

# COLNEY HEATH PARISH COUNCIL

✉ **Postal Address:** Highfield Park Visitor Centre, Hill End Lane AL4 0RA  
☎ **Telephone:** (01727) 825 314  
💻 **Website:** <https://colneyheathparishcouncil.gov.uk>  
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## SICKNESS ABSENCE MANAGEMENT POLICY

### (a) General

Apart from an employee's full recovery, the most important consideration during any absence is to keep Colney Heath Parish Council informed of progress or lack of progress at all times. Employees must comply therefore with the following non-contractual rules for the notification and certification of sickness and injury absence. Contact must be made personally by telephone or if this is not possible the employee must arrange for someone to do this on their behalf. Failure to do so will affect entitlement to occupation and/or statutory sick pay and/or render them liable for disciplinary action.

### (b) Notification and Certification

During the first seven consecutive calendar days of sickness absence:-

- employees must notify the Clerk by 9.15 am on the first day of sickness on the first day of sickness absence of the nature of the incapacity, when it commenced and the expected date of return;
- if unable to do this personally the employee must arrange for someone else to do this;
- if the first day of absence occurs on a day on which the employee is not normally required to work they must make it clear whether or not the incapacity would have prevented them working on that day;
- the employee must maintain contact with the Clerk on the second and third days of absence if there is any change in the information provided on the first day;
- the employee must notify the Clerk if not returning to work on the expected date of return and in any event on the fourth day of absence explaining when they hope to return to work and whether they have or intend to see their Doctor;
- on return to work the employee will be required to complete a Self-Certificate Form available from the Clerk.

After the first seven consecutive calendar days of sickness absence:-

- the employee must advise the Clerk who will issue a Self-Certificate Form for completion and return to cover the first seven days;

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- for absence beyond seven days the employee must obtain and submit a Statement of Fitness for Work no later than the eighth calendar day of absence to the Clerk;
- the employee must obtain and submit further Statements of Fitness for Work appropriately completed on expiry of the previous Statement and keep the Clerk advised;
- where the first Statement of Fitness for Work covers a period exceeding fourteen days, or when more than one Statement has been necessary, the employee must obtain and submit, before returning to work, a completed final Statement of Fitness for Work confirming their fitness to resume work;
- in cases of frequent illness, employees may be required to undergo a medical examination by the Parish Council's medical adviser.

The employee's GP or other medical adviser may issue a Statement of Fitness for Work indicating that they may be fit to undertake some limited work or adjustments are recommended and so they will be interviewed by the Clerk on the day of return to work to discuss any advice from their GP or other medical adviser to help get back to work including any suggested practical adjustments to help in the return to work and reduce unnecessary sickness absence.

Saturdays and Sundays are deemed as working days for the above purposes. Sick pay will continue if a Bank or Public holiday falls during the absence but no substitute day's leave given.

A failure without good cause to comply with the above arrangements may result in the employee being disqualified from any entitlement, being treated as absent without permission and render them liable to disciplinary action including dismissal.

The Parish Council reserves the right to withhold sick pay in circumstances where the notification and certification procedures described above have not been followed, or where there is sufficient reason to doubt the validity of the sickness absence claim. In such circumstances, the Parish Council reserves the right to investigate the sickness absence and require a Statement of Fitness for Work from the first day of absence – the cost of which will be reimbursed.

## **(c) Medical Examinations**

If the employee is absent for a long period or is repeatedly away for short periods and there seems to be no likelihood of a return to normal work, the continuation of employment may need to be considered. However before reaching a decision the Parish Council will investigate and consider alternative work or reasonable work adjustments.

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Employees may be asked to come to work to discuss the absence when they are off sick or we may arrange a home visit. An employee may also be required to submit to a medical examination by our own medical adviser or an occupational health specialist during or after any absence from work due to sickness or injury to investigate their fitness to return to work or advise on the likelihood of a successful return to work.

Should a medical adviser or occupational health adviser appointed by the Parish Council requires details of the employee's medical history they will be asked to give written consent to giving him/her permission to contact either the employee's GP or Consultant for access to their medical records or for a medical report subject to the employee's rights under the Access to Medical Records Act 1988 and Access to Health Records Act 1990. All medical information provided on an employee to the Parish Council will be kept confidential. If consent is refused by the employee the Parish Council will have to use only the information available to us.

## **(d) Conduct During Sickness Absence**

If the employee is off work due to sickness or injury the Parish Council would consider that we have reason to doubt that they are genuinely sick if, for example, they play sports or carry on with hobbies or social activities inconsistent with the alleged illness or injury or which could aggravate it and delay recovery, do other work paid or unpaid, do home improvements or building and similar activity, go away on holiday or do any other activity inconsistent with the alleged illness or injury.

The employee will be liable for disciplinary action if, while purporting to be absent due to sickness, they undertake work or indulge in activities which are likely to be inconsistent with the reason for absence and/or be unlikely to be conducive to your recovery.

## **(e) Sickness During Annual Leave**

If the employee is ill during the course of annual leave they must advise the Clerk on return from leave. The period of sickness will be regarded as being sickness absence as long as they obtain a Statement of Fitness for Work (or other valid medical certificate if abroad when ill) to cover the period.

## **(f) Injury at Work**

If the employee's absence is as a result of an injury received at work the details must be reported as soon as possible to the Clerk.

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## **(g) Occupational Sick Pay**

As a term of employment employees are entitled to occupational sick pay which is intended to supplement Statutory Sick Pay. Sick pay will be the amount when added to Statutory Sick Pay receivable amounts to the equivalent of normal pay. Normal pay means all earnings that would be paid during a period of normal working. All payments are dependent upon the employee observing the notification and certification rules set out below. Occupational Sick Pay will be calculated as set out in the employee's Principal Statement of Terms and Conditions of Employment.

Any extension of the sick pay period or any other payments of sick pay other than Statutory Sick Pay made while the employee is on sickness absence are entirely at the Council's discretion.

The Clerk will address the issue of persistent absence by employees who have 6 or more instances of absence in a rolling 6 months period. In the event that an employee's sickness absence therefore becomes a concern, the Clerk will meet with them to discuss the issue. The employee will be advised informally of the need to improve and be provided with a timescale in which improvements are to be made, the situation monitored and the consequences of continued absences. In appropriate circumstances the Parish Council may refer the matter to an occupational health adviser for advice and guidance and a report sought in accordance with the Access to Medical Reports Act which will be followed up with regular meetings and updates on the employee's health in line with the recommendations set out in the report.

For full details of the Parish Council's sickness absence terms and policy employees should refer to the Sickness and Injury Absence Policy set out later in the Handbook.

## **(h) Statutory Sick Pay**

The terms of the Statutory Sick Pay (SSP) Scheme apply to all qualifying employees' employment. SSP for the first twenty-eight weeks of sickness absence is the responsibility of the employer and thereafter it transfers to the relevant Government Department.

There are three qualifying conditions, namely there must be

- a) a Period of Incapacity for Work (PIW) – a period of four or more consecutive days of sickness including Saturdays, Sundays and bank and public holidays;
- b) a Period of Entitlement – a period which begins with the start of the PIW and ends when the employer has no further liability in respect of that incapacity;

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- c) a Qualifying Day - the qualifying days for your employment are those days on which you would normally work (the first three QD's are waiting days and will be disregarded when assessing entitlement to SSP).

To qualify for SSP employees must notify the Clerk of their sickness absence by the normal finishing time on the first QD. If the first day of absence occurs on a day on which they are not normally required to work they must make it clear whether or not the incapacity would have prevented them working on that day. If, for any reason, the employee is not qualified to receive SSP they will be advised.

For full details of the sickness absence notification and certification rules which must be observed are set out above.

## **(i) Review**

This Policy will be reviewed periodically by the Council, as appropriate, to assess its effectiveness or as required by legislation and any appropriate changes will be made in consultation with employees.

This policy was adopted 27<sup>th</sup> February 2023 for a period of 4 years or until legislation changes.