

AGENDA SUPPLEMENT



- Committee - **SPECIAL MEETING OF THE POLICY DEVELOPMENT PANEL**
- Date & Time - Monday, 9 September 2024 at 6.30 pm
- Venue - Meeting Room 1, Council Offices, Priory Road, Spalding

Membership of the Policy Development Panel:

Councillors: D Ashby, J Avery, A C Beal, N Chapman, S Chauhan, L J Eldridge (Vice-Chairman), M Geaney, R A Gibson, A Harrison, M Hasan, J L Reynolds, J Le Sage, M Le Sage, T Sneath, J Whitbourn and A R Woolf (Chairman)

Substitute members on the Policy Development Panel may be appointed only from members who are not on the Cabinet. Substitutions apply for individual meetings.

Quorum: 6

Persons attending the meeting are requested to turn mobile telephones to silent mode

Democratic Services
Council Offices, Priory Road
Spalding, Lincs PE11 2XE

Date: 2 September 2024

Please ask for Democratic Services: Telephone 01775 764693
e-mail: demservices@sholland.gov.uk

AGENDA

3. Consultation on revised HR policies to support the South & East Lincolnshire Councils Partnership alignment of Terms and Conditions - (Pages 19 - 74)
To consult Policy Development Panel members on revised HR policies to support the South & East Lincolnshire Councils Partnership alignment of Terms and Conditions (report of the Assistant Director – Corporate enclosed).



Report To:	Policy Development Panel
Date:	9 September 2024
Subject:	Consultation on revised HR policies to support the South & East Lincolnshire Councils Partnership alignment of workforce Terms and Conditions of employment.
Purpose:	To consult Policy Development Panel on the policies prior to their planned implementation.
Key Decision:	N/a
Portfolio Holder:	Councillor Jim Astill, Portfolio Holder – Corporate, Governance and Communications
Report Of:	James Gilbert, Assistant Director - Corporate
Report Author:	James Gilbert, Assistant Director - Corporate
Ward(s) Affected:	N/a
Exempt Report:	No

Summary

In line with the South & East Lincolnshire Councils Partnership Business Case and Alignment and Delivery Plan 24/25, in May the Partnership Councils approved the commencement of a phased programme of work to align workforce terms and conditions of employment across Boston Borough Council, East Lindsey District Council and South Holland District Council.

Consultation commenced for Phase 1.1 of the alignment of terms and conditions on 1 July 2024. This included consultation with the workforce and Unions.

To facilitate the alignment of the terms and conditions in Phase 1.1, there is the need for the Council to adopt a series of revised HR policies, as appended to this report. The planned date for implementation is from 1 November 2024.

As part of the May Council decision at South Holland District Council to commence this programme of work, it delegated authority to the Head of Paid Service to implement revised HR policies to facilitate terms and conditions alignment in consultation with the Portfolio Holder – Corporate, Governance and Communications and Policy Development Panel.

Recommendations

- That Policy Development Panel, as consultees, provides feedback on the HR Policies appended to this report to facilitate the alignment of terms and conditions of employment across the South & East Lincolnshire Councils Partnership Councils.

Reasons for Recommendations

- Consultation has already taken place with the workforce and Unions on the revised terms and conditions of employment, which requires the adoption of the new/revised HR policies.
- This would deliver on the objective of aligning terms and conditions of employment for the workforce across all three Councils.
- The policies implement 'the best of' from across the Partnership.

Other Options Considered

- Do nothing – discounted as this would be contrary to commitments previously made by the Council.

1. Background

- 1.1 In May 2024, Boston Borough Council, East Lindsey District Council and South Holland District Council – the South & East Lincolnshire Councils Partnership – all agreed to take forward a phased programme of work to align employee terms and conditions of employment as far as possible.
- 1.2 This is something recognised as being important to the workforce and the future of the Partnership. It was also identified as an area for action in Partnership's LGA Peer Challenge.
- 1.3 In agreeing to commence the work, South Holland District Council agreed the following delegation to the Head of Paid Service, which has resulted in this report to Policy Development Panel.

'That, following completion of the consultation(s), delegated authority be granted to the Head of Paid Service to revise HR policies as might be required to facilitate alignment, in consultation with the Portfolio Holder - Corporate, Governance and Communications and Policy Development Panel.'

2. Report

- 2.1 Following the report approved at May Council, on 1 July, 2024, consultation launched with the workforces at each Partnership Council on the Phase 1.1 proposals for aligned terms and conditions of employment.
- 2.2 As part of the consultation, which concluded at the end of August, the members of staff impacted received letters setting out the proposed terms and conditions changes and were offered the opportunity to provide their views to inform the final suite of terms and conditions to be implemented in this phase.
- 2.3 The consultation was comprehensive with a number of face to face and 'Teams' engagement sessions attended by colleagues. The Head of Paid Service and Assistant Director – Corporate have considered all feedback received in respect of the consultation.
- 2.4 As identified in the report to May Council, the following terms and conditions have been consulted on in Phase 1.1, with a view to implementation from 1 November, 2024. Those in grey are those where there is no impact to SHDC colleagues as they are already aligned to the proposed term and condition. They have been included in this table for completeness.

Ref	Phase 1.1 Terms & Conditions	Current SHDC Policy position	Phase 1.1 Summary of changes consulted upon
1	Emergency dependents leave	1 day paid leave per year. Up to a further 2 days paid or unpaid at the manager's discretion after consulting HR	Align to ELDC - 3 days paid and reasonable amount of time off unpaid.

		for leave in relation to hospitalisation, or illness of a close family member.	
2	Fertility treatment	Up to 5 days unpaid leave will be granted in any one year.	Align to ELDC - 7 days paid time off.
3	Compassionate leave	7 days full pay in a 12 month period. Wider relatives or further time in exceptional circumstances.	Align to BBC - 7 days full pay and 20 days unpaid.
4	Purchase annual leave	Up to 10 days can be purchased per annum (pro-rata applies to part time workers). It is a salary sacrifice scheme and application needs to be in by 01 st of March for following leave year.	Align to ELDC - 10 days per annum can be requested at the beginning of the calendar year (January & February) with deduction from salary spread across the following financial year April to March <u>Amended as a result of the consultation to allow requests to be made at any point during the year.</u>
5	Paternity leave <i>No change for SHDC so policy not presented to Policy Development Panel.</i>	No change for SHDC employees as already aligned to the proposed term and condition.	Align to ELDC & SHDC – Employees who qualify for Statutory Paternity Leave (SPL) and Statutory Paternity Pay (SPP) will receive either: <ul style="list-style-type: none"> • 2 weeks paid Leave (SPP) OR <ul style="list-style-type: none"> • 1 Week paid SPP and 1 week Council enhanced pay (full pay)
6	Pay date <i>Not HR Policy related</i>	No change for SHDC employees as already aligned to the proposed term and condition.	Align to ELDC & SHDC - BBC is paid on 22 nd of the month and ELDC and SHDC are paid on 23 rd of month.
7	Incremental progression <i>Not HR Policy related so not presented to Policy Development Panel.</i>	Subject to satisfactory service your salary will rise within the scale by annual increments up to the maximum of the scale. The next such increment will be paid on [date] and thereafter any such increments due will be paid on 1 st April.	Align approach to incremental progression, which would mean all employees would receive an increment each April unless at top of grade (except Chief Officers who have their own performance related arrangements). For new starter's contracts, there will be no ability to have two increments in the first year as may have been the case previously depending on start date.
8	Sick Pay	During 1st year of service - One month full pay and, after completing four months service, two months half pay During 2nd year of service - Two months full pay and two months half pay.	Absences during 1st year of employment 1 month of full pay and for those with more than 4 months service (align to BBC) 2 months full pay and 2 months half pay. Absences during 2nd year of employment align to BBC on 4 months full pay and 4 months half

		<p>During 3rd year of service - Four months full pay and four months half pay.</p> <p>During 4th year of service - Five months full pay and five months half pay.</p> <p>During 5th year of service - Five months full pay and five months half pay.</p> <p>During 6th year of service, or more - Six months full pay and six months half pay.</p> <p>Absences for accident or injury at work or industrial disease are excluded.</p>	<p>pay.</p> <p>Absences during 3rd year of employment (all currently aligned) 4 months full pay and 4 months half pay.</p> <p>Absences during year 4 & 5 of employment align to ELDC & SHDC 5 months full pay & 5 months half pay.</p> <p>Absences during and after 6 years of employment align to ELDC & SHDC 6 months full pay and 6 months half pay.</p>
9	Long service awards	No formal policy approach.	Implement a revised and consistent policy for the three Councils.
10	Career break	Applies to employees with 52 weeks continuous service, can take between 3 months and 1 year (more than 1 year by exception), 3 months' notice of application. 3 years between any application for Career Break. Unpaid and pensionable service don't apply during break but retain continuous service. On return pay including increments would have received will apply. Will return to substantial post.	Align to ELDC - all employees with over 5 years continuous service are eligible to apply for an unpaid career break to pursue other interests for up to 12 months.
11	<p>Subscription and professional fees review</p> <p><i>No change for SHDC so policy not presented to Policy Development Panel</i></p>	No change for SHDC employees as already aligned to the proposed term and condition.	The main difference (no provision for BBC) has been aligned during the consultation with BBC employees in February 2024.

2.5 In order to implement the aligned terms and conditions of employment, there is the need to make revisions / create new HR policies at each Council. These will be common policies for all three Councils.

2.6 For the implementation to take effect, the Head of Paid Service must exercise the delegation from Council as identified at 1.3 in this report and in doing so seeks Policy Development Panel's views on the HR policy amendments that are required.

2.7 The table below sets out each HR Policies appended to this report and the term and condition reference each implements (from 2.4 in the report)

Appendix Ref	New/revised Policy for implementation	Current Policy	Term and Condition Reference (see 2.4 in report)
Appendix A	Time Off Policy	Time Off Policy	Ref. 1, 2, 3, 4, 10
Appendix B	Long Service Awards Policy	N/a	Ref. 9
Appendix C	Absence and Sickness Policy and Procedure	Absence and Sickness Policy and Procedure	Ref. 8

3. Conclusion

- 3.1. That to achieve alignment of workforce terms and conditions of employment, adopting the revised suite of HR Policies as appended to the report would be required. This is a positive first step in the journey to align terms and conditions of employment Partnership-wide.
- 3.2. Once Phase 1.1 of the terms and conditions alignment has been completed, Phase 2 will commence.

Expected Benefits to the Partnership

The alignment of workforce terms and conditions of employment is necessary to support the embedding of the Partnership, particularly as more teams come together in single Partnership service structures.

Implications

South and East Lincolnshire Councils Partnership

As in 'Expected Benefits to the Partnership'

Corporate Priorities

This supports our ambition to continually be more Efficient and Effective.

Staffing

PSPS HR are supporting the Head of Paid Service and Assistant Director – Corporate in delivering the consultation and process to bring together terms and conditions of employment.

For staff directly, there will be a move to new terms and conditions of employment but this should be positive for the workforce.

Workforce Capacity Implications

None

Constitutional and Legal Implications

None arising from this report as Council has previously approved the programme of work and delegated authority to the Head of Paid Service.

PSPS HR, as our Partnership's HR experts, are supporting this work and will take legal advice where required.

Data Protection

None

Financial

None

Risk Management

PSPS HR, as our Partnership's HR experts, are supporting this work and flag to the Head of Paid Service and Assistant Director – Corporate any emerging risks.

Stakeholder / Consultation / Timescales

Consultation has taken place with the workforce and Trade Union representatives.

Prior to the consultation commencing the Portfolio Holder – Corporate, Governance and Communications was consulted and provided his support to the Head of Paid Service. The Portfolio Holder was also updated at the mid-way point and conclusion.

Reputation

None

Contracts

Revised terms and conditions of employment will see revised terms and conditions of employment.

Crime and Disorder

None

Equality and Diversity / Human Rights / Safeguarding

Equality Impact Assessments will be undertaken where a need is identified.

Health and Wellbeing

The revised terms and conditions may have a positive impact on some colleagues health and wellbeing.

Climate Change and Environmental Implications

None

Acronyms

LGA – Local Government Association

Appendices

Appendices are listed below and attached to the back of the report:

Appendix A	Time Off Policy
Appendix B	Long Service Awards Policy
Appendix C	Absence and Sickness Policy and Procedure

Background Papers

None

Chronological History of this Report

Name of Body
Council

Date
May 2024

Report Approval
Report author:

James Gilbert, Assistant Director - Corporate

Signed off by:
Approved for publication:

Rob Barlow, Chief Executive / Head of Paid Service
Councillor Jim Astill, Portfolio Holder – Corporate, Governance and
Communications.

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Time Off Policy



This policy applies to all Council employees. This does not include agency or contractors. It is recognised that due to the diverse nature of roles within the organisation that work patterns will vary and that this will need to be taken into account when applying this policy.

The Council ensures it is a fair, equitable and transparent policy with the needs of its employees at its heart. The Council ensures compliance with equality, diversity and inclusion making sure consideration is given to the needs of its employees, balancing these with the needs of the business.

Policy Title	Time Off Policy
Policy Author	HR Team - PSPS Limited
Policy Issue date	November 2024
Policy Review date	February 2028, or earlier if required
Policy Consultation	Trade Unions recognised by the Council Council Reader Panel Senior Leadership Team
Policy Sign-off	Head of Paid Service (at SHDC – in consultation with Portfolio Holder)

Time Off Policy

Introduction

The Council recognises the needs of employees to have time off from work, owing to personal circumstances, and encourages employees to take appropriate rest from work. We endeavour to provide employees with a positive work life balance whilst maintaining service delivery. We recognise the importance of annual leave and other time off in helping employees to achieve this.

The 'Time off Work Policy' is a collective set of provisions that are designed to support a variety of personal circumstances where 'Time off Work' rather than normal annual leave entitlement may be sought.

This policy aims to provide a standard and equitable approach to the management and calculation of leave and time off entitlements for employees. Some of the leave detailed in this policy has qualifying criteria (this is specified where applicable).

Governing Legislation

This policy document draws on legislation including, but not limited to:

- Working Time Regulations 1998 (As Amended);
- Employment Rights Act 1996;
- The Maternity, and Parental Leave etc. and Paternity and Adoption Leave (Amendment) Regulations 2008; and
- Trade Union and Labour Relations (Consolidation) Act 1992

Scope of the Policy

This policy applies to all employees who are employed by the councils who meet the qualifying criteria where specified. It is recognised that due to the diverse nature of roles within the organisations that work patterns will vary and that this will need to be considered when applying this policy. The 'Time off Work Policy' is a collective set of provisions that are designed to support a variety of personal circumstances.

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1. Responsibilities under this policy -Employee

- Raise leave request with their manager and to provide reasonable notice where appropriate.
- Be aware of different leave arrangements and follow the relevant process.

2. Responsibilities under this policy - Manager

- Responsible for the application of this policy in your work area.
- Needs to be aware of the policy and the various causes of absence.
- Understand how to apply this policy and do so consistently.
- Input periods of unauthorised absence using First4HR.
- The manager is responsible for the application of this policy in their work area.

3. Responsibilities under this policy - PSPS Human Resources Team

- The PSPS HR Team is responsible for providing advice, guidance and support to People Managers and employees on the application of this policy.
- The PSPS HR Team is responsible for monitoring and reviewing the effectiveness of the Time off policy and procedure.
- The PSPS HR Team is responsible for providing training in the management responsibilities required under this policy.
- The PSPS HR Team is responsible for the provision of reports on Time Off information and other associated people management information to the Council.

4. Annual Leave

The leave year normally runs from 1 April to 31 March but may vary to suit service needs. Annual leave entitlement varies dependant by grade, and length of service. Employees should request the dates they wish to take their annual leave in First4HR and submit the request giving as much notice as possible, ideally twice as much notice as the leave being requested, prior to the start of the requested time off.

The manager should inform the employee if the leave has been granted or declined as soon as possible. A manager may refuse a request from an employee to take annual leave if, for example, other employees are taking leave at the same time, or the leave is requested at a particularly busy time for the service. If this is the case the employee will be able to take the leave at another time when the employee's absence from work will not detriment the service. Any leave being declined should be done so in a reasonable and timely manner.

In addition to annual leave, employees are entitled to public and Bank Holidays, pro-rata calculations will apply for part-time employees.

- 4.1 Where appropriate, employees leave entitlement will be determined by Conditions of Service and will be included in their terms and conditions document. Part time employees are entitled to the same amount of annual leave as full-time employees but on a pro rata basis to the hours they work. They also receive a pro rata entitlement for bank holidays, this is added to their total annual leave entitlement.
- 4.2 Employees joining or leaving the Council are entitled to annual leave proportionate to the amount of service completed during their service.
- 4.3 The employee's manager must approve all annual leave dates in advance. Employees must give as much notice as possible of proposed annual leave dates. This will ensure adequate business coverage at all times.
- 4.4 Managers will consider operational requirements when agreeing or refusing annual leave. Where several employees request the same time off, managers will discuss this with them. They will aim to balance the needs of the business and those of other employees.
- 4.5 If an employee is sick while on annual leave, any days covered by a medical certificate can be switched to sickness. Employees should speak with their people manager if this happens. If an employee does opt to amend Annual Leave to sickness leave the Council's Absence and Sickness Management Policy will apply.
- 4.6 If an employee has been unable to take Annual Leave due to long-term sickness absence, the entitlement will be carried forward and the carried forward holiday entitlement must be taken within 18 months of the end of the holiday year in which it accrued.
- 4.7 Employee will continue to accrue annual leave and their entitlement to paid annual leave will continue during Parental Leave

5. Annual Leave Carry Forward

Employees are entitled to carry leave over with agreement from their People Manager and Service Manager;

- Boston Borough Council employees a maximum of 10 days.
- East Lindsey District Council employees a maximum of 10 days.
- South Holland District Council employees a maximum of 15 days.

If employees are returning from a period of long-term sickness, it may be appropriate to incorporate the employee's annual leave or accrued flexi-leave to extend a phased return to work programme beyond 4 weeks if appropriate.

6. Purchasing Additional Annual Leave

An employee who wishes to purchase additional annual leave may make the request through the HR Halo Portal, which is subject to line managers approval.

Payments are deducted over 12 payments at point of approval, with deductions made from salary by the employer.

The cost deducted however should not reduce an employee's wages to below the level of the national minimum wage. It is the employee's responsibility to ascertain how much the monthly deduction from their salary will be.

The Cost deducted is calculated as at the point of purchase and will continue for the period of the deductions and won't amend based on any changes to pay.

6.1 Employees can purchase a maximum of 10 days annual leave

Part-time employees, or those on flexible working schemes, can purchase the equivalent weekly hours.

6.2 Employees must follow standard procedures to book time off on annual leave.

6.3 Additional leave purchased must be taken 'in-year' and cannot be carried-over between annual leave years

7. Compassionate Leave

7.1 The Council may grant paid compassionate leave for urgent personal reasons such as a bereavement, or serious illness/injury which requires nursing for a dependent or close relative.

7.2 The Council understands that family circumstances for each individual are different and therefore will assess applications for compassionate leave on a case-by-case basis.

7.3 Employees should refer to bereavement leave regarding the loss of a parent, partner, or child of the immediate family (including still-birth).

7.4 Compassionate leave applies to all employees irrespective of their length of service.

7.5 Employees may be granted up to 7 days paid compassionate leave within a 12-month period (pro rata for part time employees).

7.6 In exceptional circumstances, where an extended period of compassionate leave may be required then this will be at the discretion of the people manager and head of department. Such requests will be reviewed on an individual basis.

7.7 Employees should contact their people manager as soon as reasonably possible to request compassionate leave and make a formal request through hr system at the earliest opportunity.

7.8 Unpaid compassionate leave of up to 20 days can be granted if the individual requests this in addition to any paid period of compassionate leave. It is the people manager's responsibility to ensure that any approved requests for unpaid compassionate leave is notified to HR for processing via the payroll.

7.9 All requests for compassionate leave will be considered sympathetically and in confidence. The Council respects that such requests are unavoidable and may be made at short notice. Employees are encouraged to discuss potential issues with their people manager.

8. Bereavement Leave

8.1 The Council understands that family circumstances for each individual are different and therefore will assess applications for bereavement leave on a case-by-case basis

8.2 Parents have the legal right to take Parental Bereavement Leave if their child dies who is under the age of 18 or is stillborn after 24 weeks of pregnancy and make a formal request through HR system. An employee can choose to take either 1- or 2-weeks' leave. If an employee takes 2 weeks, this can be taken in one go, or as 2 separate weeks. For example, they could take 1 week immediately after the death, and take the other week later on. The leave must end within 56 weeks of the child's death. The date of the child's death is the first day of the 56 weeks.

8.3 The Council may grant up to 2 weeks paid Bereavement Leave where an employee loses a parent, partner, or child of the immediate family. In some circumstances, Bereavement leave in addition to compassionate leave may be appropriate and will be considered on case-by-case basis; by the People Manager and/or Head of Department.

8.4 In some cases it may be appropriate and supportive to agree a phased return to work for people returning from Bereavement leave. People Managers should liaise with HR for guidance.

9. Dependents Leave – Unpaid/Paid

9.1 All employees have the right to take a reasonable period of unpaid time away from work to deal with an emergency involving the care of a dependent. The Council recognises the impact of taking Unpaid Dependents Leave; therefore, in addition to the statutory requirements, employees may be granted a period of Paid Dependents Leave.

Definition of a dependent:

- A dependent is the husband, wife, partner, child, or parent of the employee. It also includes someone who lives in the same household as the employee as a member of the family.
- It does not include tenants or lodgers living in the family home, or someone who lives in the household as an employee, such as a live-in housekeeper.
- In cases of illness or injury, or where care arrangements break down a dependent may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency e.g., an elderly neighbour living alone who falls and breaks a leg.

9.2 **‘Emergency Unpaid and paid Dependents Leave’** may be requested to support an unexpected or sudden emergency such as –

- a dependent who falls ill or has been injured.
- an unexpected disruption or breakdown in normal care arrangements for a dependent.
- dealing with an unexpected incident involving a dependent e.g., a dependent may have been assaulted but is uninjured.

9.3 Employees may be granted up to 3 days paid Dependents Leave within a 12-month period (pro rata for part time employees).

9.4 Emergency time off to care for dependents applies to all employees, including those on fixed-term and part-time contracts. Employees do not have to complete a qualifying period in order to be able to take time off in an emergency.

9.5 Employees should contact their People Manager by telephone as soon as reasonably possible to request ‘Dependents Leave’ and make a formal request through HR system at earliest available opportunity. In the case of an emergency when it may not be possible to contact the appropriate People Manager, the employee should contact the Service Manager or HR Department to notify of absence.

9.6 Emergency time off to care for dependents does not apply to anticipated or non-urgent situations. If the employee is aware in advance that he or she is going to need time off, they should request the most appropriate ‘Time off Work’ in the usual way.

9.7 If an employee requires an extended period of unpaid leave to care for a child, the employee may be entitled to Parental Leave. Details of Parental Leave can be found in the ‘Parental Leave Policy’.

9.8 Paid Dependents leave will not be approved for foreseen or pre-planned events, such as school strikes, planned inset/school closure days.

9.9 Adverse weather and other extenuating situations can impact on educational premises and the availability of extended childcare providers, which can cause additional difficulties for parents or carers with dependents. In such situations where the closure is unforeseen/unexpected, employees are entitled to Emergency Dependents Leave for the first day. Any subsequent closure beyond the first day is not unforeseen and employees should make arrangements in preparation for this.

9.10 Any request for Emergency Dependents Leave must be made, to the employees Line Manager (or Service Manager), within 1 hour of their normal start time. The Council reserves the right to request medical evidence of an unforeseen medical appointment for a dependent.

10. Carers Leave

Carers Leave entitles employees to take one week's unpaid leave in any 12-month period to provide or arrange care for a dependent with a long-term care need. The one week can be used flexibly, either as full days, half days or one block week throughout the year.

This is a statutory right, but it is not paid and there is no requirement for Carers to supply evidence of why leave is needed. They would self-certify that they qualify for carer's leave.

It is an entitlement from day one of employment. Notice requirements will apply, in line with the purpose of the leave being to assist those with planned-for caring responsibilities, employees must give notice that is twice the length of the time being requested as leave, plus one day. For emergency care situations, where notice is not possible - Dependents Leave may be more appropriate.

11. Domestic Emergencies

11.1 There is no statutory right to time off work in these circumstances. Employees may request to take unpaid time off or request annual leave in the usual way.

11.2 Occasionally, employees may suffer from unforeseen domestic emergencies, such as burst pipes, heating systems breaking down. Employees should contact their People Manager as soon as reasonably possible to request any time off and make a formal request through HR system.

11.3 Approval for a period of absence due to a Domestic Emergency will only be given where the situation requires the employee to be absent from work for up to ½ a day. Should an employee require more than ½ day then they should discuss this with their People Manager.

11.4 In circumstances where a serious domestic instance has occurred, one day's paid leave will be given e.g., house fire, flood, or burglary

12. Medical Appointments – Personal

12.1 A 'Medical Appointment' is defined as: an appointment with a consultant, doctor, dentist, nurse, or other healthcare professional.

12.2 It is expected that employees make every reasonable effort to arrange 'routine 'Medical Appointments' outside of working hours or during a lunch period, such as periodic dental check-ups.

12.3 Where it is not possible to arrange a 'Medical Appointment' outside of working hours then the employee should look to arrange the 'Medical Appointment' at the start or end of the working day. Any change in an employee's working pattern to accommodate a 'Medical Appointment' should be discussed and agreed with the People Manger in advance.

12.4 The Council recognises that it may not always be possible to arrange 'Medical Appointments' outside of working hours, particularly for full-time employees; where this is the case then the employee should discuss this with their People Manager in advance.

12.5 Where an employee is required to attend a 'Medical Appointment' during the working day and following a discussion with the People Manager then the employee should make a formal request for paid 'Time off Work' through HR system and provide a copy of the 'Medical Appointment' letter to the People Manager. All requests will be recorded on HR system.

12.6 It is expected that employees will arrange general optical appointments outside of working hours. Where there is a need for an emergency optical appointment then the employee should discuss this with the People Manager and make a formal request for 'Time off Work' through HR system.

12.7 People Managers have the right to request evidence of a 'Medical Appointment' where the appointment takes place during the working day.

12.8 Where it is deemed that an employee may benefit from an Occupational Health appointment then the People Manager will make this referral following a discussion with the employee.

12.9 If an employee has a series of medical appointments over a period of time connected to the same issue, the Employee should discuss this with the People Manager at the earliest opportunity to enable appropriate arrangements to be agreed. These should also be recorded on HR system.

12.10 No more than 2 paid time off medical/dental appointments will be approved in a 12-month period. After two appointments, People Managers should record the time-off as unpaid time off work, or local arrangements can be made for the employee to work back the time taken off.

13. Medical Appointments – Dependents

13.1 A 'Medical Appointment' is defined as: an appointment with a consultant, doctor, dentist, nurse, or other healthcare professional.

13.2 In the case of a critical or urgent 'Medical Appointment' whereby a dependent requires medical treatment or therapy, an employee with caring responsibilities may be granted paid time off to accompany a dependent provided that this is supported by an appointment letter. A copy of the appointment letter must be submitted to the People Manager prior to seeking approval through HR system.

13.3 In the majority of cases it is anticipated that this support will be provided for either a morning or afternoon (4 hour) period. Where there are exceptional circumstances, this support may be extended to cover one full day subject to the People Manager's approval.

13.4 This provision is limited to 2 appointments in any 12-month period (pro rata for part time employees), after which such visits shall be agreed in advance between the employee and People Manager for this to be taken as unpaid leave or annual leave.

14. Fertility Treatment

14.1 The Council recognises the physical and emotional stress of undergoing fertility testing and treatment for assisted conception and understands the impact that this can have on employees.

14.2 In order to support employees during this time the Council offers.

- Employee undergoing treatment – 7 days paid leave per cycle of treatment (pro rata for part time employees), limited to one cycle per twelve months and no more than three cycles. This leave is for the purpose of receiving and recovering from fertility treatment and to attend appointments specifically associated with the IVF process (i.e., pre-booked interventions for consultant appointments, egg retrieval, monitoring tests, etc.).
- Partners Supporting - if it is an essential requirement within the course of treatment for the partner to attend a specific appointment, the Council will also grant up to two days of fertility treatment leave per cycle (pro rata for part time employees), limited to one cycle per twelve months and no more than three cycles.

14.3 Wherever possible, appointments for the investigation of, and testing for, fertility problems should be arranged outside of normal working hours. Where flexible working arrangements are not practical, time taken during working hours will be treated in the same way as for other Medical Appointments - Personal.

14.4 Requests for leave for fertility treatment will be treated in the strictest confidence.

14.5 Should an employee require time off because of the side effects of the treatment, this will be subject to The Council's normal sickness absence provisions. Sickness absence associated with IVF will not be regarded as 'pregnancy-related'.

14.6 Sickness absence taken following implantation of a fertilised ovum that is related to the procedure itself, will not be counted towards the triggers in the Sickness Absence Policy.

15. Religious Holidays

15.1 All staff, regardless of their religious belief or non-belief are required to work in accordance with their contract of employment.

15.2 Employees may request to take annual paid leave from their leave entitlement, Flexi time or unpaid leave to participate in their religious celebrations, festivals, or ceremonies.

15.3 It is the responsibility of the employee wishing to participate to inform their Line Manager in good time to enable arrangements to be made.

15.4 To assist in planning and maximising the opportunity for time off to be granted, employees should, where possible, make leave requests reasonably in advance of requiring such time off.

15.5 Any leave agreed with the Line Manager should be formally requested through First4HR. Managers are required seek advice from an HR before declining a request.

15.6 Any leave required for specific religious holidays may be taken through the usual annual leave or flexitime request

16. Public Duties

16.1 An employee has a right to request a reasonable time off for 'Public Duties.'

16.2 'Public Duties' include roles such as:

- a Magistrate (also known as a justice of the peace)
- a Councillor
- a school Governor
- a member of any statutory tribunal (for example an employment tribunal)
- a member of the managing or governing body of an educational establishment
- a member of a health authority
- a member of a school Council or board in Scotland
- a member of the Environment Agency or the Scottish Environment Protection agency
- a member of the prison independent monitoring boards (England or Wales) or a member of the prison visiting committees (Scotland)
- a member of Scottish Water or a Water Customer Consultation Panel
- a trade union member (for trade union duties)

16.3 Who doesn't qualify for time off:

- agency workers
- members of the Special Constabulary police service or armed forces
- employed on a fishing vessel or a gas or oil rig at sea
- merchant seamen civil servants, if their public duties are connected to political activities restricted under their terms of their employment

16.4 It is expected that employees make every reasonable effort to ensure that their 'Public Duties' do not interfere with the working day.

16.5 Where there is clear evidence that an employee's 'Public Duties' link directly to their role and/or is of benefit to the Council then this should be supported. There is no legal requirement for this to be paid time off, and all time off granted will be treated as unpaid leave.

16.6 The Council will grant a reasonable amount leave in a 12-month period to allow employees to fulfil such 'Public Duties', providing that the 'Time off Work' does not directly impact on The Council's service delivery.

16.7 This leave will be subject to authorisation by the People Manager and requests for such leave should be submitted through HR system.

17. Military Reservist

17.1 A 'Military Reservist' is a civilian who is a member of a military reserve force, and who gives up their time to train and serve alongside the regular forces.

17.2 The Council recognises the vital role of the reserve forces and the valuable contribution that reservists make to the country's defence, their communities, and the civilian workplace.

17.3 'Military Reserve' forces consist of:

- Maritime Reserve forces (including the Royal Navy and Royal Marine reserve forces)
- Territorial Army Reserves
- Royal Air Force reserves.

17.4 'Military Reservists' are called out to supplement the regular forces whenever operational demand requires it.

17.5 'Military Reservists' must inform the Council if they are a member of the reserve forces and to grant permission for the Ministry of Defence (MOD) to write to the Council and ensure the Council are aware they are a reservist and the benefits, rights and obligations that apply; this is known as an 'Employer Notification.'

17.6 'Military Reservists' will be sent a 'call-out notice' if they are needed for full-time service. This is known as 'Mobilisation.'

17.7 During Mobilisation a 'Military Reservist':

- Will not be paid by the Council, the MOD pays these costs.
- Will not accrue annual leave, including public holidays, and service-related entitlements.
- Will remain a member of the pension scheme, provided that they continue to make pension contributions.
- Will continue to be a union member, provided that contributions continue to be made.
- Will continue to accrue continuous service.

17.8 'Military Reservists' are responsible for informing the Council of training and Mobilisation commitments throughout the year providing as much notice as possible.

18. Retained Roles

18.1 A retained role is when a civilian gives up their time to train and serve alongside a regular force. Retained roles consist of:

- Retained Firefighters
- RNLI Lifeboat Crew
- Special Constables

18.2 Employees who undertake a retained role do not have the right to any time off work for their duties.

19. Jury Service

19.1 Leave will be granted when an employee is required to carry out Jury Service or called upon to give evidence in court. The notification documents from the court should be forwarded to HR when your leave of absence is submitted on HR system for approval.

19.2 If an employee reports for Jury Service but are not called upon to serve on any particular day, it is expected that the employee makes every effort to attend work.

19.3 Employees are expected to make a claim to the courts for the maximum amount in respect of loss of earnings. Employees should inform Payroll of the relevant amount and return to work as soon as practicable.

20. Elections

Where an employee volunteers to undertake duties as part of an election, they shall be entitled to 1 day of paid leave per election. This will normally be limited to Election Day, but where the employee has been involved in overnight duties, such as an overnight count, the leave may be taken on the following day.

The working time directive requires employees to have 'daily rest' between periods of work, therefore any employee working overtime during evening counts needs to have sufficient rest period (11 hours) prior to starting work again.

21. Career Break

21.1 Any employee with over five years of service is eligible to request an unpaid career break to pursue other interests for a period of up to 12 months.

21.2 The individual remains an employee of the Council and an authorised career break does not constitute a break in continuous service.

21.3 The employee is entitled to return to their post when the agreed period ends.

21.4 Applications for a career break should be made in writing to the employee's Service Manager, detailing the proposed dates of the break. There is no obligation to explain why you are requesting the break.

21.5 There is no obligation for a manager to grant a request and they will need to consider any requests against the needs and requirements of the service.

21.6 Whilst on a career break an employee must not undertake paid employment without first seeking approval from the Council.

21.7 During a career break period, an employee will not receive remuneration and they will not be entitled to the accrual of annual leave. However, they retain continuous service and other associated terms and conditions of employment.

22. Sporting Events

Sporting events – up to 5 days' paid leave may be granted where an employee is participating in a national or international event as a representative of their country. Additional leave may be taken as annual leave or unpaid leave.

23. Training

23.1 Time off for Training is covered in the relevant Training & Development Policy or individual training agreements where Qualifications and Study leave is supported by the Council.

24. Trade Union

The Council recognises the need for and the purpose of Trade Unions and has agreed 'Time off' and facilities for Trade Union Representatives. All employees of the Council who are accredited representatives of Trade Unions recognised by the Council are required to request permission for time-off during working time and the use of other facilities from their manager.

24.1 Reasonable time off during working hours for Trade Union activities will be agreed for the duties covered in the relevant Trade Union Recognition Agreement.

25. Refusal of Time Off

25.1 Whilst every effort will be made to support employee's applications for 'Time off Work,' it may not always be possible, particularly around peak holiday/school holiday times. The company and all services must ensure it can maintain the delivery of services and have sufficient resources to deliver to our customers, without placing unreasonable work demands on those people who remain at work. Each department should have agreed minimum staffing

provision and local guidance and appropriate People Manager coverage throughout the year. Some services may restrict leave at certain 'peak' periods of the year to ensure key output requirements.

25.2 People Managers may occasionally be required to cancel leave if for an urgent or unforeseen operational issue. This should be done in consultation with those impacted and only in exceptional circumstances.

25.3 In the event of an application for 'Time off Work' being refused, an explanation will be provided by the People Manager.

25.4 Should an employee feel any refusal to their time off application is unfair or unreasonable, they should aim to resolve this with their People Manager; where this is not possible or they don't feel able to, they may wish to escalate to the Head of Department. If the matter remains unresolved, where an employee chooses to use the, THE COUNCIL's Grievance Policy, an employee will need to consider the timescales within the grievance policy. There may occasionally be, especially for short-notice requests, insufficient time to investigate and determine an outcome in line with the grievance policy.

26. Unauthorised absence

Legal Custody / Imprisonment

If an employee is detained in legal custody or imprisoned, a decision will be made in conjunction with the employing Assistant Director and HR, as to whether the employee will be granted a period of unpaid leave of absence. The decision will be based on the length of the likely custody, or length of the sentence, the role undertaken by the employee, their length of service and the circumstances underlying the reasons for the sentence.

An employee will not necessarily be dismissed because of their conviction for a criminal offence, but the employee's position will be considered on its merits. An acquittal of criminal charge will not itself preclude disciplinary action where such action would otherwise be appropriate, subject to the terms of this procedure. Where a long-term sentence is passed, this can be grounds for dismissal under some other substantial reason or other legal provisions (i.e., frustration of contract).

27. Unexplained or Uncertified Absence

Managing unexplained or uncertified absences involves several steps to ensure both the employee's well-being and the company's operational needs are addressed.

As soon as it becomes clear that an employee is absent without an acceptable explanation or medical certificate, the manager should attempt to make contact. If the manager is unsuccessful in contacting the employee, and the emergency contacts held on record, the manager should notify HR and HR will write to the employee. The letter should note the date from which the employee was absent and that no medical certificate or satisfactory

explanation has been received. It should remind the employee of their obligations and say they will not be paid beyond the last date at which they were either present at work or absent with an explanation. It will ask the employee to reply by contacting the manager or HR.

If, within a week, there is no response or no acceptable mitigating circumstances, a further letter should be sent by recorded delivery. It should refer to the earlier letter, state the lack of response and that unless the employee returns by a specified date a week later or unless a medical certificate or acceptable explanation covering the whole period of absence is received by that date, a hearing will be convened. The letter should state that if the employee fails to attend the hearing on the date and time provided, this will result in a decision being considered in their absence, which is likely to result in dismissal for breach of contract of employment.

If there has been no acceptable response by the specified date, an unauthorised absence hearing should be convened, and the decision should be made to dismiss the employee. The Assistant Director will again write to the employee. The letter should refer to the earlier correspondence, state the lack of response or acceptable response and confirm that the employee failed to attend the hearing, so a decision was made in their absence to dismiss them for breach of contract. This letter should quote the effective date of termination and make reference to any outstanding monies (for example holiday pay).

Advice on applicable notice requirements where the employee is dismissed is available from HR.

As the employee has been dismissed for having breached their contract of employment through failing to respond to actions taken by the Council, the employee has a right of appeal and will be informed in writing of this right.

Employees returning to work who are unable to give satisfactory reasons for their absence, will be subject to disciplinary action, in accordance with the disciplinary policy and will not be paid for the period of unauthorised absence. Employees who return to work and provide medical confirmation of their absence may also be subject to disciplinary for failing to follow the council's sickness reporting procedure

28. Abuse of Right

28.1 If the Council believes that an employee is abusing the provisions made under this policy then The Council has the right to consider disciplinary proceedings.

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Long Service Awards Policy



This policy applies to all Council employees. This policy provides a framework for Employee Recognition within the workplace. It defines the procedure for recognition of service and the roles and responsibilities to support its delivery. The Council ensures its Long Service Scheme is fair, equitable and transparent with the needs of employees at its heart.

Policy Title	Long Service Awards Policy
Policy Author	HR Team – PSPSL Limited
Policy Issue date	November 2024
Policy Review date	February 2028, or earlier if required
Policy Consultation	Trade Unions recognised by the Council Council Reader Panel Senior Leadership Team
Policy Sign-off	Head of Paid Service (at SHDC – in consultation with Portfolio Holder)

Introduction

The purpose of the scheme is to provide a means to recognise and celebrate employees service within the Council and wider South & East Lincolnshire Councils Partnership. The scheme aims to create a positive culture in recognising talent and continued commitment. The scheme aims to inspire everyone, ensuring employees feel valued, supported, and appreciated.

The Council is committed to attracting, developing and retaining the highest quality employees. In recognition of this, the council is committed to celebrate with those members of staff who have reached certain service 'milestones' by providing a system of awards for long service whilst in service.

Governing Legislation

- Equality Act 2010;

- Income Tax (earnings & pensions) Act 2003;
- HMRC guidance and best practice.

This policy will be applied fairly irrespective of the race, colour, religion or belief, nationality, age, social background, ethnic or national origin, sex, sexual orientation, disability, marital status/civil partnership, maternity/pregnancy or trade union membership of the employee concern, and includes:

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Scope of the Policy

The policy applies to all employees of the Council.

This policy does not apply to work experience students, agency staff, volunteers, and contractors.

This policy does not form part of an employee’s terms and conditions of employment and the Council reserves the right to remove or adapt the Policy at its discretion.

Employee’s responsibilities

- Employees are responsible for providing evidence of their continuous service where the system does not hold records that they agree with. Employees are responsible for logging into the awards provider website choosing their gift using the logins and instructions provided.

Manager’s responsibilities

- Ensuring employees are treated fairly, equitably and with respect.
- Acknowledging and thanking employees regularly for the contribution they make.
- Recognising the contribution of their employees and teams.
- Monitoring employee performance and providing appropriate development opportunities.
- Supporting the Council’s values and embedding them in everyday working lives.

- Notifying HR of an employee retiring through the designated channels.
- Supporting and encouraging the embedding of this policy to contribute to overall employee recognition.

Human Resources

- Ensuring the policy is followed in a fair and equitable manner.
- Monitoring the cost and effectiveness of the policy.
- HR will run quarterly reports to highlight those eligible for service awards.
- HR will share this information with the Chief Executive so correspondence can be issued to those employees achieving milestones.
- HR will maintain an up-to-date list of employees who have received long service awards to ensure HM Revenues and Customs (HMRC) compliance.

Give ‘thanks’

The Council encourages an environment whereby recognition and praise is readily given in response to achievements and success. Motivation should be intrinsic and not solely for reward. Appreciation for continued hard work, effort and dedication is actively encouraged and this should be applied throughout all tiers of the organisation. Creating this culture and aligning with our corporate vision ensures our employees sit at the heart of all we do.

Employee Long Service Award

It is important the Council recognises the loyalty of its employees through their service to this Council and those in the Partnership.

The Council recognises the service of its employees through the following Awards, the awards will be issued through an online portal provider and goods to the equivalent value will be available to purchase:

- 10 years’ service Certificate
- 20 years’ service £200 points value
- 30 years’ service £300 points value
- 40 years’ service £400 points value
- 50 years’ service £500 point value

Eligibility

All 3 council employees will be entitled to a service award providing they meet the following criteria:

They have worked continuously, employed without breaks in one of the Partnership councils when reaching the milestone outlined above.

Long Service and PSPSL - At the point an individual meets the qualifying continuous service, whilst employed by one of the partnership councils, which may include service with PSPS (a wholly owned company of the councils') provided the employment is continuous this would count as service under this policy.

The points are awarded in the form of items purchased from the Council's approved supplier. HR will review awards on a quarterly basis and a letter will be issued from the Chief Executive in recognition of this.

Retirement Award

Employees who reach the normal retirement age (or over) with the appropriate qualifying service, who retire from the Council will receive an award to be given in the form of points to the value of £500 which can be used to purchase items from the Council's approved supplier. The qualifying service is those employees with accrued 10 years' service or more.

If an employee chooses to continue in employment beyond normal retirement age, the award will be given on the actual date of retirement.

The Chief Executive will write to the employee concerned thanking them for their service to the Council and community.

Procedure for obtaining an Award.

On a quarterly basis, HR submit a report to the Reward provider advising of those employees who have accrued continuous service of either 10 years, 20 years, 30 years, or 40 years, or the Retirement Award.

Upon receiving notification, the Reward provider will write directly to each employee who has accrued continuous service or who is retiring. The letter will include the reason for the reward, the monetary/points value that will be attached to the award and instructions on how to redeem the award.

The points awarded must be spent within a six-month period. Beyond this, points not spent may be forfeited.

Absence and Sickness Management Policy and Procedure



served by One Team

South & East Lincolnshire Councils Partnership

The Council sees health and wellbeing as an important aspect of the successful delivery of our services and seeks to promote and support healthy living through internal health improvement initiatives, occupational health advice, and by working with the individual employee as a collaborative process to identify and meet their physical and mental well-being needs at work.

This policy advises the Council’s People Managers and employees on the appropriate procedure for the management of absence from work due to ill health and refers to both short term and long-term absences.

The Council ensures this is a fair, equitable and transparent policy, with the needs of employees at heart. This policy is fully compliant with equality and diversity, making sure care and consideration is given to the needs of our employees, whilst balancing these with the needs of the Council’s business.

Policy	Absence and Sickness Management Policy and Procedure
Policy Author	HR Team – PSPS Limited
Policy Issue date	November 2024
Policy Review date	February 2028, or earlier if required
Policy Consultation	Trade Unions recognised by the Council Council Reader Panel Senior Leadership Team
Policy Sign-off	Head of Paid Service (at SHDC – in consultation with Portfolio Holder)

Absence and Sickness Management Policy and Procedure

Introduction

The ill-health of an employee, whether mental, physical or both, resulting in absence from work, not only has a significant impact on the person who is unwell, but also has a major impact on the operating capability of the Council. It is envisaged that the Council's Managing Sickness Absence policy and procedure will assist employees to achieve their full potential in the workplace and contribute to the achievement of the Council's strategic objectives for the communities that are served.

The Council wishes to create and support a healthy and efficient working environment, not only through its obligations to comply with employment legislation, but also through a caring and rehabilitative approach towards sickness absence management.

People Managers in the Council have a critical role in the effective management of sickness absence and its impact upon work performance and service levels. It is important that all People Managers, supported by the Council and the HR team at PSPS, are enabled to acquire the skills and training needed to conduct relevant absence management processes in a competent and caring manner.

The Council is committed to providing an approach to managing Sickness Absence that ensures no employee is treated less favourably due to a protected characteristic as defined under the Equality Act (2010). Where a sickness absence is caused by an underlying medical condition that is defined as a disability under the terms of the Equality Act (2010), the Council will formally consider all possible reasonable adjustments.

Aim

This policy aims to strike a balance between:

- The pursuit of the Council's operational needs, and
- The genuine need of employees to take time off work due to ill health.

In supporting employees with health issues, we comply with the Equality Act 2010.

Scope

The Policy applies to all employees of the Council who are absent from work through ill health including those employed on fixed-term contracts, following the successful completion of the probationary period, whether the type of sickness absence is short-term or long-term. It does not apply to agency workers, self-employed contractors, or consultants.

To ensure disabled and pregnant employees are supported appropriately under the Managing Sickness

Absence policy: disability and pregnancy-related absences will be recorded separately and not used to contribute to the Sickness Absence Triggers as set out in this policy.

Absence during a probation period will be dealt with under the Council's probation policy and therefore falls outside the scope of this policy. The policy does not cover Maternity Leave; Paternity Leave; Adoption Leave; Shared Parental Leave; Time off Work; Annual Leave. Policies regarding these types of absence from work can be found in the Corporate Library on First4HR and advice on this policy and the policies above are available from the HR team at PSPS.

Managing Sick Absence Policy and Procedure

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1. Guiding Principles

The following principles govern the Council's Managing Sickness Absence policy and procedure which are:

- fairness - actions should be reasonable, necessary, known and understood. Employees involved are entitled to be heard with courtesy and respect.
- confidentiality - information relating to sickness absence should not be divulged to a third party not involved in the process.
- equality - the Council will not discriminate unfairly or illegally, directly, or indirectly.

2. Responsibilities under this Policy – The Council

2.1 The Council's duty of care to all employees will be at the centre of this policy and the Council will treat employees who are absent due to a medical condition, sympathetically and supportively.

2.2 The recording and monitoring procedures used in the management of sickness absence will be applied in a fair and consistent manner.

2.3 The Council will continue its commitment to creating and maintaining a positive and healthy workplace environment.

2.4 The Council will continue to develop further the extensive portfolio of proactive support service provisions available to its employees which currently include:

- Access to a free confidential 24/7 Employee Assistance Programme (EAP) that provides a range of advice and support services to employees including counselling.
- Qualified Occupational Health professional provision.
- Ongoing programme of employee initiatives to support employees of the Council's Health and Wellbeing, both physical and mental.

3. Responsibilities under this Policy – Employees

3.1 All employees of the Council should make sure that they are aware of the absence notification procedures and comply with them in a timely manner.

3.2 The employee should keep in daily contact with their People Manager during their first week of absence.

3.3 Regular contact should continue as per an agreed communication plan for any absence beyond this period of absence due to ill-health.

3.4 If it is not reasonably practicable for the employee to make personal contact with their People Manager for example if the employee has been admitted to hospital, then an employee's family member or close friend should contact their manager for them on the first day of absence by the quickest means possible.

- 3.5 In cases where the absence is longer than expected then the employee should contact their People Manager by telephone on a regular basis explaining the reason for absence, how long it is likely to last, and when they plan to come back to work. This will help the People Manager plan the operational needs of the business. The frequency and time of contact should be mutually agreed upon.
 - 3.6 During any period of sickness absence, employees should make every effort to focus on getting better and speed up their recovery.
 - 3.7 Employees are required to submit a Statement of Fitness for Work ('Fit Note') issued by a GP or other medical professional to their People Manager for any absence that lasts more than seven calendar days, which includes non-working days and weekends.
 - 3.8 The Council recognises its obligations under the Equality Act (2010) for those employees with either a disability or an underlying health condition that would constitute a disability under the Equality Act (2010) and those in relation to pregnancy.
 - 3.9 Absences arising from these protected characteristics will be recorded separately from general sickness absences and will not count towards the Sickness Absence Triggers within this Policy.
 - 3.10 Where an employee is absent from work because of an accident in the workplace, the employee will be paid (inclusive of statutory benefits) in line with their contractual entitlement.
 - 3.11 Where an employee experiences prolonged, persistent short-term absence through illness or injury, and where medical evidence shows that the employee is unable to fulfil their duties within a reasonable time or on a consistent basis, it may be necessary for the Council to consider termination of employment. In such cases, there will be a clear process as set out in the short-term absence section of the policy and will be managed sympathetically and supportively.
 - 3.12 Employees are responsible for their general health and are expected to take steps to minimise unnecessary absence from work due to ill health and should avoid prolonging or aggravating an episode by either remaining at work or returning too soon.
 - 3.13 If an employee is struggling to undertake duties due to an illness, then they should speak to their People Manager to arrange a referral to Occupational Health.
4. Responsibilities under this Policy – People Managers
 - 4.1 People Managers are responsible for fairly and consistently applying the Managing Sickness Absence Policy and its procedure.
 - 4.2 All People Managers have a responsibility to manage an employee who is absent from work due to sickness proactively and sensitively.
 - 4.3 In applying the Managing Sickness Absence policy and procedure, decisions about an employee who is absent from work due to ill health may only be made by Managers based on information obtained through meetings with the employee, absence data, and advice from the PSPS HR team and Occupational Health advisors.
 - 4.4 People Managers are required to ensure that all sickness absence is recorded accurately on First4HR from the first day of absence.
 - 4.5 People Managers are required to conduct a return-to-work interview upon an employee's return to work after every period of sickness absence. A record of the meeting should be made by the People Manager on First4HR.

- 4.6 People Managers have responsibility for undertaking appropriate training to allow them to deal with managing Sickness Absence and return to work issues effectively and consistently.
- 4.7 People Managers have a responsibility to maintain regular dialogue with an employee who is absent whether it is a long-term absence or a series of short-term absences. Dialogue with the employee may include such issues as the management of workload, the need to refrain from activities likely to exacerbate or prolong recovery, for example, carrying out business on behalf of the Council whilst on sick leave or checking work emails.
- 4.8 In cases where there is a particular concern about the nature of the employee's sickness absence, or if it is an illness of a complex nature or involves a protected characteristic under the Equality Act (2010), People Managers should seek advice from the PSPS HR team.
- 4.9 People Managers are required, as far as possible, to manage the consequences of an employee's sickness absence to minimise the effects on performance, service levels and the workload of colleagues whilst the employee is absent from work.
- 4.10 People Managers are responsible for the initial investigation of cases where it is felt that abuse of the Council's sick pay arrangements may have taken place and, in consultation with Human Resources, initiating the appropriate procedures to deal with the abuse.

5. Responsibilities under this Policy – PSPS Human Resources Team.

- 5.1 The PSPS HR Team is responsible for providing advice, guidance and support to People Managers and employees on the application of this 'Managing Sickness Absence' policy.
- 5.2 The PSPS HR Team is responsible for monitoring and reviewing the effectiveness of the Managing Sickness Absence policy and procedure.
- 5.3 The PSPS HR Team is responsible for providing training in the management responsibilities required under this policy.
- 5.4 The PSPS HR Team is responsible for the provision of reports on absence information and other associated people management information to the Council on a monthly basis.
- 5.5 The PSPS HR Team advises employees and Managers on ill-health retirement or termination on the grounds of ill health where appropriate.
- 5.6 The PSPS HR Team act as a liaison between the Council and occupational health provider.

6. Responsibilities under this Policy – Occupational Health

- 6.1 The role of the external Occupational Health Advisory service is to provide professional occupational health information and advice, in support of the effective management of sickness absence to the Council's People Managers and the HR team at PSPS, as follows:
 - o advising whether there is a medical condition affecting attendance or work performance.
 - o advising on the potential impact of such a medical condition and on the employee's ability to perform their duties.
 - o where appropriate, and with the consent of the employee, liaising with the GP/Clinician responsible for the medical care of the employee (under the Access to Medical Records Act 1988, the Council's employee has the right to obtain access to the GP/Clinician's report before it is forwarded to Occupational Health)

- advising on a likely date for return to work.
- what temporary or permanent adjustments to the job would enable the employee to function safely and effectively despite the health condition
- suggesting types of suitable alternative work if an employee will be unable to return to their own job.
- providing advice on an appropriate process for a successful rehabilitation back to work after a long-term absence from work.
- advising whether work has had an adverse effect on the health of employees and how this can be prevented from happening in the future.

7. Interaction with other Council policies

The arrangements set out in this policy and procedure relate to managing sickness absence affecting the ability of an employee of the Council to carry out their contractual duties and should be distinguished from any unauthorised absence from work, which is an issue of potential misconduct and may fall within the scope of the Council's Disciplinary policy and procedure. Advice and guidance on such a situation are available from the HR Team at PSPS.

8. Medical Appointments

Wherever possible, employees should make medical/dental appointments outside of their normal working hours. However, where this is not practical, appointments must be made to cause minimal disruption to the working day, i.e., lunchtime, early, late.

8.1 Hospital/Consultant/Specialist Clinic

Appointments are considered authorised absence and time off will be paid; Team Leaders will use their discretion to how much time is allowed and if unsure, seek advice from an HR Business Partner (HRBP). Employees should provide their Team Leader with proof of their appointment when requesting time off to attend appointments.

8.2 Operations and Recovery Periods

Operations are considered as authorised time off and will be paid. Managers/Team Leaders should provide the necessary support to the employee during this period of absence and agree on an appropriate means/delegated person of contact. The manager/Team Leader should work collaboratively with HR, Occupational Health, and the employee's specialist to ensure a safe and appropriate return to work.

8.3 IVF Treatment

Time off to undertake IVF treatment is considered authorised absence and time off will be paid; Team Leaders will use their discretion to how much time is allowed and if unsure, seek advice from an HR. If employees are undertaking IVF treatment, they should provide their People Manager with proof of the appointment for treatment. If an employee is unwell and not able to work as a result of the IVF treatment it should be recorded as sickness absence

8.4 Gender reassignment

Time off for these purposes will be treated no less favourably than time off for illness or other medical appointments.

9. The Council's Sick Pay Scheme

Please see the Council's sick pay entitlement as set out in the attached summary in Appendix One of this policy.

10. Statement of Fitness for Work – known as the “Fit note”

A 'Fit Note' describes the medical reason for an employee's absence and whether the doctor thinks an employee is '*not fit for work*' or '*may be fit for work*' if the employer takes into account some recommendations for temporary adjustments at work, for example:

- a phased return to work
- altered hours
- amended duties
- workplace adaptations

This allows maximum flexibility to discuss possible changes to help support a return to work.

Where it is not possible for the Council to implement the recommendations from the 'Fit Note', then this document should be treated as if the 'Fit Note' advised that the employee is '*not fit for work*' and they should remain absent.

11. Sickness Absence and Annual Leave

If an employee is sick whilst on 'Annual Leave' then the 'Annual Leave' can be 'retaken' at a later date on the condition that medical evidence is provided. This will include medical evidence, e.g., medical certificate details of treatment and, if relevant, a copy of any insurance policy claim.

To be able to 'reclassify leave' the employee must be able to show that they would not have been fit for work had they not been on Annual Leave. Wherever reasonable and practicable the Council still requires its notification procedures to be followed. In circumstances where an employee is sick before starting Annual Leave, and they wish to use the entitlement at another time, then they should inform their People Manager at the earliest opportunity.

The request to cancel a period of booked Annual Leave must be supported by a Medical Certificate. The People Manager should discuss the request and inform the employee accordingly seeking advice from the HR Team at PSPS where appropriate.

Where an employee has been on long term sickness absence and has been unable to use their Annual Leave entitlement by the end of the Annual Leave year, the employee may wish to carry over leave not taken due to the sickness absence.

The employee should discuss this with their People Manager on an individual basis. It is the People Manager's responsibility to ensure that the opportunity to take accrued but untaken Annual Leave is provided.

Upon termination of employment with the Council, it is expected that any outstanding annual leave entitlement will be paid as a part of the termination/end of the contract.

12. Sickness Absence Reporting and Recording

Regular and punctual attendance at work is essential. If an employee is absent, the employee must contact their line manager or alternative designated contact. All employees must follow the Council's procedure:

- Employees must report sickness absence to their line manager on the first day of absence. This must be actioned as early as possible and within one hour of the employee's start time. Employees may have other local arrangements that are in place.
- Employees must make personal contact by telephone. Text or email, or another form of messaging, are not acceptable unless in exceptional circumstances.
- If an employee is unable to speak to their line manager, leave a message and a contact phone number. Ask for someone to pass it on to line manager as soon as possible. Employee should expect and be available to receive a return phone call.
- There may be times when employees are unable to contact their line manager personally. For example, on admittance to hospital. The person who contacts the manager on the employee's behalf must leave a contact name and number.
- If an employee fails to make contact to report an absence, the line manager will contact the employee. The employee must have a justifiable reason for failing to make contact. If not, the line manager may record the employee's absence as unauthorised. They may refer the employee to the Council's disciplinary policy.
- If an employee is going to be absent from work, the employee should tell their manager:
 - when the illness started
 - the broad nature of the illness (for example, migraine, chest infection etc)
 - if the illness work-related
 - if the employee is seeking medical attention
 - the likely date of return, if known
- The Line manager will advise the employee how and when the employee is to make contact again. The employee must update them on their absence and the expected return to work date.
- The employee must get a 'fit note' from their doctor and give this to the line manager on the eighth day of absence.
- The employee must keep line managers advised of their health and progress towards returning to work. If the employee is not returning to work, they must send their manager a new 'fit note' upon expiry of the current one.
- An employee may return to work early, before the expiry of a 'fit note'. If a doctor indicates that the employee may be fit to work with adjustments, the employee must contact the line manager. The Line manager may not agree to an early return if they cannot provide the support needed.
- If a 'fit note' states that the employee is not fit to return to work, the employee cannot return early.

People Managers will keep in touch with employees when they are not fit for work. This includes a chronic health condition, progressive illness or disability. People Managers will contact employees as early as possible and will maintain regular contact through the absence.

Where an employee attends work and subsequently is unable to continue to work due to sickness then this will be logged on First4HR in accordance with the following:

- Where an employee attends work for a period of less than 4 hours and is unable to continue due to sickness, then the time taken will be logged as 1 day of sickness absence.
- Where an employee attends work for a period of 4 hours or more and is unable to continue due to sickness, then the time taken will be logged as 1/2 a day of sickness absence.

13. Return to Work Meetings

Return to work meetings must be conducted by People Managers following every period of sickness absence. The immediate People Manager should arrange a meeting with the employee on their first day back, or as soon as possible afterwards.

If an employee feels that they are unable to discuss the reasons for their absence with their People Manager, then they should contact the PSPS HR Team via HR@pspsl.co.uk

The purpose of the return-to-work meeting is:

- To give the People Manager the opportunity to check that the employee is fit to return to work.
- To allow the People Manager to fully understand the reason for the employee's absence.
- To allow the employee to voice any concerns they may have, and to identify any domestic, welfare or work-related concerns that may affect their return to work.
- To allow the People Manager to raise awareness about the available services and support provision available to employees, e.g., Employee Assistance Programme (EAP) and Occupational Health.
- Where appropriate to discuss the need for a referral to Occupational Health.
- To discuss where appropriate an agreed return to work programme, including phasing, where deemed necessary.
- To allow the People Manager to update the employee on events that may have occurred during their absence.
- To ensure that the employee is aware of the 'Managing Sickness Absence' Policy.
- To inform the employee of the number of absences recorded and about the 'Sickness Absence Triggers'
- To notify the employee of how their absence will be managed and about the 'Managing Sickness Absence Policy'.
- A record of the return-to-work meeting will be made by the People Manager on the return-to-work pro-forma which is available in the employee's absence management record on First4HR.

14. Short-term and Long-term Sick Absence Trigger Points

14.1 Short Term Sickness Absence Triggers are:

- three occasions of sickness absence within a rolling 12-month period.
- seven working days within a rolling 12-month period.
- a pattern of absence causing concern, for example:
 - regular Fridays or Mondays
 - absences regularly occurring on a particular day
 - pre or post annual leave
 - school holidays
 - public holidays
 - payday

Trigger points for employees working fewer than five days in a week will be pro-rata. The number of days will be pro-rata, but not the number of occasions [see appendix 3].

If an employee holds an annualised hour's contract, line managers will apply the nominal working week. They will make adjustments during the year if needed.

14.2 Long Term Sickness Absence Trigger:

- o A period of long-term sickness absence that has lasted or is expected to last, four weeks or more.

14.3 Managers' Discretion on Trigger Points

When reviewing absences against the trigger points it may be necessary in exceptional circumstances for managers to use their discretion on what the trigger points are. This particularly applies when an employee has an underlying medical condition that is covered under the Equality Act 2010 and advice is usually obtained from OH.

If management wish to apply discretion to change an employee's trigger point, then this should only be applied in exceptional circumstances. Following advice from HR, the manager must be able to justify, discuss, and record the reasons for this decision.

Any extensions to the trigger points as a reasonable adjustment resulting from OH advice should be regularly reviewed by the People Manager with advice from the PSPS HR Team.

15. Managing Sickness Absence Procedure

People Managers will support employees through the short-term and long-term absence management stages when absences levels cause a sickness absence trigger to be met. Employees will attend meetings with their People Manager under the different stages of the procedure.

For a short-term absence trigger, People Managers will refer employees to the sickness absence procedure. There can be circumstances when this may not apply but People Managers should seek the advice of HR in these circumstances.

For a long-term sickness trigger, managers will review the information first. There can be circumstances when this may not apply but People Managers should seek the advice of HR in these circumstances, for example, it may be more appropriate to support employees on long-term sickness absence due to serious illness (such as cancer treatment) with informal wellbeing meetings instead of invoking the formal procedure straight away. If the People Manager does not invoke the procedure straight away, they will still maintain contact with the employee, update the employee on arrangements and confirm it may need to be invoked in the future.

In the procedure, there are opportunities to attend informal and formal meetings.

15.1 Informal Meetings

Attendance at an informal meeting will only be required of the employee and their People Manager.

15.2 Formal Meetings

Attendance at a formal meeting will include the employee, a People Manager who will lead the meeting, HR support (Advisor and note taker which, in some cases, both duties may be carried out by one HR representative) and should the employee wish to be accompanied, an employee companion.

An employee companion can be either of the following:

- A work colleague
- A trade union representative
- An official employed by a trade union

No other companions will be permitted to attend absence management meetings. On the grounds of a disability, People Managers may make reasonable adjustments for an alternative companion to attend (e.g., a family member). However, this must be discussed and agreed in advance of the meeting.

Employees must confirm their chosen companion's attendance a minimum of 24 hours before the meeting. Employees can request to re-schedule a meeting if they, or their companion, cannot attend. The re-scheduled meeting will ordinarily take place in the next five working days. Employees must not fail to attend the re-arranged meeting without justification. People Managers can consider the employees case in the absence of the employee based upon an employee's written submission.

People Managers will support employees through this process and be understanding and sympathetic. People Managers will document all actions in this procedure. They will include reasons for taking or not taking action, such as:

- a referral to occupational health for an assessment
- signposting an employee to the employee support and counselling service
- implementing of reasonable adjustments

15.3 12-months' live' monitoring period

If absences improve to the required level, People Managers may take no further action and encourage employees to sustain this. Employees will enter a 12-month 'live' monitoring period, starting when the review period ends.

People Managers will review absence records if:

- employees have further absences within 12 months, and
- on a 12-month rolling basis, absences hit a trigger point

People Managers will decide whether:

- employees re-join the procedure at the stage they were at when the action ceased
- to apply a further review period

15.4 Escalation to Long Term Stage 3 Hearing

Occupational health may advise that employees are:

- eligible for permanent ill-health retirement
- unfit to return to their post for a prolonged period due to an underlying health condition
- not suitable for redeployment

In such cases, People Managers may escalate to a Stage 3 hearing without the need for a Stage 1 or 2 meeting. They must get advice from HR before considering this.

16. Stage 1 - Managing Short Term Absence

When a People Manager identifies that an employee's absence levels have met a short-term trigger, they will need to begin the Managing Short Term Absence process and create a case for their employee in the Employee Relations section of First4HR.

The arrangements and attendance of meeting will be in accordance with the informal meeting arrangements in section 15.1 of this policy.

16.1 Invite to Stage 1 –Short Term Sickness Absence Meeting

Where an employee's absence through sickness becomes a cause for concern i.e., absence levels have met the short term 'Sickness Absence Trigger' then the People Manager should invite the employee to a Stage 1 –meeting.

Where a 'Stage 1 –Short Term Sickness Absence Meeting' is to be held, the People Manager will notify the employee of the details of meeting; normally giving 5 working days' notice and setting out the reason for the meeting [see appendix 2 for invite template].

If the employee fails to respond or cooperate, the People Manager may arrange the meeting without the employee's agreement.

16.2 Conducting the Stage 1 – Short Term Sickness Absence Meeting

At the meeting the People Manager will sympathetically discuss with the employee the reasons for their absence and advise them that their level of attendance is a cause for concern. The People Manager will review with the employee previous absences where they have contributed to meeting the Sickness Absence Trigger.

The People Manager should also discuss any issues that might be affecting the employee's attendance e.g., personal, family, or work-related issues, being sensitive to only encourage the employee to disclose what is suitable.

During the meeting it may be appropriate to discuss with the employee referring them to an Occupational Health Advisor.

During the meeting the employee should be reminded that any failure to improve attendance at work could lead to further progression through the stages of this procedure due to their unsustainable level of absence from work due to ill health and may ultimately lead to dismissal from employment with the Council.

16.3 Outcome of the Stage 1 –Short Term Sickness Absence Meeting

There are two potential outcomes following this stage of the procedure. They are:

- No Further Action

Where no further action is taken, the People Manager must be content that there are no concerns over the employee's absence levels, for example, there are extenuating reasons for the absences. The People Manager will discuss this outcome with the employee at the meeting and the employee will be provided with the details of the meeting and the outcome in writing within 5 working days.

- A Review Period

Where the employee's pattern of absence is such that a review period is required then the People Manager should discuss this with the employee and notify them of the duration of the review period. A review period would usually be 3 months; however, the length will be decided on a case-by-case basis.

The People Manager will discuss this outcome with the employee at the meeting and the employee will be provided with the details of the meeting and the outcome in writing within 5 working days.

This will include details of any further support, actions required with an agreed action plan, the length of the monitoring period and how progress will be monitored during the review period, along with any reasonable adjustments that are to be made and any further assistance that is available to assist the employee to improve the attendance level at work to meet expectations of their contractual obligations to the Council.

At the end of the review period, where the People Manager is satisfied with the sickness absence record and the reason for absence then the employee should be notified that the matter will not progress to Stage 2.

At the end of the review period, where the People Manager has reviewed the employee's attendance and this is considered to be unsatisfactory due to further absence(s) during the set period, the People Manager may decide to extend the review period or progress the employee to Stage 2. If further sickness absence occurs in an extension period, the People Manager may decide to progress the employee to stage 2.

17. Stage 2 – Managing Short Term Absence

17.1 Invite to Stage 2 – Formal Short Term Sickness Absence Meeting

The Stage 2 – formal meeting will be scheduled when the stage 1 review period has been deemed unsatisfactory. Where a 'Stage 2 – Formal Short Term Sickness Absence Meeting' is to be held, the People Manager will notify the employee in writing of the details of the meeting; normally giving 5 working days' notice and set out the reason for the meeting.

At the meeting the employee is permitted to be accompanied and the arrangements and attendance of meeting will be in accordance with the formal meeting arrangements in section 15.2 of this policy.

17.2 Conducting the Stage 2 – Formal Short Term Sickness Absence Meeting

At the meeting the People Manager will discuss the employee's level of absence during the Review Period.

The People Manager should also discuss any issues that might be affecting the employee's attendance e.g., personal, family, or work-related issues, being sensitive to only encourage the employee to disclose what is suitable.

During the meeting it may be appropriate to discuss with the employee referring them to an Occupational Health Advisor.

During the meeting the employee should be reminded that any failure to improve attendance at work could lead to further progression through the stages of this procedure due to their unsustainable level of absence from work due to ill health and may ultimately lead to dismissal from employment with the Council.

17.3 Outcome of the Stage 2 – Formal Short Term Sickness Absence Meeting

There are two potential outcomes following this stage of the procedure. They are:

- No Further Action

Where no further action is taken, the People Manager must be content that there are no concerns over the employee's absence levels, for example, there are extenuating reasons for the absences. The People Manager will discuss this outcome with the employee at the meeting and the employee will be provided with the details of the meeting and the outcome in writing within 5 working days.

- A Review Period

Where the employee's pattern of absence is such that a review period is required then the People Manager should discuss this with the employee and notify them of the duration of the review period. A review period would usually be 3 months; however, the length will be decided on a case-by-case basis.

The People Manager will discuss this outcome with the employee at the meeting and the employee will be provided with the details of the meeting and the outcome in writing within 5 working days.

This will include details of any further support, actions required with an agreed action plan, the length of the monitoring period and how progress will be monitored during the review period, along with any reasonable adjustments that are to be made and any further assistance that is available to assist the employee to improve the attendance level at work to meet expectations of their contractual obligations to the Council.

At the end of the review period, where the People Manager is satisfied with the sickness absence record and the reason for absence then the employee should be notified that the matter will not progress to Stage 3.

At the end of the review period, where the People Manager has reviewed the employee's attendance and this is considered to be unsatisfactory due to further absence(s) during the set period, the People Manager may decide to extend the review period or progress the employee to Stage 3. If further sickness absence occurs in an extension period, the People Manager may decide to progress the employee to stage 3.

The employee should be notified by the People Manager in writing of the date of the 'Stage 3 – Formal Short Term Sickness Absence Meeting'.

18. Stage 3 – Managing Short Term Absence

18.1 Invite to Stage 3 – Short Term Sickness Absence Hearing

The Stage 3 hearing will be scheduled when the stage 2 formal review period has been deemed unsatisfactory. Where a 'Stage 3 – Short Term Sickness Absence Hearing' is to be held, the employee will be notified in writing of the details of the hearing; normally giving 5 working days' notice and the reason for the hearing.

The Stage 3 hearing will be chaired by a senior manager with the authority to dismiss. The People Manager that supported stages 1 and 2 of the procedure will also attend the hearing to provide details of the support provided to the employee, details of previous discussions/meetings and the details of actions taken during the process.

At the meeting the employee is permitted to be accompanied and the arrangements and attendance of meeting will be in accordance with the formal meeting arrangements in section 15.2 of this policy.

18.2 Conducting the Stage 3 – Short Term Sickness Absence Hearing

At the hearing the chair will discuss the employee's level of absence during the process to date. The chair of the meeting will consider:

- all the facts concerning the absence record
- actions taken to date to improve these levels
- any information the employee submits
- any relevant and up-to-date advice from occupational health or other medical advisers

The chair will consider all reasonable steps in managing the absence. Only then will they start the processes to dismiss. These could include:

- consulting with the employee
- seeking medical advice
- considering redeployment

If during this process an employee is unable to demonstrate a clear and sustained improvement in their attendance, then the chair should discuss with the employee the issues that have already been raised and that their level of absenteeism is no longer sustainable.

18.3 Outcome of the Stage 3 – Short Term Sickness Absence Hearing

The chair should confirm the outcome of the 'Stage 3 – Formal Short Term Sickness Absence Meeting' in writing, to the employee; within 5 days of the meeting.

Possible outcomes of the Stage 3 Short Term Absence Hearing are:

- a further review period, usually for two months but no more than four
- reasonable adjustments with a further review period
- redeployment
- dismissal

If the outcome is a Dismissal, an appeal against the outcome must be submitted in writing to the Head of HR and Organisational Development, within 10 working days from the receipt of the outcome letter.

Ill Health Retirement (IHR) would not usually be an outcome of a Stage 3 Short Term Absence Hearing due to the nature of short-term absences. However, the council may consider IHR as an outcome of a Stage 3 Short Term Absence Hearing in exceptional circumstances if this is a recommendation from Occupational Health.

19. Stage 1 – Managing Long Term Absence

A single period of sickness absence that lasts more than four weeks is normally considered to be a period of long-term sickness absence.

It is the People Manager's responsibility to maintain regular contact with an employee throughout the entire period of absence, to understand the nature and progress of the absence, and to provide the appropriate support, information, and advice where necessary.

During periods of long-term absence, employees should, if appropriate, be kept informed of any key issues or developments within their service area

If the employee is absent for several periods of long-term absence (whether for the same reason or not) consideration needs to be given to the services' ability to sustain the level of non-attendance.

19.1 Invite to Stage 1 – Formal Long Term Sickness Absence Meeting

If an employee has been absent from work for 4 weeks and it is clear that the employee is unlikely to return to work within a reasonable period of time, then the People Manager should invite the employee to a 'Stage 1 – Formal Long Term Sickness Absence Meeting' to discuss the nature of their absence.

At the meeting the employee is permitted to be accompanied and the arrangements and attendance of meeting will be in accordance with the formal meeting arrangements in section 15.2 of this policy.

19.2 Conducting the Stage 1 – Formal Long Term Sickness Absence Meeting

During the 'Stage 1 – Formal Long Term Sickness Absence Meeting' it may be appropriate to discuss with the employee referring them to Occupational Health.

The focus of the 'Stage 1 – Formal Long Term Sickness Absence Meeting' should be on the wellbeing of the employee and should be conducted in a sensitive, sympathetic, and supportive way.

Depending on the nature of the illness it may be appropriate to visit the employee at a mutually convenient meeting place.

Where the employee is likely to return to the same job in the near future then the People Manager should discuss with the employee whether they will require any particular support or reasonable adjustments to assist in their return.

Reasonable adjustments may include:

- phased return to work
- the use of ergonomic equipment
- a change in working hours or the pattern of work

If the prognosis of the employee returning to work is uncertain and it is not possible to take a firm decision on the future position, it may be necessary to continue to monitor the absence and invite the employee to 'Stage 2 – Formal Long Term Sickness Absence Meetings'

19.3 Outcome of the Stage 1 – Formal Long Term Sickness Absence Meeting

Following the 'Stage 1 – Formal Long Term Sickness Absence Meeting' the People Manager should write to the employee within 5 working days confirming what was discussed and what measures will be put in place to enable the employee to return to work. Any phased return, adjustments or measures should be continually reviewed, and the people manager should have a regular communication plan with the employee during the employee's return to work.

Where the employee is unable to return to work the letter should set out the date of the 'Stage 2 – Formal Long Term Sickness Absence Meeting'.

20. Stage 2 – Managing Long Term Absence

20.1 Invite to a Stage 2 – Formal Long Term Sickness Absence Meeting

Where, following the ‘Stage 1 – Formal Long Term Sickness Absence Meeting’ the employee is unable to return to work then the People Manager should invite the employee to regular ‘Stage 2 – Formal Long Term Sickness Absence Meetings’ usually every 4-6 weeks.

At the meeting the employee is permitted to be accompanied and the arrangements and attendance of meeting will be in accordance with the formal meeting arrangements in section 15.2 of this policy.

Up to date medical advice should be sorted from the employee and/or Occupational Health where appropriate.

In these circumstances it continues to be the responsibility of the People Manager to maintain regular contact with the employee.

20.2 Conducting a Stage 2 – Formal Long Term Sickness Absence Meeting

The focus of the ‘Stage 2 – Formal Long Term Sickness Absence Meetings’ is on the wellbeing of the employee and should be conducted in a sensitive, sympathetic and supportive way.

Depending on the nature of the illness it may be appropriate to visit the employee at a mutually convenient meeting place.

Where the employee is likely to return to the same job in the near future then the People Manager should discuss with the employee whether they will require any particular support or reasonable short-term adjustments to assist in their return.

Reasonable adjustments may include:

- phased return to work
- the use of ergonomic equipment
- a change in working hours or the pattern of work

If the prognosis of the employee returning to work is still uncertain and it is not possible to take a firm decision on the future position, it may be necessary to continue to monitor the absence and review the situation on a regular basis by inviting the employee to further ‘Stage 2 – Formal Long Term Sickness Absence Meetings’

20.3 Outcome of the Stage 2 – Formal Long Term Sickness Absence Meeting

Following each ‘Stage 2 – Formal Long Term Sickness Absence Meetings’ the People Manager should write to the employee confirming what was discussed and what measures will be put in place to enable the employee to return to work. Any phased return, adjustments or measures should be continually reviewed, and the people manager should have a regular communication plan with the employee during the employee’s return to work.

21. Stage 3 – Managing Long Term Absence

Where the employee’s absence lasts 6 months or more and the prognosis is still unclear, appropriate timescales should be considered by the People Manager and a member of the HR Team to bring matters to a resolution.

21.1 Invite to a Stage 3 – Long Term Sickness Absence Hearing

When a 'Stage 3 – Long Term Sickness Absence Hearing' is to be held, the employee will be notified in writing of the details of the hearing; normally giving 5 working days' notice and the reason for the hearing.

The Stage 3 hearing will be chaired by a senior manager with the authority to dismiss. The People Manager that supported stages 1 and 2 of the procedure will also attend the hearing to provide details of the support provided to the employee, details of previous discussions/meetings and the details of actions taken during the process.

At the meeting the employee is permitted to be accompanied and the arrangements and attendance of meeting will be in accordance with the formal meeting arrangements in section 15.2 of this policy.

21.2 Conducting the Stage 3 – Formal Long Term Sickness Absence Meeting

During the 'Stage 3 – Formal Long Term Sickness Absence Meetings' the chair should discuss the employee's continued absence and the prospect of returning to work in the near future.

At the hearing the chair will discuss the employee's level of absence during the process to date. The chair of the meeting will consider:

- all the facts concerning the absence record
- actions taken to date to improve these levels
- any information the employee submits
- any relevant and up-to-date advice from occupational health or other medical advisers

The chair should also consider any reasonable adjustments or redeployment opportunities that may be available.

If following the 'Stage 3 – Formal Long Term Sickness Absence Meetings' the prognosis is still unclear, and the employee is not fit to carry out their role in the foreseeable future e.g., 3-6 months, it will be necessary to discuss this with the employee.

It may be appropriate to discuss the possibility of redeployment into a suitable alternative role, and, where necessary and appropriate, advice should be sought from Occupational Health.

Where such action is necessary, it will be conducted supportively, sympathetically and with full information and advice to help the employee to make an effective transition.

If there are no suitable opportunities for redeployment, or redeployment is unsuccessful, subject to consultation, it may be necessary for the People Manager and a member of the HR Team to consider ill-health retirement or termination of employment on the grounds of medical incapability.

21.3 Outcome of the Stage 3 – Formal Long Term Sickness Absence Meeting

Following the 'Stage 3 – Formal Long Term Sickness Absence Meeting' the People Manager should write to the employee confirming the outcome.

The possible outcomes of a Stage 3 hearing are:

- A review period (usually for two months but no more than four) if the employee or medical evidence suggests there is a potential return to work date in the near future. *A further Stage 3 Hearing should be scheduled at the end of the review period in case the employee remains too unwell to return to work, a dismissal may be an outcome in this event.*
- reasonable adjustments with review period

- redeployment
- dismissal
- permanent ill-health (PIH) retirement

If the outcome is the Dismissal, an appeal against the decision must be submitted in writing to the Head of HR and Organisational Development at PSPS within 10 working days from the date of the outcome letter.

22. Occupational Health

People Managers may want advice about employee's fitness for work from occupational health. This advice may be sought at various stages of managing sickness absence or health issues. If it is considered appropriate to refer an employee to Occupational Health, then the People Manager should make this referral through the HR & Payroll Services portal.

Employee's may be referred to occupational health:

- to seek advice when:
 - employees have a health concern or condition whilst continuing to work
 - employees are absent
 - there is the possibility of absence
- to establish when absent employees may be able to return to work
- to ask for guidance on supporting and managing an employee's condition in the workplace. For example, if it is possible that an employee has a disability or the employee is not clear about their ability to work
- to discuss any adjustments to help a return to work
- to discuss redeployment on medical grounds
- to discuss ill-health retirement

Upon receipt of the Occupational Health report, the People Manager will discuss the advisory report with the employee during a stage 1, 2 or 3 meeting. If an Occupational Health referral is undertaken when an employee is in work and not absent, depending on the content and advice contained in the report, the People Manager may invite the employee to an informal or formal 'Occupational Health Meeting'. The arrangements and attendance of these meetings will be in accordance with section 15.2 of this policy.

During the 'Occupational Health Absence Meeting' the People Manager should review any level of absence and discuss the Occupational Health report with the employee in order to seek their views.

The People Manager will discuss any advice and recommendations Occupational Health have provided to the employee and/or the employer. People Managers will discuss with the employee how they can implement any reasonable adjustments that Occupational Health have recommended. If any actions, adjustment or measures are agreed, the People Manager may implement a review period to monitor the impact and effectiveness. The People Manager may wish to meet with the employee at the end of the review period to discuss the actions, adjustments or measures.

22.1 Report from a medical practitioner

Occupational health may request a report from an employee's doctor or consultant. They will seek the employee's permission first. They will inform the employee of their rights under the Access to Medical Reports Act 1988.

Employees have the right to access the report first. Employees must tell occupational health if they wish to do this so that they can inform the doctor or consultant.

People Managers can make decisions about an employee's employment without medical information, if:

- employees do not allow occupational health to contact their doctor or consultant, or
- employees do not allow occupational health to access their report

People Managers will inform employees if this is the case.

23. Appeal Procedure

An employee has the right to appeal against the outcome of dismissal under the formal short-term and formal long term sickness absence hearings.

An appeal can be submitted to the Head or HR & OD via HR@pspsl.co.uk within 10 working days of receipt of the decision letter confirming the outcome.

The Appeal Hearing will normally be carried out as soon as practicable after receipt of the Appeal.

An appeal against the outcome will be heard by an Appeal Panel that has not previously been involved in the matter, comprising:

- usually, a more senior manager who will act as the Chair and decision-maker about the grounds of the Appeal.
- a representative from HR to provide advice and guidance to the Chair

The Appeal Panel will consider the findings and outcome from the formal stage Absence Meeting.

The purpose of the Appeal is not to reinvestigate the case but to establish the grounds for appeal and ensure:

- the original decision was reached in a procedurally correct way
- the action taken was reasonable
- ensure consideration of any new relevant evidence or mitigating circumstances that may not have been previously disclosed.

The Chair of the Appeal Panel will write to the employee notifying them of the time date of the Appeal. The arrangements and attendance of the meeting will be in accordance with the formal meeting as set out in section 15.2 of this policy.

The Chair of the Appeal Panel will send, without undue delay, copies of any written submissions and documentary evidence.

The Chair of the Appeal Panel will decide if the need to interview and put questions to the chair of the Stage 3 Hearing.

23.1 The Appeal Hearing

The purpose of the Appeal Hearing is for the Appeal Panel to listen to the employee's concerns and determine whether the outcome of the Absence Meeting was procedurally correct and to decide whether the outcome of the Absence Meeting was appropriate to the facts of the case.

The Appeal Hearing should proceed in a formal, polite, and respectful manner.

The members of the Appeal Panel may put questions to the employee.

The employee should present their final submission to the Appeal Panel.

The Appeal Panel will consider its decision in private.

The Chair will notify the outcome to the employee on behalf of the Panel, as soon as possible after the Appeal.

23.2 Following the Appeal Hearing

Notification of the outcome of the Appeal Hearing will be sent to the employee's home address or personal email, after provision of written consent from the employee.

The decision of the Appeal Panel will also be conveyed to the employee's People Manager.

Where an appeal against an outcome is successful and the decision is not to terminate the employment, then reference to the action concerned will be removed from the employee's file and the employee will be notified accordingly in writing by the Chair of the Appeal Panel.

Where an appeal against an outcome is not successful, there will be no change in the level of action previously decided at the conclusion of the formal stage Absence Meeting and the formal Absence Management procedure will continue.

The employee who appealed will be notified as soon as possible in writing by the Chair of the Appeal Panel following the Appeal Hearing.

Appendix 1

South and East Lincolnshire Council Partnership Occupational Sick Pay Scheme

SELCP
Dependent on the length of service
Maximum of 6 months full and 6 months half pay
Full details are provided further down

South and East Lincolnshire Council Partnership Sick Pay Entitlements applies to all employees of South Holland District Council, East Lindsey District Council and Boston Borough Council

Continuous Service	Sick Pay Entitlement
During 1 st year of service (0-12 months service)	One month full pay and, after completing four months service, two months full pay and two months half pay
During 2 nd year of service (13 -24 months service)	Four months full pay and Four months half pay
During 3 rd year of service (25 to 36 months service)	Four months full pay and four months half pay
During 4 th year of service (37 to 48 months service)	Five months full pay and five months half pay
During 5 th year of service (49 to 60 months service)	Five months full pay and five months half pay
During the 6 th year of service, or more (61 months plus service)	Six months full pay and six months half pay

In the case of full pay periods, sick pay will be an amount which when added to Statutory Sick Pay (SSP) and Incapacity Benefit and Employment and Support Allowance or equivalent social security benefit receivable, will secure the equivalent of normal pay.

In the case of half pay periods, sick pay will be an amount equal to half normal earnings plus an amount equivalent to Statutory Sick Pay (SSP) and Incapacity Benefit and Employment and Support Allowance or equivalent social security benefit receivable, so long as the total sum does not exceed normal pay.

Normal pay includes all earning that would be paid during a period of normal working, but excluding any payments not made on a regular basis.

Appendix 2

The below wording can be used by People Managers to invite their team members to informal Stage 1 – Short Term Sickness absence meeting, as per section 16.1:

Template

Dear [name],

I would like to invite you to a meeting under Stage 1 of the Council's Absence and Sickness Management Policy. A copy of the policy is attached, for your information.

Your recent period of absence on [Date/s] has caused you to meet the short-term trigger of:

DELETE TRIGGERS AS APPROPRIATE – there may be more than one trigger applicable

- three occasions of sickness absence within a rolling 12-month period
- seven working days within a rolling 12-month period
- a pattern of absence causing concern

The purpose of this meeting is to review the current levels of sickness absence in line with the policy and discuss with you how the Council can support your health & wellbeing and to improve your attendance at work.

The meeting will take place on:

Date:

Time:

Location:

I would like to take this opportunity to remind you of the Employee Assistance Programme (EAP) available to you, which is provided by Sodexo on behalf of Care First. The EAP service is a free confidential, counselling and support service and is available 24 hours a day, 7 days a week. You can access this service by contacting 0808 168 2143 or alternatively, by visiting their online platform, www.carefirst-lifestyle.co.uk. If you do not already have login details to this benefits portal, please contact HR directly. Additionally, there is a library of Wellbeing resources available to you, which can be found in the First4HR document library.

Yours sincerely,

[Manager Name]

[Manager Job Title]

Appendix 3

How to pro-rata the trigger '7 working days within a rolling 12-month period'

Section 14 of the policy sets out the short-term and long-term sickness absence triggers. Section 14.1 states that trigger points for employees working fewer than five days in a week will be pro-rata. The number of days will be pro-rata, but not the number of occasions.

Therefore, the short-term trigger of 7 working days in a rolling 12-month period is pro rata depending on the employee's working days per week, the following table sets out the pro-rata version of this trigger:

Working days per week	Absence Trigger
5 days	7 working days of absence
4 days	6 working days of absence
3 days	5 working days of absence
2 days	4 working days of absence
1 day	3 working days of absence

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