

## OVERVIEW AND SCRUTINY COMMITTEE

11th September 2012

### SICKNESS POLICY PRE-SCRUTINY SHORT, SHARP REVIEW GROUP – FINAL REPORT

Relevant Portfolio Holder	Councillor Phil Mould, Portfolio Holder for Corporate Management.
Portfolio Holder Consulted	Yes, the Portfolio Holder was interviewed by the group.
Relevant Head of Service	Teresa Kristunas, Head of Finance and Resources.
Ward(s) Affected	No specific ward relevance.
Non-Key Decision	

#### **1. SUMMARY OF PROPOSALS**

- 1.1 This report contains a summary of the Sickness Policy Pre-Scrutiny Short, Sharp Review Group's work. The report should be considered alongside the Sickness Absence Policy Review produced by Officers for the consideration of Members.
- 1.2 The group was not permitted to view the content of the Sickness Absence Policy Review prior to the time of writing, though did receive an overview outlining the proposals that were due to be made by Officers on the subject.

#### **2. RECOMMENDATIONS**

The Committee is asked to **RECOMMEND** that

- 1) **the Council's Sickness Absence Policy should be updated and reduced in length, in order to clarify the structure and process for managing both short-term and long-term sickness absences;**
- 2) **the terms and conditions proposed by Officers in the new version of the Council's Sickness Absence Policy should be approved, subject to the terminology used in the policy being sensitive to the needs of staff experiencing sickness;**
- 3) **an A5 guide to the Council's Sickness Absence Policy should be provided for the use of managers and staff;**
- 4) **all changes to the Council's Sickness Absence Policy should be communicated to managers and staff;**
- 5) **the Sickness Absence Policy should be included in the induction process for new staff and managers employed by the Council;**
  - a) **staff and managers should also receive regular refresher training;**

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- 6) **the Sickness Absence Policy should be applied consistently to staff across all service areas, but managers should be encouraged to use their common sense in applying the policy when appropriate;**
- 7) **each service team should deliver weekly updates to Human Resources regarding staff absences due to sickness;**
- 8) **the occupational health service available to staff experiencing sickness should be reviewed;**
- 9) **a joint consultative body involving managerial, trade union and elected Member representation, similar to the former Employment Liaison Committee, should be established to facilitate confidence in the application of employment related policies at the Council;**
  - a) **consideration should be given to consultation methods that could be used to involve staff who are not members of a trade union in this body; and**
- 10) **communication should form an integral part of the transformation process to ensure that staff understand the reasons for changes made to services as part of the transformation process and how transformation may impact on them; and**

**RESOLVE that**

**the report be noted.**

**3. KEY ISSUES**

**Background**

- 3.1 The Sickness Policy Pre-Scrutiny Short, Sharp Review was launched by the Overview and Scrutiny Committee in July 2012. Two elected Members, Councillors John Fisher and Pat Witherspoon, were appointed to complete the review on behalf of the Committee.
- 3.2 The review was launched by the Overview and Scrutiny Committee as a pre decision scrutiny exercise. For pre-decision scrutiny exercises Members focus on reports that are due to be considered by the Executive Committee at a later date. Scrutiny recommendations are designed to assist the Executive Committee when making decisions about the subject. The Short, Sharp Review approach to pre-scrutinising this subject was selected to ensure that Scrutiny Members could base their recommendations on evidence based research.

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- 3.3 The group gathered evidence from a variety of sources at six separate meetings. This included scrutinising the contents of the Council's existing Sickness Absence Policy. Information about the changes to the policy that had been proposed by Officers to the policy and the reasons for these changes was also considered during interviews with relevant Officers.
- 3.4 The group agreed that in order to review the subject effectively it was important to consider relevant practices and procedures followed by comparable local authorities. As part of this process the content of the sickness absence policies for the following local authorities were considered by the group: Boston Borough Council, Bromsgrove District Council, Oadby and Wigston Borough Council and Rugby Borough Council.
- 3.5 Staff payments during periods of sickness absence were discussed during the review. Members discovered that some local authorities did not pay staff during the first few days of sickness absence. Members were concerned about the impact that this approach to managing sickness absence might have on staff morale and service delivery. For this reason the group concluded that a similar approach would not be suitable at Redditch Borough Council at this stage.
- 3.6 The group was aware that a number of staff employed by Redditch Borough Council are members of a trade union. Interviews were therefore held with representatives of both Unison and UCATT as part of the review process. The group also invited representatives of the GMB union to submit evidence for consideration as part of the review. Unfortunately no feedback had been received by the time of writing.
- 3.7 All of the evidence that was received during the review, both in a written form and verbally during interviews, helped to inform the group's final recommendations.

### **Recommendations**

**Recommendation 1: We RECOMMEND that the Council's Sickness Absence Policy should be updated and reduced in length, in order to clarify the structure and process for managing both short-term and long-term sickness absences**

- 3.8 During the course of the review the group considered the contents of the Council's current Sickness Absence Policy. The document had been produced using plain language and was separated into clear sections. The policy had previously been reviewed in 2010 and was scheduled for further review in November 2012.
- 3.9 Contained within the policy were guidelines for managers and staff regarding the appropriate procedure for reporting and managing sickness absences. A number of clear stages had been developed to manage short-term absences. However, no clear stages had been developed for managing long-term sickness absences.

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Instead, managers and staff had been provided with greater flexibility to manage long-term sickness in a variety of ways depending on the circumstances.

- 3.10 Members learned during the course of the review that Officers were keen to include a staged process to manage both long-term and short-term sickness absences. Furthermore, expert witnesses interviewed by the group were not opposed to this proposal. Indeed, Members concluded that the use of staged approaches to manage both short-term and long-term sickness absences would add clarity to the process.
- 3.11 The various sickness absence policies at other local authorities that were considered by the group contained a mixture of processes for managing staff absences due to sickness (please view Appendix 1 for further information). The length of these policies varied from eight pages to 68 pages, which compared to 12 pages for the Council's current Sickness Absence Policy.
- 3.12 Whilst Members recognise the need to include information that will address legal requirements the group agreed that realistically both staff and managers were less likely to read and become familiar with the content of the Sickness Absence Policy if it was lengthy. For this reason, Members are proposing that the length of the Council's updated Sickness Absence Policy should be as short as possible.

**Recommendation 2: We RECOMMEND that the terms and conditions proposed by Officers in the new version of the Council's Sickness Absence Policy should be approved, subject to the terminology used in the policy being sensitive to the needs of staff experiencing sickness**

- 3.13 Overview and Scrutiny Members do not have the right to access Executive Committee reports in draft form at Redditch Borough Council. For this reason the group had not had a chance to consider the Sickness Absence Policy Review, which is being produced by Officers for the consideration of the Executive Committee on 18th September, by the time of writing.
- 3.14 However, the group did receive an overview of some of the changes that were being proposed to the policy. Based on the information provided in this overview the group was satisfied that the terms and conditions proposed by Officers in the new version of the Sickness Absence Policy should be approved.
- 3.15 During the review Members considered the needs of staff who were absent due to sickness. Concerns were expressed by some expert witnesses that the terminology utilised in the current policy could be intimidating and cause some staff anxiety about the impact of their absence on their career. For example, staff who were absent over a short period due to ill health might feel anxious about a formal requirement to attend a Return to Work Interview when presenting at work. To address these concerns Members concluded that appropriate language

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and terminology, sensitive to the needs of staff absent due to sickness, should be utilised in the policy to help reassure staff.

**Recommendation 3: We RECOMMEND that a laminated A5 guide to the Council's Sickness Absence Policy should be provided for the use of managers and staff.**

- 3.16 A key consideration during the review was the need for staff and managers to understand the basic process involved in managing staff absences due to sickness. In particular, employees and managers needed to understand their respective responsibilities in order to manage sickness absence consistently and fairly.
- 3.17 The group recognises that both individual employees and managers need to be familiar with the contents of the entire Sickness Absence Policy in order to manage sickness absences appropriately. However, Members recognised that in certain situations, particularly in cases where sickness arose unexpectedly, reference to the detailed policy might not be practicable. In these circumstances the group agreed that an A5 guide to the Council's rules and process for reporting and managing sickness absence would be useful for both managers and employees.

**Recommendation 4: We RECOMMEND that all changes to the Council's Sickness Absence Policy should be communicated to managers and staff.**

- 3.18 Staff and managers will need to be familiar with any changes that are made to the Council's Sickness Absence Policy. Whilst the group recognises that the new policy will probably be made available for staff to view on the Council's intranet Members believe that the changes need to be more actively promoted to staff and managers to ensure compliance with any new terms and conditions.
- 3.19 The group believes that changes to the policy could be easily communicated to both staff and managers. Outline information could be provided by senior managers during staff briefings. Managers could also be provided with more detailed information during management conferences, and these details could subsequently be communicated to staff at team meetings.

**Recommendation 5: We RECOMMEND that the Sickness Absence Policy should be included in the induction process for new staff and managers employed by the Council:**

- a) **staff and managers should also receive regular refresher training;**
- 3.20 New staff employed by the local authority will also need to receive information about the Council's Sickness Absence Policy. New managers, in particular, will need to be familiar with the content of the policy in order

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to apply the terms and conditions contained within the policy consistently to staff.

- 3.21 The group is aware that the majority of new employees receive some written information in the form of an induction pack when they arrive at the local authority. In addition, some staff also receive induction training from managers when starting at the Council. The group is suggesting that a briefing on the Council's Sickness Absence Policy should be included in this induction process.
- 3.22 Members were concerned that many staff over the course of time would forget about some of the content of the Sickness Absence Policy and the respective responsibilities of staff and managers. For this reason the group believes that refresher training should be provided to staff and managers from time to time to ensure ongoing compliance with the policy.

**Recommendation 6: We RECOMMEND that the Sickness Absence Policy should be applied consistently to staff across all service areas, but managers should be encouraged to use their common sense in applying the policy when appropriate.**

- 3.23 During the course of the review a number of expert witnesses expressed concerns that the Sickness Absence Policy was not being applied consistently across the organisation. Whilst managers in some departments, particularly back office functions and customer facing services, consistently applied the procedures detailed in the policy managers in other departments operated in a more flexible manner. For example, in some service areas home visits, a feature of the long-term sickness absence procedure, were not consistently taking place.
- 3.24 The group believes that there is a risk that this inconsistent application of the policy could lead to resentment and discontentment amongst some members of staff, as the differences in application could be considered to be unfair. To demonstrate that the Council is keen to treat all employees fairly the group concluded that there should be consistent application of the Sickness Absence Policy to all staff.
- 3.25 Members concluded during the review that the role of the manager was key to the fair application of the Council's Sickness Absence Policy. Managers need to be familiar with the content of the policy in order to apply the terms and conditions consistently. Managers need to be familiar with their staff and therefore able to distinguish between genuine absences due to sickness and employees abusing the process. In addition, managers need to be familiar with absence figures for staff in their teams as this enables managers to identify any patterns of behaviour or areas of staff welfare where further support might be required for an individual.

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- 3.26 The manager also, though, has a responsibility to ensure that the process is managed in a manner sensitive to the needs of staff experiencing ill health. In some cases the employee experiencing illness may feel anxious about the formal managerial process, including Return to Work Interviews. Indeed, some staff may be worried about taking leave to recover from an illness and might return to work before they are physically able to do so. There are also some working environments where additional sickness problems and accidents occur as a result of the work undertaken by employees, particularly in manual operative and frontline operational roles. In these circumstances managers need to be encouraged to use common sense when applying the policy to ensure that affected staff are placed at their ease and treated fairly.

**Recommendation 7: We RECOMMEND that each service team should deliver weekly updates to Human Resources regarding staff absences due to sickness.**

- 3.27 At present in Redditch when an employee is absent due to sickness a colleague, usually the manager, completes a section of an Absence Statement on behalf of the individual. This, together with the second section completed on the return of the employee, is forwarded to the Council's payroll service. The payroll team therefore currently maintains a record of sickness absences on an ongoing basis.
- 3.28 By comparison, at Bromsgrove District Council weekly reports are sent on behalf of each team to the Council's Human Resources department. The reports highlight the number of staff absent due to sickness and the number of days of sickness absence experienced by the employee. The form of illness experienced by the employee is also reported in these weekly updates. As a consequence, the Human Resources Department is able to maintain an accurate record of absences on a weekly basis.
- 3.29 The group believes that a similar reporting framework should be introduced at Redditch Borough Council as it would provide both senior Officers and elected Members with access to accurate weekly details regarding sickness absence. In a shared service environment a common approach to reporting absences due to sickness would streamline processes, to the benefit of both staff and managers. In addition, whilst staff in shared services may be employed by a single host authority service delivery occurs in both local authority areas. The statistics gathered through this common approach would therefore accurately reflect absences due to sickness at any one time as they relate to both authorities.

**Recommendation 8: We RECOMMEND that the occupational health service available to staff experiencing sickness should be reviewed**

- 3.30 During the course of the review the Committee was advised about the current occupational health service available to employees absent due to sickness. At present occupational health services, to which staff are referred as part of the sickness absence management process, are delivered by an external provider.

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Staff have to access occupational health services from an external location, primarily in Stoke Prior.

- 3.31 The group was advised that current arrangements for delivering occupational health support to staff were not considered to be satisfactory. Members have also been advised that the joint Health, Safety and Welfare Committee has suggested in the past that occupational health services should ideally be provided in house.
- 3.32 Unfortunately, the group were informed that it had not been possible to recruit an individual to work as an Occupational Health Practitioner for both Councils. Furthermore, Members were advised that an Occupational Health Practitioner employed by the Council would not be able to deliver certain specialist functions, which would need to continue to be delivered by an external service provider.
- 3.33 Based on the information provided for Members' consideration regarding occupational health support the group recognises that this issue is complex and may be difficult to resolve. However, Members agree that staff access to an occupational health service is important to ensure that employees experiencing ill health can be provided with appropriate support to help them return to work. For this reason the group is proposing that the occupational health service available to staff should be reviewed as soon as possible.

**Recommendation 9: We RECOMMEND that a joint consultative body involving managerial, trade union and elected Member representation, similar to the former Employment Liaison Committee, should be established to facilitate confidence in the application of employment related policies at the Council.**

- b) **Consideration should be given to consultation methods that could be used to involve staff who are not members of a trade union in this body.**
- 3.34 There was an Employment Liaison Committee at Redditch Borough Council until 2001/02. Since the Committee was disbanded trade union representatives have continued to meet regularly with senior managers at the Council to discuss employment related matters. Unison is also represented by two permanent co-opted members of the Overview and Scrutiny Committee who can speak on employment related matters when these are considered by the Committee. However, there are currently no forums which enable managers to meet with trade union representatives and elected Members to discuss employment issues in detail.
- 3.35 The group has concluded that a joint consultative body involving managerial, trade union and elected Member representation is needed. In particular, this forum would be useful in the present context, following a period of consecutive changes to working arrangements for staff including

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job evaluation, the introduction of shared services and the launch of the service transformation process.

- 3.36 The group is aware that there are members of staff who have chosen not to join a trade union. Members feel that the needs of these employees should be considered alongside the views and experiences of union members. Therefore, the group is suggesting that if a joint consultative body is introduced consideration should be given to methods that could be used by the body to consult with non-union members.

**Recommendation 10: We RECOMMEND that communication should form an integral part of the transformation process to ensure that staff understand the reasons for changes made to services as part of the transformation process and how transformation may impact on them.**

- 3.37 During the course of the review the group considered the potential impact of internal changes, including the introduction of shared services and service transformation, on staff. The group recognised that there was the potential for transformation to have a positive impact on service delivery. However, Members were also aware that change can impact on people in different ways and were keen to understand the extent to which these internal processes might be impacting on sickness absence rates within the organisation.
- 3.38 Members were advised that it was difficult to determine to what extent shared services or transformation had had an impact on sickness absence levels. Staff were unlikely to refer to specific Council processes as the cause of their sickness when reporting absences due to sickness.
- 3.39 However, the group were advised about concerns regarding the impact of transformation on staff. In particular, staff were not always clear about the intended objectives of the process, how transformation would impact on existing services and the potential implications for individual jobs. The uncertainty that has arisen as a consequence was perceived to be impacting on staff anxiety and stress levels within teams going through transformation.
- 3.40 The group believes that this problem could be resolved relatively easily, by ensuring that appropriate internal communications processes are in place. Staff should be informed about the objectives of transformation for the particular service together with the potential implications for their work. This information could be provided during team meetings and staff briefings. Further information should also be provided during the course of transformation as well as at the end of the process. This would ensure that staff understand the purpose of transformation throughout the process and would help to reassure affected staff.

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**Financial Implications**

- 3.41 Financial expenditure would be required to produce A5 guides to the Sickness Absence Policy. The arrangements for charging for reprographic jobs are in the process of changing. For this reason it is currently only possible to provide an estimate of the costs involved in producing a single A5 guide to the Sickness Absence Policy. In this context the group has been advised that it would cost approximately 4.5 pence to produce two A5 guides to the Sickness Absence Policy, if the guides were produced in black and white. The group has been informed that there would be no extra cost involved in laminating the guides.
- 3.42 In the event that recommendation three is approved the group is proposing that a guide should be provided to every employee.

**Legal Implications**

- 3.43 There are no specific legal implications.

**Service / Operational Implications**

- 3.44 This review has been launched following a decision by Officers to refresh an existing Council policy. The group's recommendations are designed to enhance the content of this policy.
- 3.45 All of the group's recommendations have human resources implications as detailed in the body of the report above.
- 3.46 One of the Council's objectives is to be a well managed organisation. The group recognises that staff absences due to sickness are not ideal. However, sickness cannot be eliminated altogether. As a well managed organisation Redditch Borough Council should aim to support staff who are genuinely absent due to sickness as well as to apply the Sickness Absence Policy consistently and fairly to all staff to ensure that leave arrangements are not abused.
- 3.47 During the review the group was urged to consider suggesting that a staff survey be reintroduced at the Council. In previous years a staff survey had been circulated by the Council's policy team for the consideration of all staff. Based on the content of completed questionnaires it was possible to identify trends in work practices as well as issues that might require further investigation. However, the number of completed surveys that had been received had decreased over time and no surveys had been issued for a number of years.
- 3.48 The group debated the value of a staff survey in detail at a series of meetings and a mixture of feedback was provided from the expert witnesses interviewed during the review. Whilst some expert witnesses regarded the staff survey as a useful tool that could be used to identify trends in behaviour and work practices other interviewees questioned the benefits and suggested that a survey could

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raise expectations which it might not be possible to meet. As a consequence of this mixed feedback, Members concluded that it was not possible to determine as part of the review whether to propose the reintroduction of a staff survey.

**Customer / Equalities and Diversity Implications**

- 3.49 There are no specific implications for customers of Redditch Borough Council services. However, the group recognises that staff should not be encouraged to deliver services when ill to ensure that illnesses are not passed on to the Council's customers or to other staff. Equally staff need to be encouraged not to abuse sickness absence arrangements to ensure that minimum disruption occurs to service delivery as a consequence of staff absences.
- 3.50 There are no specific equalities and diversity implications.

**4. RISK MANAGEMENT**

No risks have been identified.

**5. APPENDICES**

Appendix 1 - Sickness Absence Policy Review – Comparison Table

**6. BACKGROUND PAPERS**

Boston Borough Council Sickness Absence Policy and Procedure (2011).  
Bromsgrove District Council, Harassment Policy (2003).  
Oadby and Wigston Borough Council, Sickness Absence Policy and Procedure (2012).  
Redditch Borough Council, Comparison of Council's Absence Policies, (2012).  
Redditch Borough Council, Dignity at Work Policy, (2010).  
Redditch Borough Council, Sickness Absence Performance and Health for Period Ending 31st March 2012.  
Redditch Borough Council, Sickness Absence Policy (2010).  
Redditch Borough Council, Sickness Absence Policy Review – Current and Proposed, (2012).  
Rugby Borough Council Absence Management Policy and Procedure (2007).  
Sickness Absence Policy and Procedure For Employees at Bromsgrove District Council (2007).

**AUTHOR OF REPORT**

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