance Review Period**

If the employee's sickness absence level improves, no further action will be taken. At the end of the review period, the manager should write to the employee explaining to them that they have completed the formal review period.

If during the formal review period, the employee fails to reach the improvements expected on the Attendance Improvement Plan and/or the sickness triggers are reached again, the employee will move to Stage 2 of the process.

### **No further action**

In limited circumstances, for example if there are extenuating reasons for the absences, the outcome of a Stage 1 Line Manager Hearing could be that the manager decides that it is not appropriate to issue the employee with a formal improvement plan and start a formal review period. If the decision is that no further action will be taken, the outcome letter should inform the employee of this and provide an explanation for the decision.

## **Stage 2 – Second Line Manager Hearing**

### **Overview**

The second stage in the formal process starts when an employee:

- hits a further trigger point within the short-term absence management detailed at the Stage 1 meeting, while they are on a formal attendance review period; or
- has been, or is expected to be, absent on Long Term Sickness for 16 weeks or more.

The Line Manager will invite the employee to a second Line Manager hearing.

If the employee is on Long-term sickness absence, the manager should refer to the guidance below on Keeping in touch and arranging meetings during Long-term absence.

Except in exceptional circumstances, the Line Manager will not invite the employee to a hearing unless they have followed the formal steps for Stage 1 of the process and they have previously held '[Return to Work](#)' / '[Keeping in Touch](#)' meetings with the employee for the periods of absence that they are considering at the hearing.

The Line Manager will write to the employee, giving at least 1 weeks' notice of the hearing and setting out the details of the previous meetings, any support given, and progress made. The employee can arrange to be accompanied by a trade union representative or an SBC colleague.

A possible outcome of the hearing is that the employee is given a second improvement plan and moved to a second formal attendance review period.

## **Stage 2 Second Line Manager Hearing**

The Stage 2 Second Line Manager hearing will be chaired by the employee's Line Manager. The Line Manager will also arrange for notes to be made of the hearing.

The Line Manager should contact their assigned HR Support to obtain a guidance document on how to conduct a Sickness Absence Line Manager hearing.

At the hearing, the line manager will discuss the issues described in Appendix A.

## **Stage 2 Outcome**

Within one week of the hearing, the Line Manager will write to the employee outlining what has been decided as a result of the Stage 2 hearing. The letter will include details of any steps or targets that have been agreed to help the employee to improve their attendance/ help the employee return to work, and any support that the council is providing for the employee.

The possible outcomes from the Stage 2 Line Manager Hearing are:

- For Short-term absence:** A formal improvement plan under stage 2 of the absence management policy with an attendance Review Period;
- **For Long-term absence:** A formal improvement plan under stage 2 of the absence management policy with an attendance review period that continued absence cannot be sustained indefinitely and details of support available; or
- No further action.

## **Stage 2 Formal improvement plan and extend the Attendance Review Period**

The outcome of a Stage 2 Second Line Manager Hearing could be that the manager decides that the employee should set a further formal improvement plan under stage 2 of the absent management policy; the employee's Employee Attendance Improvement Plan is updated and extended, and they enter a second formal attendance review period.

## **Employee Records**

The formal improvement plan and attendance review period will remain active on the employee's file for 12 months but will be disregarded for sickness absence purposes after that period, providing the required standards of attendance are reached and sustained during the extended attendance review period.

The Line Manager will forward copies of the outcome letter and all related documents to their HR Support, who will arrange for appropriate information to be uploaded to the employee's record on Agresso.

## **During the Attendance Review Period**

If the employee's sickness absence level improves, no further action will be taken. At the end of the review period, the manager should write to the employee explaining to them that they have completed the formal review period.

If during the extended formal review period, the employee fails to reach the improvements expected on the Attendance Improvement Plan and/or the sickness triggers are reached again, the employee will move to Stage 3 of the process.

Before progressing to Stage 3: The Line Manager will meet with the employee to advise them that their case will be referred to an Independent Manager Hearing. This meeting is intended to provide the employee with advance notice of the next stage in the process, so that the subsequent invitation to a hearing potentially from a manager unfamiliar to the employee does not come as a surprise. If a face-to-face or virtual meeting is not practical (for example, due to the employee's continued long-term absence), the Line Manager will provide this information in writing, either by letter or email.

In order to progress the case to Stage 3, the Line Manager will prepare a [Sickness Absence Report](#) and include any relevant supporting documents, such as the Employee Attendance Improvement Plan, outcome letters from previous hearings and all appropriate meeting notes. These documents will form the Hearing Pack for the Independent Manager hearing.

## **No further action**

In limited circumstances, for example if there are extenuating reasons for the absences, the outcome of a Stage 2 Second Line Manager Hearing could be that the manager decides that it is not appropriate set a stage 2 improvement plan and commence a second formal review period. Any current improvement plans and review periods from the previous stages will remain in place.

If the decision is that no further action will be taken, the letter should inform the employee of this and provide an explanation for the decision. This decision will not change the outcome of the Stage 1 Line Manager Hearing, and any improvement plans and review periods during that stage will continue until their original end date.

## Continued Long-term Absence

Employees on Long-term sickness absence will usually remain at Stage 2 of the absence management process until they either return to work, or they meet the Long-Term sickness absence criteria [below](#).

While the employee remains at Stage 2, the Line Manager should complete regular 'Keeping in Touch' meetings, usually at least once a month. The Line Manager will write to the employee after each meeting to confirm the steps or targets to enable the employee's return to work.

If during the Stage 1 or Stage 2 meeting, it is clear that the employee will not return to work within 24 weeks' absence, the outcome letter from the Line Manager may include:

- details of when the employee's entitlement to SBC's sick pay allowance and/or statutory sick pay will expire
- that the employee's absence cannot be sustained indefinitely, and they may proceed to Stage 3 of the process if they are unable to return to work within the foreseeable future
- that potential redeployment or ill health retirement will be explored, if applicable.

**An employee on Long-term sickness absence will move to Stage 3 when:**

- their continuous absence exceeds (or is expected to exceed) 24 weeks, and
- medical advice indicates that the employee would be unable to return to their role in the foreseeable future; and
- all reasonable steps to assist the employee in returning to work (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations) have been exhausted; and
- redeployment options have been explored; and
- the possibility of dismissal (including ill-health retirement) has been discussed with them

## Stage 3 – Independent Manager Hearing

### Overview

The third stage in the formal process starts when an employee:

- hits a further trigger point within the short-term absence management detailed at the Stage 1 meeting, while they are on a formal attendance review period; or
- has been, or is expected to be, absent on Long Term Sickness for 24 weeks or more

A different manager at will invite the employee to an Independent Manager Hearing.

If the employee is on Long-term sickness absence, the Independent Manager should refer to the guidance below on Keeping in touch and arranging meetings during Long-term absence.

Other than in exceptional circumstances, the Independent Manager will not arrange this meeting unless the employee's Line Manager has followed the formal steps for Stage 1 and Stage 2 (above) and held Return to Work / Keeping in Touch meetings with the employee for the periods of absence that are being considered at the hearing.

The Independent Manager will write to the employee, giving 1 weeks' notice of the hearing and setting out the details of the previous meetings/hearings, any support given, and progress made. The employee can arrange to be accompanied by a trade union representative or an SBC colleague.

A possible outcome of the hearing is that the employee is dismissed for continued or unacceptable levels of absence.

### **Stage 3 Independent Manager Hearing**

The Stage 3 Independent Manager Hearing will be chaired by a manager; they will be supported by a member of HR who will also be in attendance.

The Independent Manager should contact their assigned HR Support to obtain a guidance document on how to conduct a Sickness Absence Independent Manager hearing.

The Independent Manager will review the Hearing Pack prepared by the Line Manager and ensure that the pack has the appropriate information and supporting documents for them to conduct the hearing.

The Independent Manager will book a meeting room or arrange a secure virtual meeting. They will also arrange for notes to be made of the hearing.

At the meeting, the Independent Manager will discuss the issues described in [Appendix A](#).

### **Stage 3 Outcome**

The employee will usually be informed of the Independent Manager's decision at the end of the hearing. In exceptional cases the Independent Manager may need to consider their decision for a longer period, in these situations the employee will not be informed of the outcome at the hearing and the independent manager will advise the employee of the delay and the reasons for it.

Within one week of the hearing, the Line Manager will write to the employee outlining what has been decided as a result of the Stage 3 Independent Manager Hearing.

The possible outcomes from the Stage 3 Independent Manager Hearing are:

- No further action;
- A decision for the employee to remain on their stage 2 Attendance Improvement Plan for a defined period, with amendments where appropriate;
- To issue a further improvement plan with a specified review period, emphasising that the employee's ongoing long-term absence cannot be sustained indefinitely. If the employee is unable to return to work within a reasonable timeframe, further action may be required.
- A decision for the employee to remain on Long-term sick leave until they have recovered (typically where an approximate return date can be identified). If they do not return to work as expected, a further Stage 3 meeting will be arranged;
- An offer to make adjustments to the employee's work
- If applicable, a decision to take further steps to pursue ill-health retirement;
- To explore potential redeployment to a more suitable role, with the employee's agreement, which will be subject to suitable vacancies being available within an agreed timeframe, and the employee's successful application for the role; or
- A decision to dismiss the employee with contractual notice.

The employee will have a right of appeal. Employees that wish to appeal must do so within one week of receiving the decision in writing. The employee should use the '[Appeal form](#)' and explain the reasons for their appeal. The outcome will remain in place while the appeal is considered.

### **Alternatives to dismissal**

Where the outcome of the Independent Manager hearing does not result in dismissal, and that alternative outcome is not successful, the sickness absence management process will recommence at Stage 3.

### **Employee Records**

The Independent Manager will forward copies of the outcome letter and all related documents to their HR Support, who will arrange for appropriate information to be uploaded to the employee's record on Agresso.

## **Appeal**

An employee who is dismissed under this procedure has the right of appeal. An Appeal form should be completed and sent to the person identified in the outcome letter. The employee's appeal form should include the reasons they believe that the decision was flawed or unfair.

The employee should make their appeal within one week of receiving written confirmation of the outcome.

An appeal hearing will be held within a reasonable period following receipt of the appeal. The manager hearing the appeal will have the appropriate delegated powers to determine the outcome.

The Appeal Manager should contact HR to obtain a guidance document on how to conduct a Sickness Absence Appeal Hearing.

If the employee is on Long-term sickness absence, the appeal manager should refer to the guidance below on Keeping in touch and arranging meetings during Long-term absence.

The appeal manager will invite the employee to the hearing. They will be supported by a member of HR who should be present at the meeting. The appeal manager will book a meeting room or arrange a secure virtual meeting. They will also arrange for notes to be made of the hearing.

The employee will be entitled to be accompanied by a fellow employee or a trade union official.

At the appeal hearing, the outcome of the original hearing will be reviewed, and the employee will be able share their views about the appropriateness of that decision.

The outcome of the appeal will be confirmed to the employee in writing, explaining how the appeal manager reached their decision. The outcome of the appeal will be final.

## **Employee Records**

The Appeal Manager will forward copies of the outcome letter and all related documents to their HR Support, who will arrange for appropriate information to be uploaded to the employee's record on Agresso.

## **Keeping in touch and arranging meetings during Long-term absence**

### **Keeping in touch**

When an employee is on long-term sickness absence, it is important to keep in regular personal contact with their Line Manager.

The Line Manager and employees are jointly responsible for keeping in touch on a regular basis.

The Line Manager will agree with the employee the best way to keep in touch and how often. Depending on the nature and length of the illness, during long-term sickness absence, this would usually be at least once per month.

When keeping in touch the managers and employees should share the following information:

- updates on the employee's health/condition/symptoms and progress towards a return to health;
- how the keeping in touch arrangements are working and ways the employee can actively engage with their manager if things change;
- what to include in an occupational health referral and any advice or practical support that's been recommended;
- any changes to other planned absences, such as rearranging planned holidays or taking holiday where sick pay has reduced/expired to continue receiving full pay;
- phased return to work options if required, by completing any necessary risk assessments and making appropriate temporary or permanent adjustments, including how any adjustments may impact salary;
- workplace updates including any team changes or opportunities and any key service changes;
- the wellbeing support that is available to the employee, including the Employee Assistance Programme (EAP).

## **Arranging Meetings**

Where the employee is absent due to long term sickness, the manager will contact the employee to agree a date, time and location for the meeting to take place, at a time that is convenient for the employee and manager. If the employee does not engage with the manager or co-operate with attempts to agree a time and place for the meeting, the manager may set a time and place for the meeting without the employee's agreement.

The meeting can take place at an SBC workplace which may or may not be the employee's usual place of work; remotely using a Microsoft Teams meeting; or another mutually agreed location. This could be a location near the employee's home (such as a local cafe or library) or the employee's home (if the employee is comfortable with this). In exceptional circumstances, the meeting could be held over the telephone. The employee's medical and health needs will be considered when deciding on a location for the meeting.

For formal hearings, once the time, date and location for the hearing are arranged, the manager will contact the employee, giving at least one week's notice of the hearing. A few days before the hearing, the manager should contact the employee to confirm that they are still well enough for the hearing to proceed. The employee can arrange to be accompanied by a trade union representative or an SBC colleague.

## **Home visits**

In exceptional or complex circumstances, employees and managers can keep in touch and/or conduct hearings using home visits. Home visits will take place only if the employee agrees to them and the employee is unable to meet at a suitable alternative location close to their home.

The manager will normally be accompanied by a work colleague. The employee may be accompanied during the visit if they wish, for example by a family member or a work colleague.

## **Laptop and access to council systems**

The Employee will still have access to their laptop while on sick leave. Whilst the employee is not expected to log-on and work, it is recommended that they turn on their 'out of office' on their email account so colleagues know that they are not working.

If the employee loses access to their laptop, they will need to return it to IT to get access again.

## **Returning to work arrangements**

Usually, employees returning from long-term sickness will return to their usual role and ways of working. This might not be possible immediately depending on the length of time they have been away from work, so we will support employees to build back up to their usual role and ways of working by phasing them back using temporary adjustments to their working pattern or duties with support and recommendations made from Occupational Health. If an employee cannot return to their usual role, we will explore redeploying them permanently to a more suitable role, subject to appropriate vacancies being available and the employee's successful application for the role.

Before the employee's return date, Line Managers will arrange a Return-to-Work meeting and refer them to Occupational Health where required. This meeting will begin the reintroduction back to work and make sure that arrangements are in place to support the employee. These arrangements will include any agreed adjustments and (where necessary) a risk assessment.

### **Phased return to work**

A phased return to work means, for a temporary period, employees complete different duties and/or work fewer hours than normal when they first come back to work. They will also need to have work duties adjusted to reflect the reduced hours and any impact those duties may have on the employee's health. A phased return may involve working in a different location while an employee has a different working pattern. The employee's hours can then increase, usually on a week-by-week basis, over a planned period of time of up to 6 weeks. If a longer phased return period is recommended, the employee and manager should consider a formal flexible working request.

A phased return to work can be recommended in occupational health advice, or on a Fit Note and the medical professional will provide the details for the Line Manager and employee to consider. The employee must provide medical evidence, such as a Fit Note, confirming that a phased return to work is recommended. This evidence is required to

support the arrangement and to ensure that the employee is eligible to receive sick pay for any unworked hours during the phased return.

If a phased return has been recommended, the Line Manager will invite the employee to a meeting to discuss the medical advice and the possibility of a phased return to work before they are due to start back to work.

The Line Manager and employee will discuss the medical advice and explore if a phased return to work is possible, then consider:

- when it could start, and with what work and hours;
- whether there will need to be any changes to the employee's work environment or workplace during the phased return to work and/or once the phased return to work is completed;
- when and how the employee's work and hours will develop during any phased return to work;
- what arrangements will be put in place to monitor the employee's progress during any phased return to work;
- the temporary impact on the employee's pay during any phased return to work; and
- to whom the employee should report if there are any difficulties with their return to work.

When a phased return is being considered to help get an employee back to work, the Line Manager and employee are expected to take the business needs and service delivery into account.

The Line Manager will record the details of the phased return on the employee's record on Agresso.

When working a phased return, employees will receive normal pay for the hours they work and sick pay for the remaining unworked hours (unless their sick pay entitlement has been exhausted). Employees who have exhausted their sick pay or are receiving half pay whilst on sick leave may choose to book annual leave for unworked hours so that their pay is not impacted.

## **Physical changes or new equipment**

Sometimes there may be specialist medical advice recommending physical changes to the employee's place of work. Before any decision is made on this sort of adjustment, the Line Manager is expected to discuss any recommendations with the employee to consider everything, including:

- the impact on the business of making the adjustment;
- the cost and practicality of the adjustment;
- the effectiveness of the adjustment;

- the amount of help and support the employee has already been given;
- whether or not there are other adjustments that could be made to help the employee.

In some cases [Access to Work](#) can provide assessment and advice for reasonable adjustments and may meet some of the cost to get the adjustments in place.

## Attendance Improvement Plans

Attendance Improvement Plans are designed to support employees in achieving and maintaining acceptable levels of attendance at work. These plans outline specific steps and targets for improving attendance, tailored to the individual's circumstances. They may include reasonable adjustments, regular reviews, and additional support measures. The goal is to help the employee to overcome any barriers to consistent attendance, ensuring they can contribute effectively to their role while maintaining their health and wellbeing.

If the employee fails to maintain the targets set in the improvement plan, they will move to the next stage of the sickness absence management process.

Managers should contact their assigned HR Support for further guidance on how to set up an appropriate Attendance Improvement Plan.

## Attendance Review Periods

The purpose of the Attendance Review Period is to ensure that the success of the Attendance Improvement Plan is sustained over a longer term. This period aims to engage employees in maintaining the attendance targets achieved during the improvement plan. If an employee fails to sustain these targets or reaches a further absence trigger during this period, they will progress to the next stage of the sickness absence management process.

An Attendance Review Period typically lasts up to 12 months for short-term absence concerns. For long-term absence, the duration of the review period will be adjusted based on the employee's specific circumstances and the requirements of their role.

## Redeployment - Change of Role

Sometimes the Occupational Health Service may advise that an employee works in a different environment or does different tasks permanently. If this is the case, the employee will be able to use our Redeployment Scheme when applying for alternative work. It is important to consider that the types of roles recommended may not always be available in the council or if they are available, they may be paid at different rates.

Line Managers will also check if there is a suitable redeployment role within their team and may offer a vacancy to the employee. It will be the employee's choice to accept or refuse the role. There will be a trial period for the new role in line with SBC's Medical Redeployment guidance.

Should the employee choose to accept permanent redeployment, their contractual terms will be varied accordingly. If the employee refuses the redeployment offer and there are no alternative roles available and suitable for the employee, there may no other option but to dismiss.

Further details on Medical Redeployment can be found on the intranet.

Before an employee is dismissed because there is no suitable role available or because they refuse an offer of redeployment, a Stage 3 Independent Manager Hearing will be held.

## **Ill-health Retirement**

Where ill health retirement is being considered, the Line Manager/Independent Manager will work with their assigned HR support, Occupational Health and Pension Scheme Administrators to make sure all ill-health retirement tiers have been considered.

Retirement on the grounds of ill health may be considered at any point during the sickness absence management process where:

- it appears unlikely from the medical advice that an employee on long-term sickness absence will be able to return to their role; or
- medical evidence confirms that short term absences are caused by a progressive condition that may qualify for ill-health retirement; and
- they are entitled to a pension/lump sum under their pension scheme.

To be eligible for ill-health retirement under the Local Government Pension Scheme (LGPS), the employee must have at least two years of membership in the scheme. This includes both active and deferred membership.

Any decision to dismiss will take into account the length of the employee's notice period and consider whether it would be appropriate to issue notice to dismiss whilst the employee's eligibility to benefit from the ill-health retirement scheme are being explored.

## **Resignation**

If an employee feels they cannot meet the required attendance standards, they may choose to leave SBC's employment. When an employee resigns, they will be supported to manage their health during their notice period. The Line Manager will work with them to ensure that an appropriate hand-over is completed before the last day of employment.

## **Support & Advice**

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 Guidance

This guidance applies to all employees, it is not contractual, and it can be changed by the council at any time.

## Appendix A

### Items to be covered during sickness absence meetings

At the meeting or hearing, the manager will, where appropriate:

<b>For Short Term Absences</b>
Explain to the employee that the purpose of the meeting is to discuss the employee's unsatisfactory attendance.
Remind the employee of their responsibility for maintaining an acceptable level of attendance.
Make clear to the employee that the aim of the meeting is to find ways to improve their attendance.
Allow the employee to share their views.
Try to establish any underlying reasons for the employee's poor attendance level, for example a health issue or personal problems.
Gather as much information as possible on any underlying reasons identified, without putting undue pressure on the employee to reveal more information than they want.
Discuss and agree any steps that can be put in place to help the employee to improve their attendance.
Consider what should be included in an Attendance Improvement Plan; or discuss any required changes to the existing plan.
If there is an underlying health problem, arrange a referral to Occupational Health and encourage the employee to book an appointment with a healthcare professional, if this has not already been done.
If medical advice indicates short-term absences are caused by a progressive condition, explore whether the employee may qualify for ill health retirement
Remind the employee of the wellbeing support that is available, including the Employee Assistance Programme (EAP).
At Stage 2 - Second Line Manager Hearing: Discuss potential redeployment to a more suitable role (subject to appropriate vacancies being available and the employee's successful application).

At Stage 3 Independent Manager Hearing: Consider all the circumstances of the case, including:

- whether the potential for redeployment to a more suitable role has been explored (subject to appropriate vacancies being available and the employee's successful application for the role);
- the effect of the employee's regular absences on their colleagues and service delivery;
- medical advice on the employee's condition; and
- if short-term absences are caused by a progressive condition, whether employee may qualify for ill-health retirement

After a short adjournment to consider everything that has been discussed, the manager will inform the employee of the outcome of the meeting and explain that the outcome will be confirmed in writing to them within one week.

At the meeting or hearing, the manager will, where appropriate:

### **For Long-term Absences**

Establish how the employee is doing and the likely length of their absence, bearing in mind the advice in the employee's fit note or occupational health report.

Gather as much information as possible on any underlying reasons identified, without putting undue pressure on the employee to reveal more information than they want.

Discuss with the employee what steps can be taken to assist the employee in returning to work (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations).

Allow the employee to share their views.

Consider if the implementation of an Attendance Improvement Plan would be helpful in the circumstances. If required, discuss what should be included in the plan; or if any changes are needed to the existing plan.

Explain to the employee their sick pay entitlement; including when their entitlement may reduce from full pay to half pay or statutory sick pay.

If Occupational Health advice hasn't already been arranged, discuss the referral process with the employee.

If the absence period is approaching 90 days, discuss how they should keep access to their laptop.

If medical advice suggests that the employee could return to work in the near future, but not to their current role; discuss potential redeployment (subject to appropriate vacancies being available and the employee's successful application for the role).

If medical advice indicates the employee will be unable to return to work, discuss the possibility of dismissal and/or ill health retirement.

Confirm when the next contact will take place (for example, if the employee is undergoing an operation, a reasonable period after the operation has taken place).

Share the wellbeing support that is available to the employee, including the Employee Assistance Programme (EAP). If the employee does not have access to the intranet, the Line Manager will share the relevant contact numbers and/or send the relevant information by email or in paper copy by post.

At Stage 3 Independent Manager Hearing: consider all the circumstances of the case, including:

- the length of the employee's absence and the likely length of future absence;
- medical advice on the employee's condition;
- if applicable, the possibility of ill-health retirement;
- what adjustments are available to help the employee to return to work; and
- the effect of the employee's continued absence on their colleagues and service delivery.

After a short adjournment to consider everything that has been discussed, the manager will inform the employee of the outcome of the meeting and explain that the outcome will be confirmed in writing to them within one week.