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## **SECTION 1**

# **Purpose**

This toolkit is designed to provide assistance to employees during times of ill health and provide information that will support them achieving optimum attendance at work.

This toolkit should be read in conjunction with Attendance Management policy.

# **Scope**

The Attendance Management toolkit applies to all employees of the Council including Local Government Employees, Chief Officers, Teachers and those on SNCT Condition of Service.

# **Underpinning Principles and Objectives**

To support the Attendance Management policy by providing employees with relevant information and paperwork to support them in the process.

To implement a framework that ensures a fair and consistent approach to absence management across the Council, the paperwork included within this toolkit will provide standard formats for implementing practices which take account of legislative compliance and best practice.

The approach of the Council will be through the following principles:

• Confidentiality

• Person Centred

• Solution Focused

• Fair and Consistent

Attendance Management matters should be dealt with in the following way:-

• Early Intervention

• Consideration to reasonable adjustments

# **Process Overview**

The toolkit will support employees in understanding their responsibilities, the process and how attendance will be managed including:-

• Sickness Absence Reporting Procedure

• Absence Certification

• Contact during absence

• Return to Work Discussions

• Attendance Support meetings

• Outcomes

# **Associated Policies/Documents**

1.
2.

The Wellbeing Strategy encompasses a number of policies to support employee health and wellbeing, the following policies/documents can be accessed via the HUB:-

* [Flexible Working policy](http://thehub.eastdunbarton.gov.uk/sites/default/files/documents/about-edlc/Flexible%20Working%20Policy%20August%202014.pdf)
* [Career Break Scheme](http://thehub.eastdunbarton.gov.uk/sites/default/files/documents/about-edlc/CAREER%20BREAK%20SCHEME.pdf)
* [Special Leave policy](http://thehub.eastdunbarton.gov.uk/council/plans-policies-and-strategies/work-life-balance/special-leave-policy)
* [Domestic Abuse policy](http://thehub.eastdunbarton.gov.uk/sites/default/files/documents/about-edlc/Domestic%20Abuse%20Policy.pdf)
* [Managing Critical Incidents and Trauma policy](http://thehub.eastdunbarton.gov.uk/sites/default/files/documents/about-edlc/Trauma%20Policy.pdf)
* [Drug, Alcohol and Substance Misuse policy](http://thehub.eastdunbarton.gov.uk/council/plans-policies-and-strategies/drug-alcohol-and-substance-misuse-policy)
1.
2.
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8.
* [Discipline at Work policy](http://thehub.eastdunbarton.gov.uk/council-hub/plans-policies-and-strategies/discipline-work-policy)
* [Healthy Working Lives Strategy](http://thehub.eastdunbarton.gov.uk/sites/default/files/documents/EDC%20HWL%20STRATEGY%202017%20-%202020%20Final.pdf)

## **SECTION 2**

# **Reporting Procedure**

* Employees are required to notify their Line Managers of absence in line with the Attendance Management policy
* An employee should report their absence as early as possible to their Line Manager in line with service requirements or **within one hour of the normal start time** and outline the reason for their sickness absence, how long they anticipate the absence to last and any urgent work that requires cover
* Email or text messages are not accepted as an appropriate method of communication
* Where the relevant Line Manager is not available, employees should speak to another appropriate alternative manager and leave a contact number to enable the Line Manager to contact them later that day, or as soon as possible thereafter
* Ensure that employees keep appropriate contact in line with the Attendance Management policy
* Employees must contact their Line Manager prior to expiry of a Fit Note to provide an update
* Where the absence continues to a 4th day the employee, or in exceptional circumstances, the person acting on their behalf, must notify their Line Manager of the continuing absence and confirm if it is likely to continue beyond a 7th day
* If the absence continues beyond 7 days the employee must speak to their Line Manager every 7 days throughout the duration of the absence, unless agreed otherwise with the Line Manager
* In exceptional circumstances the frequency and method of contact can be varied, as agreed, when the absence is first notified and depending on the reason for the sickness absence, ensuring contact is maintained at regular periods, and adequate support is provided
* The employee must make the Line Manager aware of their intention to return to work as soon as they consider themselves fit.

**Part Time/Job Share or Shift workers**

Part time, job share or shift workers should follow the same procedure as full time employees, however, should notify their Line Manager (nominated person) as soon as they become aware that they will be absent from work.

**Exceptional Circumstances**

In exceptional circumstances i.e. hospitalisation, the employee may arrange for someone on their behalf to speak directly to the Line Manager (nominated person).

**Part day Absence**

If the employee becomes ill and is unable to complete a full day at work (either leaving early or coming in later) they should discuss the circumstances surrounding this with their Line Manager (nominated person) at the earliest opportunity to ensure appropriate support arrangements are put in place.

If the Line Manager has concerns around the pattern of part day absences, this will be addressed in accordance with the Short Term or Persistent Absence procedure.

1.
2.
3.

# **Failure to Notify/Unauthorised Absence**

Unauthorised absence is when an employee does not come to work and gives no reason for their absence and/or does not contact their Line Manager.

The Line Manager will try to contact the absent employee as soon as possible, to establish if they are safe and well and to determine the background of the failure to report the absence. If the Line Manager is unable to make contact or there is concern regarding the employees welfare, contact will be made with the emergency contact, as recorded on i-Trent.

Failure to report an absence will be classed as unauthorised absence and may impact on the employee’s entitlement to sick pay and could lead to disciplinary action if the employee cannot provide good reason for the absence and lack of contact.

# **Certification**

For absences of 7 calendar days or less, a **Self-Certificate** should be completed on the employees return to work (**Self-Certificate form, Section A, appendix 1**)

For an absence continuing for more than 7 calendar days, the employee must consult a GP and obtain a Fit Note. The Fit Note must be immediately forwarded to the Line Manager. If the absence is likely to continue beyond the date shown on the Fit Note the employee should consult their GP again and submit any consecutive Fit Notes timeously to cover the absence. Employees are required to discuss with their Line Manager any delay in submitting their Fit Note. The Fit Note will be reviewed by the Line Manager and subsequently returned to the employee.

## **SECTION 3**

1.

# **Return to Work Meeting**

The employee must make contact with the Line Manager (other nominated person) immediately (or as soon as reasonably possible) on their return to work.

Return to work meetings represent best practice, the Line Manager will make arrangements for a ‘Return to Work’ meeting; this meeting should normally take place on the day of the employees return, if this is not possible, within 2 working days of the employees return to work.

1.

# **Adjustments Relating to Capability**

Some cases of absence may require alternatives to be explored due to an employee being unable to return to their normal duties. There may be opportunity to explore other solutions for the employee to return to another form of work.

# **Phased Return Guidance**

A phased return can be beneficial in assisting an employee to return to work and facilitate an earlier return to work.

A medical report **must** be sought where appropriate from the employees GP, which may be outlined in the Fit Note, or appropriate Council Occupational Health support for advice on the benefit to the employee and recommendations on how this should be implemented.

A phased return can be around hours, days and patterns of work which should increase each week. These can also be about the duties that an employee carries out and looking at the best way to ensure that employees are supported in their return to work for a period up to 4 weeks. A phased return may be extended on the basis of medical evidence which suggests that the extension of the phased return will have a positive impact on an employee returning to work.

Phased return proposals should be discussed within Attendance Management meetings or may be proposed by an employee prior to attending a Return to Work meeting. Arrangements should be recorded with the agreement of the employee, and where time allows; should be supported by a report from the Council Occupational Health support. In normal circumstances one period of phased return to work will be agreed in a rolling 12 month period. Where a second period of phased return is recommended by a GP, advice and authorisation must be sought from the local HR Adviser.

Ongoing communication and increased support may be required during the period of phased return, you should make your Line Manager aware if there is any change in your circumstances or requirements on your return to work.

**Payment during phased return**

All Employees will be paid for the period of their phased return at full pay for a period of no longer than 4 weeks. This period may be extended on the basis of medical evidence for a maximum of a further 4 weeks.

For Teachers and those on SNCT Terms and Conditions any accrued compensatory leave should be used in the first instance towards the phased return being accommodated.

If a phased return extends beyond 4 weeks, there should be a review of the agreement to allocate the employee’s accrued/annual leave allowance for the remaining days when they are not at work.

## **SECTION 4**

# **Procedure for Absence Monitoring – Short Term or Persistent Absence**



The procedure will be initiated and you will be invited to attend an Attendance Support meeting on your return to work, when you have:-

* 3 occurrences of absence within a rolling 12 month period and/or;
* absences totalling 8 working days in a rolling year (pro-rated for part time employees/full time employees working non-standard working patterns\*) or;
* absence that causes concern

\*Number of days trigger will be pro-rated as follows:

| **Number of days worked per week** | **Trigger** |
| --- | --- |
| 2 | 3 working days |
| 3 | 5 working days |
| 4 | 6 working days |
| 5 | 8 working days |

Other examples include:

Employees working 9 day fortnights the trigger would be 7 working days

Employees working shift patterns of 7 days on/7 days off the trigger would be 6 working days

Employees working different hours per week on a rota basis, the trigger would be calculated on the paid days worked per week

**Attendance Support Meeting**

You will be invited to attend an Attendance Support meeting with your Line Manager; the local HR Adviser may also be in attendance

You will be provided at least 5 working days’ notice of the meeting and notified in writing of the following:-

* the date, time and location of the meeting
* the reason for concern
* who will be in attendance
* the right to be accompanied by a companion/employee representative
* where appropriate, the possible outcome/s
* provided with a copy of the Council’s Attendance Management policy
1.

# **Stage 1**

The primary purpose of this meeting is to support you to remain at work and identify if there are any underlying medical conditions.

This will be an opportunity for your Line Manager to:

* discuss and explore the absence
* highlight areas of concern
* discuss likelihood of further absences
* offer support
* explore reasonable adjustments
* confirm in writing a summary of the discussions and any agreed actions
* commence a **12 month review period** from the last date of the absence which triggered this process
* advise that a further absence will result in Stage 2 of the procedure being initiated

# **Stage 2**

This meeting will be initiated if you have a further absence within the rolling 12 month period, from the date of the first absence and/or the pattern of absence continues to cause concern.

This will be an opportunity for your Line Manager to:

* investigate the circumstances/reasons surrounding the absence and any mitigating factors/diagnosed underlying health conditions
* discuss and explore the absence
* highlight areas of concerns
* review support
* identify any further support required including reasonable adjustments
* advise that failure to achieve a sustained improvement will result in Stage 3 of the procedure being initiated.
* provide an outcome letter advising effect of a formal improvement notice.
* commence a **6 month** **review period** commencing from the last date of the absence which triggered this process

# **Stage 3**

This meeting will be initiated if you have a further absence which continues to reach the trigger levels and/or the pattern of absence continues to cause concern within the 6 month review period.

This will be an opportunity for your Line Manager to:

* investigate the circumstances/reasons surrounding the absence and any mitigating factors/diagnosed underlying health conditions
* discuss and explore the absence
* highlight areas of concern
* discuss likelihood of further absences
* review and offer further support
* explore reasonable adjustments
* advise that failure to achieve a satisfactory improvement, further action under the procedure may lead to dismissal
* provide an outcome letter advising effect of a formal improvement notice
* commence a **12 month review period** commencing from the last date of the absence which triggered this process
* formally record the outcome

# **Stage 4**

A Capability Hearing for Short Term or Persistent absence may be arranged if you have any further absenceand/or the pattern of absence continues to cause concern within the **12 month review period**.

The arrangements for the Capability Hearing are detailed in **Section 6.**

## **SECTION 5**

# **Procedure for Absence Monitoring – Long Term Absence**



1.

# **Initial Long Term Absence Meeting**

The procedure will be initiated and you will be invited to attend an **Initial Long Term Attendance** meeting when your absence has or is likely to last over 21 days, however, individual circumstances will be taken into consideration around the appropriateness of this.

You will be provided with at least 5 working days’ notice of the meeting and notified in writing of the following:-

* the date, time and location of the meeting
* the purpose of the meeting
* who will be in attendance, including the HR Adviser
* the right to be accompanied by a companion/ employee representative
* provided with a copy of the Council’s Attendance Management policy

This will be an opportunity for your Line Manager to:

* discuss and explore the background surrounding the absence
* establish if there are any underlying health conditions
* explore options of support
* explore early interventions
* explore the potential return to work date
* explore reasonable adjustments that can facilitate a return to work
* consider Occupational Health referral
* provide an outcome letter summarising the discussion and any agreed -actions, and where necessary discuss arrangements for an **Ongoing Long Term Attendance** meeting

# **Ongoing Long Term Attendance Meeting/s**

Where it has been identified that you are unlikely to be able to return to work within a reasonable timescale, your Line Manager will arrange to meet with you throughout your absence.

This will be an opportunity for your Line Manager to:

* review your progress, including any up to date medical information
* ensure appropriate support is being offered and provided, including Occupational Health referral
* establish if there are any underlying health conditions
* continue to explore reasonable adjustments that can facilitate a return to work
* provide you with an outcome letter summarising the discussion and any agreed actions, and where necessary discuss arrangements for a further **Ongoing Long Term Attendance** meeting.

Where it has been identified that a return to work is unlikely within a reasonable timescale, further discussion will take place with you to discuss available options, as detailed within section 5.19.3 of the Attendance Management policy.

# **Capability Hearing for Long Term Absence**

A Capability Hearing for Long Term absence will be arranged when it has been identified that a return to work is unlikely or medical advice indicates that a return to work is unlikely in the foreseeable future.

The arrangements for the Capability Hearing are detailed in **Section 6**

## **SECTION 6**

# **Capability Hearing**

You will be provided with at least 7 calendar days’ notice of the Hearing and notified in writing of the following:-

* who will Chair the Hearing
* who will be in attendance
* the reason for the Hearing
* the date, time and location of the meeting
* the reason for concern
* the right to be accompanied by a companion/ employee representative
* the possible outcome/s
* provided with a copy of any supporting documents that will be referred to during the Hearing
* provided with a copy of the Council’s Attendance Management policy

The format of the Hearing is detailed within the policy under **Section 5.21.5**

1.

# **Rescheduled Hearing/Non Attendance**

Where either party requires to reschedule the Hearing, this will be accommodated as far as is reasonably possible. It will be assumed that you are fit to attend a Hearing unless you or your GP advises that you are unfit to participate in the process, in such circumstances a GP letter or Occupational Health report may be requested to confirm this.

Employees will be given up to a maximum of 2 rescheduled Hearings. Where an employee is persistently unable or unwilling to attend without good cause, the relevant Officer should make a decision on the evidence available. The decision should then be confirmed in writing within 7 calendar days.

## **SECTION 7**

# **Authority to take action**

|  | **Chief Officers, Craft & Local Government** | **Teaching Staff** |
| --- | --- | --- |
| **Meeting** | **Hearing** | **Appeal** | **Hearing** | **Appeal** |
| Stage 1 | Appropriate Line Manager |  | Appropriate Line Manager |  |
| Stage 2 | Appropriate Line Manager | Manager senior to Line Manager or suitable depute | Appropriate Line Manager | Manager senior to Line Manager or suitable depute |
| Stage 3 | Appropriate Line Manager | Manager senior to Line Manager or suitable depute | Appropriate Line Manager | Manager senior to Line Manager or suitable depute |
| Stage 4Dismissal/Summary Dismissal | Executive Officer | Human Resources Appeals Board | Chief Education Officer | Education Committee |

1.

# **Appeals**

You have the right to appeal the outcome of the Capability Hearing within 14 calendar days of the outcome where the outcome is dismissal or an alternative to dismissal only. Details of the right of appeal will be contained within the outcome letter following the Hearing **(Section A, appendix 2)**

## **SECTION 8**

# **Supporting Agencies and Key Contact Details**

Your Line Manager has a key role in promoting the support mechanisms in place.

The Council offers a number of methods of support for employees which may include:

* Occupational Health Provision
* Employee Assistance Programme (Time for Talking)
* Osteopathic/Physiotherapy Assistance
* Other support appropriate to individual circumstances
1.

# **Occupational Health Provision**

The Council Occupational Health provision will be offered as part of the relevant Attendance Management meetings to encourage employees to utilise the assistance available in sustaining wellbeing and to minimise any absence from work.

**Referrals**

You have the opportunity to request to be referred to Occupational Health as a way of managing your wellbeing.

You can access Occupational Health by contacting your HR Adviser or Line Manager who will discuss the information required for the appointment and where appropriate, will arrange a suitable time for you to attend.

# **Employee Assistance Programme**

**Time for Talking** offers a free 24 hour confidential helpline/support service which can be accessed by all employees.

This service offers a wide range of support available to meet individual employee needs including access to self-help resources

In addition to the website, email and telephone counselling there is access to live web chat through the website and the password is provided below.

Face to face counselling can be provided, via referral through your local HR Adviser, where criteria is met. In the first instance employees are encouraged to try the telephonic counselling and live web chat. The contact details for employees looking for immediate support are as follows:

Telephone: 0800 9703980

Email: admin@timefortalking.co.uk

Website: [www.timefortalking.co.uk](http://www.timefortalking.co.uk)

Live Web Chat: Accessed via website. Password: TfTnow (case sensitive)

# **Osteopathic/Physiotherapy Assistance**

Osteopathic/physiotherapy assistance is available to employees where the circumstances indicate that this will be of benefit to the recovery and/or managing the condition.

In the first instance, you should attempt to source Physiotherapy through either the Kirkintilloch Health and Community Centre or your own GP.

You will be required to provide a Fit Note or letter from your GP stating that physiotherapy or osteopathy will be of benefit to your recovery and/or managing the condition. You should discuss the requirement for this assistance at the earliest opportunity with your Line Manager or as part of the Attendance Management meetings.

Please note there will be a maximum of 6 sessions funded by East Dunbartonshire Council to allow for NHS waiting times.

# **Other support appropriate to individual circumstances**

**Access to Work**

Access to Work is a publicly funded employment support programme that aims to help more disabled people start or stay in work. It can provide practical and financial support for people who have a disability or long term physical or mental health condition. Support can be provided where someone needs help or adaptations beyond reasonable adjustments.

Access to Work may provide grants towards practical support to help the employee stay in work. The employee can apply for Access to Work if they need help and support to get them back to work.

**The quickest and easiest way to apply is online at** [**www.gov.uk/access-to-work**](http://www.gov.uk/access-to-work)

**They can also apply by phoning Job Centre Plus on:**

**Telephone: 0800 121 7479**

**Textphone: 0800 121 7579**

**Disability Employment Advisers**

Disability Employment Advisers (DEA’s) within Job Centre Plus can provide specialist advice, information and support to those employees who are disabled, have recently become disabled or for those whose condition has deteriorated. Employees should contact their local Job Centre Plus direct.

**Money Advice Service**

Financial concerns can affect employee mental and physical health. The Money Advice Service, set up by the Government, provides free and impartial money advice. Employees can contact the Service direct.

**Contact**

[**www.moneyadviceservice.org.uk**](http://www.moneyadviceservice.org.uk)

**Telephone: 0800 138 7777**

**Reading Materials to support wellbeing**

The Council in working with partners aims to promote reading materials which are aimed to support wellbeing. These cover a number of areas and can assist employees in different ways at different stages of their lives. Reading materials are available through the Community Health Partnership under the Healthy Reading Scheme aimed to assist individuals who are experiencing stress or other emotional difficulties. These materials can be accessed at East Dunbartonshire Council libraries.

The [Wellbeing at Work tile](http://thehub.eastdunbarton.gov.uk/council-hub/plans-policies-and-strategies/wellbeing-work) on the HUB provides information relating to the management of absence and wellbeing including relevant policies and toolkits, forms and details of support mechanisms and/or details of where to signpost. Medigold have also provided an A-Z of information leaflets for support with common medical conditions which both employees and managers will be able to reference.

**Health Promotion and Improvement**

The Council will take a proactive approach to promoting Healthy Working Lives and positive wellbeing amongst employees through the promotion of local and national campaigns. The assistance available to employees is key to maintaining and improving the health and wellbeing of the workforce.

**Reduced rate Leisure Facilities**

Employees of the Council can enjoy reduced rates at [East Dunbartonshire Leisure and Culture (EDLC)](http://www.edlc.co.uk) Leisure Centres. These are available by contacting the relevant facility:

Kirkintilloch Leisure Centre on 0141 578 8222

Leisuredrome Bishopbriggs on 0141 777 3060

Allander Sports Centre based in Bearsden can be contacted on 0141 777 3070

# **Human Resources**

Further information in relation to the Attendance Management policy and Employee Toolkit advice and/or support is available from your local HR Adviser at:

| **Wellbeing and Attendance Improvement Adviser** |
| --- |
| **Name** | **Job Title** | **Email** | **Ext No** |
| Shona Diack | Wellbeing and Attendance Improvement Adviser | shona.diack@eastdunbarton.gov.uk | 3463 |

|  |
| --- |
| **HR Advisers** |
| **Name** | **Job Title** | **Email** | **Ext No** |
| Nikki Edgar | HR Adviser | nikki.edgar@eastdunbarton.gov.uk  | 5647 |
| Lorna McLaughlin | HR Adviser  | lorna.mclaughlin@eastdunbarton.gov.uk  | 3243 |
| Susie Andrews | HR Adviser  | susie.andrews@eastdunbarton.gov.uk  | 5608 |
| Susan Hamilton | HR Adviser  | susan.hamilton@eastdunbarton.gov.uk  | 5628 |
| Natalie Moyes | HR Adviser | natalie.moyes@eastdunbarton.gov.uk | 3172 |
| Anne Marie Cunningham | Team Leader HR Operations | annemarie**\_**cunningham@eastdunbarton.gov.uk  | 5535 |

Contact details can also be found on the Hub at: [Workforce Strategy Contact List](http://thehub.eastdunbarton.gov.uk/sites/default/files/documents/council/plans-policies-and-strategies/workforce_strategy_contact_list.pdf)

## **APPENDICES - SECTION A**

## **Appendix 1 – Self-Certificate Form**

|  |
| --- |
| **Self-Certificate Form** |
| **This form should be used for absences of 7 calendar days or less** |
| Forename  |  |
| Surname  |  |
| Employee Reference Number  |  |
| Designation  |  |
| Location  |  |
| Start Date  |  | Start Day  |  |
| End Date |  | End Day  |  |
| Total Days  |  |
| Did you visit a GP or hospital during the absence?  | Yes/No |
| Was the absence a result of an injury at work?  | Yes / No | Details:  |
| Recorded | Date:  | Contact:  |
| Details  |  |
| **Additional Information that you wish to inform us of:**  |
| **Employee Declaration**I declare that the information within this Self Certificate as accurate and true to the best of my knowledge. I will inform the Council if any information has changed since completing this. I understand that any false or misleading information may give reason for disciplinary action which could lead to dismissal.  |
| **Signature:**  | **Date:**  |
| **Line Manager Signature:**  | **Date:**  |

## **Appendix 2 – Notification of Formal Improvement Notice Appeal Form**

| Personal Details |
| --- |
| Name: | Employee Reference: |
| Designation: | Department: |
| Location: | Contact Number: |
| Any correspondence related to the appeal should be forwarded to the appropriate Manager, as detailed in the outcome letter advising of the improvement requirement. It is the responsibility of the employee to provide a work/home address for all correspondence. |
| Personal Details: |  |
| Companion Details: |  |
| Trade Union Name: | Trade Union Representative: |
| Other Representative: |  |
| Stage of Formal Improvement Notice |
|  |
| Appeal Hearing |
| Details |
| Grounds of Appeal:(please state the grounds of appeal in the space provided |
|  |
| Employee |
| Signature: |
| Date: |

O

## **APPENDICES SECTION B**

## **Management of Particular Types of Sickness Absences/Related Absences**

**1.0 Disability**

The Council is obliged to make reasonable adjustments to accommodate an employee’s disability as defined by the Equality Act 2010. Reasonable adjustments will depend on the effects of and severity of a disability. Some people will experience little effect on their day-to-day activities and will manage those effects in different ways.

Where workplace practice or feature of premises that puts a disabled employee at a disadvantage then reasonable adjustments should be considered and made where possible to remove the disadvantage.

Examples could include:

• Flexible hours, work schedules and breaks

• Home working

• Disability Leave for the purposes of ongoing treatment, appointments.

• Phased Return to duties

• Reallocation of some duties

• Alternative Employment opportunities

• Acquiring or modifying equipment

**1.1 Pregnancy/Maternity Related**

Absences related to pregnancy must be discounted from any periods for review however; the processes for Attendance Support meetings must be implemented to ensure support mechanisms are available.

Further information is available within the HSE booklet:

‘A guide for New and Expectant Mothers Who Work’ <https://www.aber.ac.uk/en/media/departmental/healthsafetyenvironment/indg373hp.pdf>

**1.2 Stress**

**Work Related Stress**

If the absence is related to Work Related Stress (or similar i.e. anxiety or debility), you may be asked to complete a Work Stress Risk Assessment form, which will be used to identify and agree actions of support.

**Reactive Stress**

If the absence is stress related to an ongoing disciplinary or grievance process etc. the absence will continue to be managed under the Attendance Management policy.

**1.3 Musculoskeletal Condition or Injury**

If the absence is related to a musculoskeletal condition or injury, advice can be sought from Occupational Health via the Line Manager or HR Adviser.

**1.4 Industrial Injury/Accidents at Work and Workplace Incidents**

If the absence is as a result of sickness or disablement following a confirmed work related accident or illness arising out of and in the course of employment, or due to industrial disease, which has been reported and investigated, the employee will be entitled to a separate allowance. The employee can seek guidance from their Line Manager, Health and Safety Representative or HR Adviser.

**1.5 Accidents (outwith employment)**

Employees who are paid damages in respect of an accident outwith employment will be required to repay any sickness allowance advanced either in total or as a proportion of compensation. Where a refund of the advance of sickness allowance is made in full by the employee to the Council, this will not be treated as sickness absence.

**1.6 Assault at Work**

Employees who are absence as a result of an assault in the course of their employment will have the period of absence treated as Special Leave. Absences related to a violent incident at work will be separated from any periods for review however; the processes for Attendance Support meetings must be implemented to ensure support mechanisms are available.

**1.7 Certified and Notifiable Infectious Disease**

If the employee is prevented from attending work because of contact with an infectious disease (confirmed by a Fit Note) they must notify their Line Manager immediately.

**1.8 Diarrhoea and Vomiting**

In line with Food Standards Agency guidelines if the employee has suffered diarrhoea and/or vomiting and work with or around food they must notify their Line Manager immediately and should refrain from working in that area for 48 hours from when the symptoms stop.

**1.9 Drugs, Alcohol and Substance Misuse**

If you are dealing with an issue of suspected impairment or the absence is directly as a result of alcohol and/or substance misuse this will be managed in accordance with the [Drug, Alcohol and Substance Misuse policy](http://thehub.eastdunbarton.gov.uk/council/plans-policies-and-strategies/drug-alcohol-and-substance-misuse-policy)

**1.10 Planned Sickness Absence**

If the employee requires time off to attend a planned medical appointment/treatment and therefore knows in advance that they are going to be absent from work they should advise their Line Manager as soon as possible of when they are expecting to be off and expected return to work date. This will be managed in accordance with the [Special Leave policy](http://thehub.eastdunbarton.gov.uk/council/plans-policies-and-strategies/work-life-balance/special-leave-policy)

**1.11 Elective Cosmetic Surgery/Procedure Absence**

If the employee is planning an elective cosmetic surgery or procedure, for which they will be absent from work, any entitlement to Occupational Sick pay will be subject to receipt of satisfactory medical evidence confirming they are undergoing the procedure on medical advice.

The employee may be required to take annual leave for any absence related to a purely elective cosmetic procedure.

**1.12 Serious Ill Health**

If the employee is diagnosed with an illness or medical condition that has life debilitating consequences, the case will be dealt with the utmost of sensitivity, the employee will be treated with dignity and respect at all times and the most appropriate course of action will be considered with input from Occupational Health and local HR Adviser.

**1.13 Respiratory Tuberculosis**

**Respiratory Tuberculosis (Teaching Employees only) -** In cases of an employee suffering from respiratory tuberculosis, and where this is supported by a GP statement, full salary will be payable for any period of absence up to a maximum of 12 months plus half salary up to a maximum of a further 6 months

**Respiratory Tuberculosis (Non-Teaching Employees) -** In cases of an employee suffering from respiratory tuberculosis where the role involves direct contact with children, full salary will be payable for any period of absence up to a maximum of 12 months plus half salary up to a maximum of a further 6 months. This must be supported by a Fit Note where and temporary redeployment/amendments to the role are unable to be accommodated/not considered appropriate and the employee is deemed fit to return to work in some capacity.

## **APPENDICES - SECTION C**

## **Addiction Support**

**This Section of the toolkit should be read in conjunction with the Council’s Alcohol, Drug and Substance Misuse policy.**

The Council aims to protect the health and wellbeing of all employees and recognises that in some cases, people with addiction issues will require treatment. In accessing support:

* employees who suspect or know that they have an addiction problem are encouraged to seek help and treatment voluntarily, either through the Council’s support mechanisms, or through resources of the employees' own choosing
* employees who come to the authority’s attention, through observation or through the Discipline at Work Policy, as a result of an addiction problem will be offered the opportunity immediately to seek assessment and, if necessary, treatment from appropriate agencies under the Wellbeing Strategy
* referrals for support will be made to the appropriate agencies based on health grounds and/or work capability or conduct. Medical information may be requested in order to support this referral
* the encouragement, or offer of an opportunity, to seek and accept help and treatment is made on the clear understanding that the employee will be granted, if necessary, leave to undergo treatment and such leave will be treated as sick leave within the terms of the sick pay scheme
* where possible, employees will be granted paid time off to attend counselling sessions to support recovery from addiction
* depending on the circumstance, either prior to/or on returning to work, following a related absence, employees will be seen in accordance with the appropriate **Attendance Management meeting** to ensure that discussions take place between the Line Manager and employee. This meeting will allow for any adjustments, assistance or support to be discussed and considered to encourage ongoing recovery from the addiction
* on resuming to duties/or on return to work following a period of treatment, every effort will be made to ensure that the employee returns to the same job. This may not be possible where it is decided that the effects of the employee's addiction problem renders them unfit or unsuitable to resume the same job or where resumption of the same job would be inconsistent with the long term resolution of the employee's addiction problem. This may be informed by medical information and/or Occupational Health support.
* when the same job cannot be resumed, every consideration will be given to finding alternative employment.
* confidentiality by all parties will be maintained throughout implementation and following the conclusion of treatment.

**Types of Addiction Support**

With reference to **Section 8 of the toolkit**, employees will be offered support in accordance with the Wellbeing Strategy and are able to self-refer directly to access one or more of the services, provided by the Council, for help depending on their individual circumstances. Such referrals are confidential and do not involve management. Management will only be passed information of a personal or confidential nature with the employee’s consent.

The employee will be required to seek permission to attend any counselling appointments that are during working hours, noting that all offers of support are made on the basis that employees will be granted appropriate time off to attend counselling and other related support to encourage recovery or ongoing management of a mental health condition.

## **APPENDICES - SECTION D**

## **Mental Wellbeing and the workplace**

The Council seeks to promote a culture and environment in which mental wellbeing and resilience are encouraged and supported.

Issues relating to mental wellbeing will be effectively managed by taking appropriate action, at the earliest stage possible to prevent, reduce, minimise and/or eliminate any impact on employee wellbeing.

Employees will be supported appropriately in the management of their mental wellbeing and managers will handle all such matters with sensitivity and with due regard to the need for confidentiality.

The Council will also engage proactively in the promotion of positive mental health and the removal of stigma associated with mental health issues, in line with local and national initiatives and guidelines.

**Mental Health**

Mental Health difficulties may present in a number of different ways. They may range from mild to severe, may be acute or chronic, short-term or long-term. Some conditions may arise as a reaction to specific circumstances or may be related solely to the workplace. Life experiences may have an impact on employee wellbeing which may include loss or bereavement.

The Wellbeing and Attendance Improvement Adviser will undertake a range of promotion and prevention activities in line with the principles and approach to mental health and wellbeing.

**Support for Employee Mental Wellbeing**

With reference to **Section 8 of the toolkit**, employees will be offered support in accordance with the Wellbeing Strategy and are able to self-refer directly to access one or more of the services provided by the Council for help depending on their individual circumstances. Such referrals are confidential and do not involve management. Management will only be passed information of a personal or confidential nature with the employee’s consent.

The employee will be required to seek permission to attend any counselling appointments that are during working hours, noting that all offers of support are made on the basis that employees will be granted appropriate time off to attend counselling and other related support to encourage recovery or ongoing management of a mental health condition.

Employees are encouraged to seek support at the earliest stage possible. However, it is recognised that there may be other related support which the employee chooses to access to assist in managing/ or in the recovery of their mental wellbeing.

In all cases of managing mental wellbeing in the workplace, the process of conducting **Return to Work meetings** and appropriate **Attendance Management meetings** should be applied.

**Managing an ongoing mental wellbeing while at work**

Employees who have ongoing mental health issues may have already developed coping strategies. Employees may be aware of their own signs and symptoms of a relapse and may take pre-emptive actions. Employees are encouraged to speak with their Line Manager or Occupational Health to discuss support if there are signs of relapse. The Council will encourage employees to develop and maintain coping strategies as part of awareness raising in accordance with the Wellbeing Strategy.

## **APPENDICES - SECTION E**

## **Stress in the workplace**

**Supporting Employees and Stress in the Workplace**

In all cases of an employee raising issues of work related stress, whether at work or while absent from work, the Line Manager must seek to address this as a matter of urgency.

In all cases of work related stress, there is an immediate need to minimise the stress, your Line Manager will ask you to complete the Stress Risk Assessment form in the first instance and may seek further advice and guidance from the HR Adviser.

Employees are encouraged to complete the Risk Assessment form to outline the factors which are having an impact on their wellbeing.

The risk assessment process is in place within the Council to ensure that any issues within the workplace are highlighted and addressed through the appropriate mechanisms. The information contained within the risk assessment must be monitored and reviewed to ensure actions required are taken forward.

Attendance Management support processes will be implemented either by the Line Manager or in some circumstances it may be appropriate for another designated officer. This will involve the identification of the stressors with the employee and discussing methods to address these.

Referral to appropriate internal and/or external resources to address the stressors may be an appropriate outcome of the Risk Assessment process.

**Attendance Management meetings**

It is important that an employee is aware of the support available from the Council in addressing stress in the workplace. Employees must be requested to attend or can request an Attendance Support meeting in order to determine the support required, implement any pre-agreed plans for supporting an ongoing condition and/or to address any issues related to the workplace. This must take account of the information contained within any Fit Note.

The **Return to Work** process should provide a method of ensuring that employees are ready to return to their role and that they feel confident to do so.

**Traumatic Stress**

The [Managing Critical Incidents and Trauma policy](http://thehub.eastdunbarton.gov.uk/sites/default/files/documents/about-edlc/Trauma%20Policy.pdf) provides guidance around the prevention and reduction of traumatic stress and support for all employees concerning their role in managing traumatic stress reactions.

In some cases it may be appropriate to follow this policy where a previous traumatic incident continues to have an impact on an employee.

This policy must be referred to in cases of traumatic incidents to ensure that support and any required action is taken in line with the established policy timescales.

## **APPENDICES - SECTION F**

## **Payment and Period of Sickness Entitlement**

Where an officer satisfies the qualifying conditions as set out by the Scottish Joint Council for Local Government employees, entitlements to Sickness Absence Allowance will depend on length of continuous service as detailed in the table below:-

| **Continuous Service at Commencement of Absence from duty** | **Full Allowance for** | **Half Allowance for** |
| --- | --- | --- |
| Less than 26 weeks \* | Nil | Nil |
| 26 weeks or more but less than 1 year | 5 weeks | 5 weeks |
| 1 year but less than 2 years | 9 weeks | 9 weeks |
| 2 years but less than 3 years | 18 weeks | 18 weeks |
| 3 years but less than 5 years | 22 weeks | 22 weeks |
| 5 years and over | 26 weeks | 26 weeks |

\*Employees with less than 26 weeks’ service may be eligible for Statutory Sick Pay if the employee satisfies the criteria under applicable legislation in force at the time of the absence and complies with the notification and certification requirements.

**Teaching Employees**

| **Continuous Service at Commencement of Absence from duty** | **Teachers Full Allowance for** | **Teachers Half Allowance for** |
| --- | --- | --- |
| Less than 18 weeks  | Nil | Nil |
| 18 weeks or more but less than 1 year | 1 month | 1 month |
| 1 year but less than 2 years | 2 months | 2 months |
| 2 years but less than 3 years | 4 months | 4 months |
| 3 years but less than 5 years | 5 months | 5 months |
| 5 years and over | 6 months | 6 months |

Teaching Employees – a week’s qualifying service will comprise any week regardless of hours worked including annual leave, sickness absence, maternity leave or special leave.

**Annual Leave**

All employees are entitled to take in full, or in part, the appropriate balance of leave up to the statutory minimum during a period of sickness absence. Employees are able to request reinstatement of ‘lost’ holiday entitlement due to sickness whilst on annual leave.

The employee is required to provide a Fit Note as evidence of sickness and follow the reporting procedure as outlined in the Policy.

If the employee is going to be unavailable, for a period of time, to attend work place meetings they must inform their Line Manager, this will include going on holiday.

**Abatement of Annual Leave**

Where an employee has been absent through illness for a period exceeding three months, the Council will limit the annual leave to an amount equal to the period of actual service given during the leave year. Employees are only entitled to accrue annual leave at 28 days per year (pro-rata) including public holidays during the sick leave period. Where an abatement results in an amount less than 28 days (pro-rata) the annual leave will be increased to meet the statutory minimum.

Teaching employees will be entitled to a statutory minimum of 28 days over the year taking into account the planned leave year.

| **Calculation** |
| --- |
| Completed month attendance at work @ Annual Leave entitlement + all public holiday outwith sick leave period = Leave entitlement |

Teachers should refer to the SNCT Terms and conditions (Part 2, Section 6 – Sickness Allowances and Notification Arrangements)

**Over time**

To support the employees’ recovery, recuperation and to ensure that the employee has regained full and sustainable fitness before taking on any additional workload, it may not be appropriate for the employee to work any additional hours or overtime for a period of seven days during the week following the employees return to work or during any phased return period.

Consequently you will not be asked to work and will be removed from additional working rotas where these are in operation.

**Withholding Sickness Allowance**

An employee will not be entitled to sickness allowance (occupational and statutory sick pay) when:

* the employee has less than 26 weeks continuous service (18 weeks in respect of Teachers)
* if the first day of sickness has already exhausted or subsequently exhausts sickness allowance entitlement
* withholding of sickness allowance will continue until the day that the employee satisfies the procedures for reporting absence.
* Line Managers must gather the facts relating to the case prior to deducting from salary.

Other reasons for withholding occupational sick pay entitlement may be:

* failure to adhere to or continued failure to adhere to the required notification and certification requirement as detailed in the Attendance Management policy
* conduct which has a detrimental impact upon recovery
* is absent due to their misconduct or negligence resulting from active participation in a professional sport
* absence attributable to employees own misconduct or neglect
* injury sustained while working in their own time for another employer or for private gain
* conduct which has a detrimental impact upon recovery
* fails without good reason to attend a medical examination with Occupational Health
* any other abuse of the provisions of this policy

**Right of Appeal**

In the case of allowance potentially being suspended, an employee will have the opportunity to appeal against the decision. Details of the appeal will be contained within the letter confirming the decision to suspend Occupational Sick pay.

**Misuse of Self-Certificate Process**

Where there is evidence to suggest that a member of staff may be misusing the self-certificate process this will be dealt with through the Council's Discipline at Work Policy. This facility can be withdrawn, requiring the member of staff to submit a Fit Note covering every sickness absence.

**Long Term Medical Conditions**

Where an employee is suffering from a long-term medical condition, the Council will give due regard to the consideration of extending the period of sickness allowance, particularly where the prognosis indicates that the employee will be able to return to work or where the illness will bring the employee under the terms of the Equality Act 2010. This will involve medical information and assessment.

**Time off to attend support sessions**

Employees will be granted paid time off during the normal working day to attend welfare support, counselling, and other related support and assistance under the Wellbeing Strategy and related support mechanisms.

**Taking Annual Leave during Sickness**

All employees are entitled to take in full, or in part, the appropriate balance of leave up to the statutory minimum during a period of sickness absence.

**Impact on Annual Leave and Public Holidays**

Employees will continue to accrue annual leave throughout their sickness absence subject to the statutory leave entitlement of 28 days. The 28 days is inclusive of the Council’s 6 designated public holidays.

Employees must be allowed to take their statutory leave entitlement during their sick leave or upon their return to work.

An employee should be offered the right to take their annual leave in the current leave year where possible. If an employee has not been offered the right to take annual leave in the leave year in which they return, there must be an opportunity to take this leave in the following leave year. The taking of the additional annual leave will be encouraged to be taken in the first quarter of the employees return to work date and should also be taken in line with the needs of the service.

If an employee under teaching conditions returns following sickness, additional leave should be taken in the term in which they return to work or the following term.

Employees who have been on sick leave for an entire leave year will receive the statutory minimum of 28 days (pro-rated for part time staff). Teachers who have had shorter periods of absence in the year may not have any additional entitlement as they may have had 28 or more days leave during the period when they were not sick.

Guidance on Term Time employees’ allocated annual leave following long term absence can be obtained from the HR Adviser.

**Other Formats & Translations**

**Kirkintilloch G66 1TJ Tel: 0300 123 4510**

This document can be provided in large print, Braille or on audio cassette and can be translated into other community languages. Please contact the Council’s Corporate Communications Team at:

East Dunbartonshire Council, 12 Strathkelvin Place, Southbank