

EXECUTIVE COMMITTEE

20th November 2012

SICKNESS ABSENCE POLICY & DISCIPLINARY POLICY REVIEW

Relevant Portfolio Holder	Councillor Phil Mould – Portfolio Holder for Corporate Management
Relevant Head of Service	Teresa Kristunas, Head of Finance and Resources
Wards Affected	None
Ward Councillors consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To seek the Committee's approval of the revisions to the Sickness Absence Policy and Disciplinary Policy that have been developed and provisionally agreed by the Corporate Management Team (CMT) and Trade Union Representatives.

2. RECOMMENDATIONS

The Committee is asked to **RECOMMEND** that

- a) **the revisions to the Sickness Absence Policy and Disciplinary Policy attached to the report at Appendix 1 and 2, and detailed at 3.7 and 3.9 be approved and adopted;**
- b) **the additional procedural guidance proposed for inclusion in the Sickness Absence Policy as detailed in the report at 3.8 be noted; and**
- c) **authority be delegated to the Head of Legal & Democratic Services to make the necessary changes to the scheme of delegations required to implement the proposed changes.**

3. KEY ISSUES

- 3.1 Human Resources and Organisational Development is in the process of reviewing policies in order to establish a consistent approach across the service. As part of this process it is proposed that revisions are made to both the Sickness Absence Policy and the Disciplinary Policy.
- 3.2 This report includes details of the proposed procedural changes primarily focused on the Sickness Absence Policy. However these proposals have also necessitated a concurrent review of the Disciplinary Policy.

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- 3.3 The proposed changes to the Sickness Absence Policy are aimed at supporting employees experiencing absence due to sickness, and Managers in the effective handling of both short-term and long-term absences. The recognised Trade Unions have had the opportunity to comment on the proposals as part of the development process.
- 3.4 The majority of employees will at some point during their employment with the Council be unable to attend work due to sickness. This type of occasional absence may be considered as practically inevitable and employees are not encouraged to attend work if they are not fit to do so. However, it is important that individuals, together with their Line Managers, understand what is expected of them during any period of absence and also what the process will be in supporting a return to work, together with the potential consequences of unacceptable levels of absence.
- 3.5 The Council's sickness absence policy, incorporating the changes proposed in this report, should above all be regarded as a supportive policy, recognising the importance of and promoting wellbeing amongst Council employees. It must also act as a tool for Line Managers to address issues and concerns they have in relation to absence in a fair and transparent way.
- 3.6 The proposed changes, whilst giving clarity to employees on the support available to them, also provide a more robust framework for Managers to manage sickness absence effectively within their teams.
- 3.7 **Key changes to the existing Sickness Absence Policy:**
- a) Procedural changes, as detailed in Appendix 1, including the introduction of a staged process for the management of long-term absence, providing clearer, more consistent timescales.
 - b) The removal of target setting for the management of short-term absence, instead establishing tolerance levels on a case-by-case basis.
 - c) Heads of Service able to dismiss at Stage 4, with any subsequent appeals against dismissal continuing to be heard by a Member panel.
- 3.8 Additional procedural guidance to be included:
- a) As part of the long-term absence process, Line Managers are to ensure that the employee is aware of how to access the Employee Assistance Programme (EAP) and the benefits of doing so.

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- b) Additional guidance concerning information provision as part of review meetings for long-term absence, including departmental and organisational updates.
- c) Introduction of vacancy notifications for those on long-term sickness, with consideration given to what appropriate redeployment options may exist at Stages 1, 2 and 3 as a precursor to consideration at Stage 4.
- d) Guidance concerning the exploration of suitable alternative vacant roles which may assist in the employee's return to work.
- e) Doctor's notes should be sent to Line Managers allowing them to monitor the reason and duration of the absence, enabling more appropriate case handling.
- f) Inclusion of guidelines for Line Managers to undertake risk assessments for all disabled employees and to undertake ongoing reviews.
- g) Development of guidance for Line Managers in how to support employees diagnosed with cancer, as well as how to support their colleagues.

3.9 Key changes to the existing Disciplinary Policy:

- a) Heads of Service to have the authority to suspend employees, with guidance from Human Resources, and where there is clear justification.
- b) Heads of Service to act as Hearing Officer with the authority to give sanctions up to and including dismissal.
- c) Executive Directors to hear appeals against sanctions up to and including final written warning.
- d) All appeals against dismissal to be heard by a Member panel, in line with the Sickness Absence Policy.

3.10 Should the proposals detailed within this report be approved, Officers will then incorporate these changes into revised policies ready for adoption.

3.11 Human Resources are developing a programme of briefing sessions relating to employment policies and procedures. These changes will be incorporated into these sessions to ensure staff awareness.

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Financial Implications

- 3.12 None as a direct result of this report. However, there is the potential for sickness absence cases to be resolved more efficiently leading to potential savings in respect of sickness scheme and staff cover costs.

Legal Implications

- 3.13 All proposed changes to employee related policies have been developed in conjunction with Union representatives in accordance with employment legislation. In addition Officers have considered the following in developing the proposals:

- a) Working Time Regulation 2007.
- b) National agreement on pay and conditions of service for Local Government Services.
- c) Employment Rights Act 1996.
- d) Employment Relations Act 2004.
- e) Trade Union and Labour Relations (consolidation) Act 1992.
- f) Equality Act 2010

Service / Operational Implications

- 3.14 The proposed revised policy has been discussed with Union representatives.

Customer / Equalities and Diversity Implications

- 3.15 Assessments have been made across all proposed policies to identify any equality issues. These have been discussed with the Union representatives and further analysis of impact has been undertaken where required.

4. RISK MANAGEMENT

The proposals reflect the changes required to ensure a consistent approach to employee related matters.

5. APPENDICES

Appendix 1 – Sickness Policy Review – Comparison of changes.
Appendix 2 – Disciplinary Policy Review – Comparison of changes.

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6. BACKGROUND PAPERS

N/A

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