

# COLWICH PARISH COUNCIL



## PD104 SICKNESS POLICY

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## SICKNESS POLICY

# Sickness Policy – PD104

### Revision history

**This document was originally written by:**

<b>Name</b>	<b>Position</b>	<b>Date</b>
Michael Lennon	Clerk	March 2017

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## **1. POLICY STATEMENT**

- 1.1** Colwich Parish Council is committed to promoting the health, safety and wellbeing of its officials by:
  - 1.1.1** Providing appropriate support to facilitate official's retention and return to work after illness for example through a phased return, counselling, occupational health, flexible working and reasonable adjustments.
  - 1.1.2** Tackling issues which may result in absence due to work related stress or dignity at work issues.
  - 1.1.3** Encouraging attendance, monitoring absence and the cost of sickness absence.
- 1.2** The sickness absence policy aims to ensure that absence is managed in a consistent, supportive and effective way so that service to the community is maintained.
- 1.3** Disability related sickness absence, and attendance at disability related medical appointments will be recorded but not categorised as sickness absence.

## **2. MEDICAL HEALTH ADVICE AND SUPPORT (OFFICIAL)**

### Occupational Health

- 2.1** If the Council is concerned about an official's sickness absence, the official may be referred to an OH advisor for a medical assessment to seek advice on reducing sickness absence and/or facilitating a return to work where this is possible.
- 2.2** If an official is asked to attend an appointment with an OH physician the official will receive a copy of the medical report and the Council will arrange a follow up meeting to discuss the findings with the official.

### Counselling Service

- 2.3** The Society of Local Council Clerks provides a counselling service for clerks. Counselling offers the opportunity to discuss feelings and thoughts on matters of concern with a trained professional. For more information the official should visit the SLCC web site.

## **3. SICKNESS NOTIFICATION AND CERTIFICATION REQUIREMENTS (OFFICIAL)**

- 3.1** If the official is absent due to sickness on a normal working day, the official must notify the Chief Officer by telephone, text or email as soon as possible stating the reason for this absence and the expected duration of his sickness absence where known. The Chief Officer, if absent, should notify the Chairman as soon as possible.
- 3.2** If the Council does not hear from the official during a normal working week the Chief Officer or Chairman, as appropriate, will endeavour to contact the official at home. If

the official is unable to call themselves, the official may ask someone to make contact on their behalf. If the official is off for more than 3 consecutive working days, the official must contact the Chief Officer or Chairman, as appropriate, by the fourth working day.

- 3.3** The official is responsible for notifying the Council of their sickness absence and for providing the appropriate certification statements as required. If the official does not adhere to these notification and certification requirements, the official may not be eligible for sick pay. The Council acknowledges that there may be exceptional circumstances which prevent the official from meeting the reporting and certification requirements, for example, in the case of a severe injury/hospitalisation.

#### **4. CERTIFICATE FOR SICKNESS ABSENCE (OFFICIAL)**

##### Days 1-7 of sickness absence.

- 4.1** For the first 7 calendar days of continuous absence (i.e., including non-working days), the official does not need to obtain a note from their GP to cover their absence. On their first day back to work the official must notify the Chief Officer or the Chairman, as appropriate, to confirm the dates of their sickness and the reasons for absence. Where practicable, the official will receive an email when their absence is logged confirming the period of absence. This process gives the official the opportunity to check and confirm their absence record and ensure the information held is correct. It is their responsibility to inform the Chief Officer or the Chairman, as appropriate, if the official thinks their sickness absence record is incorrect when the official returns to work.

##### Sickness absence which exceeds 7 days.

- 4.2** For absences that exceed 7 continuous calendar days (including non-working days) the official must provide a Med 3 from which is a 'Statement of fitness to work' (Statement). Known as the 'fit note' this was introduced in 2010. The official is responsible for ensuring their medical statements reach the Chief Officer or the Chairman, as appropriate, promptly. Periods of absence that are not covered by a Statement will not qualify for sick pay. However, each case will be considered on its own merits.
- 4.3** If their GP provides advice that the official may be fit for work the official should notify the Chief Officer or the Chairman, as appropriate, as soon as practicable. The official should send their Statements to the Chief Officer or the Chairman, as appropriate, who will arrange for this to be logged and processed. If the Statement is not received by the twelfth consecutive day of sickness, the official may not be entitled to occupational sick pay.

#### **5. STATEMENT OF FITNESS FOR WORK CERTIFICATE (FIT NOTE) (OFFICIAL)**

- 5.1** The official's GP will either give the official a Statement confirming that the official is unfit for work for a specific period/until a specific date or their GP may advise that the official is able to return to work and, in these circumstances, their GP will

suggest options that may help the official to return to work. The purpose of the Statement or 'fit note' is to facilitate a return to work and may be more likely to be used in longer-term sickness cases or those with an ongoing medical condition. The suggestions their GP may advise include:

- 5.1.1** Amended duties – this involves changes to their job and duties. If the official is unable to complete all their normal duties these may be amended in discussion with their manager.
- 5.1.2** A phased return – this allows the official, initially, to work a reduced number of hours upon their return to work and increase the hours the official work gradually until the official return to their normal hours. This arrangement is normally agreed for a short period of up to 4 weeks.
- 5.1.3** In some cases, their GP may recommend that occupational health advice is sought.

## **6. RETURNING TO WORK (OFFICIAL)**

- 6.1** When completing the Statement, their GP will say whether the official need to be reassessed before the official return to work. If their absence continues the official will need to ensure that all absence is covered by a Statement. If the official do not need a further assessment, their return date will be their next normal working day after the end of the sickness period stated.

## **7. SICKNESS DURING HOLIDAYS (OFFICIAL)**

- 7.1** If the official is sick during holiday absence, their holiday may be reinstated subject to the official providing a Statement from their GP to cover the period of sickness. Retrospectively dated Statements will not be accepted.

## **8. MANAGING ABSENCE (OFFICIAL)**

- 8.1** In order to manage sickness absence effectively and consistently the Council will seek to support the official during periods of illness and use the following interventions and procedures to facilitate a return to work, retain the official in employment and improve attendance:
  - 8.1.1** Return to work discussions and/or interviews.
  - 8.1.2** Keeping in touch during absence.
  - 8.1.3** Monitoring and recording absence.
  - 8.1.4** Carrying out sickness review meetings.
  - 8.1.5** Providing management support.
  - 8.1.6** Seeking medical reports and OH advice.
  - 8.1.7** Managing absence through procedures detailed below or through disciplinary procedures where appropriate.

## **9. RETURN TO WORK DISCUSSIONS (OFFICIAL)**

- 9.1** The official will have a return-to-work discussion with the Chief Officer or the Chairman, as appropriate, normally on their first day back at work. The purpose of the return-to-work discussion is to ensure that the Council is aware of issues which may affect their attendance at work and their state of health so that the appropriate

support and action may be taken. For example, the Council should be aware of whether:

**9.1.1** The official have an underlying medical condition.

**9.1.2** Any adjustments that are needed if the official have disability.

**9.1.3** The official is suffering from stress which may relate to personal issues or to issues at work.

**9.1.4** The official would like access to the counselling service.

**9.1.5** There are personal issues outside work which are affecting their attendance.

**9.2** Return-to-work discussions and sickness review meetings may help to improve attendance and resolve absence issues, as health and other associated problems are discussed openly in a supportive way with a view to addressing issues at an early stage. Absence is monitored over a 12-month rolling period. So current absence will be calculated from the date of review for the previous 12-month period. If a period or pattern of absence continues beyond 12 months, such previous absence may be considered as part of the ongoing review.

**9.3** The content of return-to-work discussions will vary depending upon the length, type of absence and concerns in relation to their sickness record. It is likely to be a brief conversation about their health and offer of support. However, it may be a more detailed discussion or meeting depending upon the issues.

**9.4** In the return-to-work discussion the Chief Officer, or Chairman, will:

**9.4.1** Acknowledge and welcome the official back to work.

**9.4.2** Find out the reason and cause of absence if this is not known by the Council.

**9.4.3** Make sure the official is well and fully fit to return to work, taking into account any recommendations from their GP where relevant.

**9.4.4** Identify whether there is any additional support the Council may provide.

**9.4.5** Bring the official up to date with any changes or news.

**9.5** A copy of the notes of their return-to-work meeting will be given to the official. In some cases, the official may not feel able to discuss their medical condition with the Chief Officer or the Chairman, as appropriate. In these circumstances, the official may request to speak to the Chairman, or another Councillor, about the reason for absence.

**9.6** Sickness information will be held confidentially and access restricted to authorised persons within the Council. Under the General Data Protection Regulations, sickness information is considered sensitive data. The Council is committed to ensuring that such data is treated confidentially and not shared more widely than is necessary, in accordance with the Regulations.

## **10. MEDICAL REPORTS (OFFICIAL)**

**10.1** If the Council is concerned about their medical condition, or its consequences as related to their employment, the official may be asked to attend a medical examination. Other medical and/or specialist reports may also need to be obtained. The costs of providing these reports will be met by the Council.

**10.2** In some cases their GP may also recommend that OH advice is sought.

- 10.3** All absence attributed to stress where occupational stress is a contributing factor will be referred to OH as a matter of course after 5 working days continuous absence.
- 10.4** If the official withhold their consent to the Council seeking a medical report or refuse to attend an appointment with an OH advisor, the Council will have to make a decision about their absence and their health on the information available to it. Under the Access to Medical Reports Act the official have the right to see a medical report provided by their GP or medical consultant before it is sent to the Council. Further medical reports may be sought in relation to long-term sickness or capability issues.

## **11. LONG TERM SICKNESS (OFFICIAL)**

- 11.1** Long term sickness absence is defined as 4 weeks continuous absence. It will be managed with due regard to the Equality Act 2010 and the Code of Practice on Disability in Employment where the reasons for absence are related to an underlying medical condition or disability.
- 11.2** Managing long-term sickness issues involves holding monthly sickness review meeting with the official to:
- 11.2.1** Keep in touch.
  - 11.2.2** Discuss and review the length and reasons for absence.
  - 11.2.3** Establish a return-to-work date.
  - 11.2.4** Facilitate a return to work/improve attendance levels.

## **12. FACILITATING A RETURN TO WORK (OFFICIAL)**

- 12.1** In order for the Council to provide the official with appropriate support and facilitate a return to work, the Council may need to:
- 12.1.1** Seek medical advice, through our nominated OH physician, their GP or medical consultant, about their health to establish when/whether a return to work is likely and how the Council can reasonably help to facilitate this.
  - 12.1.2** Discuss with the official and make reasonable adjustments if the official is disabled that may facilitate a return to work.
  - 12.1.3** Consider whether a phased return to work is beneficial.
  - 12.1.4** Discuss early retirement where appropriate, if this option is available to the official.

## **13. KEEPING IN TOUCH (OFFICIAL)**

- 13.1** During longer term sickness absence, likely to be 4 weeks or longer, it is important that the official keep in touch with either the Chief Officer or Chairman, as appropriate, at agreed regular intervals and let them know of any changes in their health or expected date of return.
- 13.2** Monthly review meetings will normally be held with the official and may be arranged at work, at their home or another agreed location. The official have the right to be accompanied to these meetings.



- 13.3** In some cases, where there is a known medical reason for absence and there is a known date of return to work, meetings may be held at longer intervals by agreement, with contact mainly by telephone.

## **14 PHASED RETURNS (OFFICIAL)**

- 14.1** If the official is recovering from illness, and it is considered that a phased return to work would be beneficial, the Chief Officer or Chairman, as appropriate, will discuss this with the official. A phased return allows the official to return to work starting on reduced hours for a short period and building up hours gradually to their normal hours. The official will receive normal pay during this phased return which would be for up to a maximum of four weeks.

## **15 PROCEDURES FOR MANAGING LONG TERM SICKNESS (COUNCIL)**

- 15.1** During long-term sickness absence, it is important for the Chief Officer or Chairman, as appropriate, to keep in touch with the official and provide appropriate support and interventions to facilitate a return to work and retain the official in employment where this is practicable.

## **16 SICKNESS REVIEW MEETINGS (COUNCIL)**

### Long Term Sickness Review Meeting

- 16.1** After four weeks continuous absence or intermittent absence the Chief Officer or Chairman, as appropriate, will write to the official and arrange a sickness review meeting.
- 16.2** The purpose of the meeting will be to discuss their sickness absence and identify any support the Council may be able to provide which may facilitate the official's return to work. This may include seeking medical advice, arranging a phased return, changing working hours or making other reasonable adjustments.
- 16.3** The official may be asked to attend a meeting with the Council's OH provider. The official will be given a copy of any medical reports received and the implications will be discussed with them.

### Follow up Sickness Review Meetings (monthly)

- 16.4** After 8 weeks continuous absence or intermittent absence the Chief Officer or Chairman, as appropriate, will write to the official to give notice to attend a further sickness review meeting. The official may also be asked to attend a meeting with an occupational health adviser if this has not already been arranged.
- 16.5** The purpose of follow up review meetings, which should be held monthly, is to:
- 16.5.1** discuss their health.
  - 16.5.2** consider any medical advice received.
  - 16.5.3** review any actions which have been discussed.

**16.5.4** consider any further support including reasonable adjustments where appropriate that the Council can offer to improve attendance or facilitate a return.

**16.5.5** identify a possible return to work date.

**16.5.6** where appropriate, consider whether employment may be at risk.

**16.6** However, if the official is off on long term sick leave and it becomes evident at any stage that a return to work is unlikely, or that the official will be unable to fulfil their role effectively for health reasons, they may be invited to attend a capability hearing and a potential outcome may be that employment is ended due to reasons of ill health. Before any decision is taken about their employment situation, the Council will seek medical advice and consider other action short of dismissal.

**16.7** The Chief Officer or Chairman, as appropriate, will advise the official if their employment may be at risk and will carry out a capability review before further action is taken.

## **17 NOTICE OF MEETING (COUNCIL)**

**17.1** The official will be given at least 5 working days written notice to attend a meeting. They have the right to be accompanied. If their companion is unable to attend the meeting within this timescale a further appointment will be made.

## **18 STATUTORY SICK PAY (COUNCIL)**

**18.1** The official is entitled to receive statutory sick pay (SSP) provided they meet certain criteria:

**18.1.1** They must be too ill to undertake their work on any day for which they claim SSP.

**18.1.2** They must be absent from work for at least 4 consecutive days (including Sundays and Bank Holidays). This period of 4 consecutive days is known as a period of incapacity for work (PIW).

**18.1.3** They must supply evidence of incapacity.

**18.2** For the first 7 days of absence this can be in the form of a self-certificate. For periods of incapacity of 8 days or more, this evidence must be in the form of a GP Fit Note.

**18.3** If an official is off for two periods which are separated by 8 weeks (56 days) or less, then the official does not need to be absent for 4 consecutive days in the second period of absence in order to receive SSP.

**18.4** The periods for which the official is entitled to SSP are given in their contract of employment.

<b>SIGNED</b>	
COUNCILLOR WENDY PLANT, PARISH COUNCIL CHAIRMAN	