

# Ludgershall Town Council



## Absence Management Policy

### 1. Introduction

- 1.1. The Council recognises the health and wellbeing of staff is essential to performing roles effectively. If staff are too unwell to carry out their duties, it's important they take time away from work to recover. This document outlines the Council's approach to managing sickness absence, including the processes for both short-term and long-term absences.
- 1.2. This Policy:
  - a Explains how staff should report any absences from work due to sickness.
  - b Sets out how staff will be paid if when off work due to sickness, this should be considered in conjunction with individuals' contracts.
  - c Explains what is regard as an unauthorised absence and how such absences will be handled.
  - d Sets out short-term absence management.
  - e Sets out long-term absence management.
  - f Explains when a medical opinion may be sought, or an occupation health assessment referral made.
  - g Sets out support measures in place, and the return to work (RtW) process.
  - h This policy also provides guidance on managing other, non-sickness, or annual entitlement absence.
- 1.3. This Policy applies to all staff working for Ludgershall Town Council.
- 1.4. Whilst on paid sickness absence, staff must not undertake any other paid employment or voluntary work that could conflict with recovery or medical advice. If you believe an activity may support your recovery, you must seek prior written approval from the Council.<sup>1</sup>
- 1.5. This policy does not form part of the contract of employment. Ludgershall Town Council reserves the right to amend or remove this Policy at any time, and without notice.

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<sup>1</sup> Working elsewhere may undermine the validity of the sickness claim.

## **2. Reporting Sickness Absence**

- 2.1. Where a staff member is unable to attend work due to sickness, they will in the first instance contact their Line Manager, where the Line Manager cannot be contacted they will contact a member of the Staffing Committee.
- 2.2. Absence notification should be made on the first day of absence, and at a time before their scheduled start time for the day, or by 10.00am.
- 2.3. Absence notification should be made via telephone call, text message, or in extremis email.
- 2.4. Staff must not notify of their absence by social media, or messaging such as WhatsApp.
- 2.5. When notified of the sickness absence we may ask you to provide some details about the reason for your absence. The more information provided will enable the Council to better manage and support the absence.
- 2.6. When notifying of the absence the staff member should state, the nature of their illness (unless they do not wish to disclose), the anticipated length of the absence, their contact details and the proposed date of any subsequent contact if applicable (see para 4 for further details), details of any outstanding or urgent work that need to be dealt with during the period of absence.
- 2.7. For the first seven calendar days of absence (including any non-working days, weekends, and bank holidays), the staff member may self-certify their sickness. This means they do not need to provide a fit note from their doctor. Upon return to work the staff member will need to complete a self-certification form.
- 2.8. If the absence continues for longer than seven days, then the staff member will need to obtain a "Statement of Fitness for Work", or 'Fit Note' from their doctor or healthcare professional.

## **3. Fit Note(s)**

- 3.1. The Fit Note should cover the entirety of the sickness absence from day 8, until the date the staff member returns to work. This includes weekends, bank holidays and non-working days.
- 3.2. The Fit Note must be provided to the Line Manager or Staffing Committee either electronically on the day of issue, or by post no later than 5 working days following issue.

- 3.3. A Fit Note includes details of the reason for the absence and allows the doctor or other healthcare professional to stipulate whether the staff member is 'not fit for work' or whether they 'may be fit for work'. If the fit note states 'may be fit for work', then the doctor is able to provide details of any measures Ludgershall Town Council could take to help returning to work. If the fit note provides this information, then we will generally arrange a meeting to discuss whether we are able to put these measures in place (which will depend on the needs of the business and our resources and capabilities). If we are not able to facilitate a return within the limitations captured in a fit note, then the staff member will continue to be treated as if they are not fit for work.
- 3.4. Not providing a Fit Note may lead the Council to consider the absence as unauthorised, and may lead to disciplinary action being taken, see para 7.

#### **4. Keeping in Contact During Sickness Absence**

- 4.1. Regular contact with the Line Manager, or Staffing Committee is expected during any period of sickness absence. This will generally be by telephone or email.
- 4.2. The Council, for our part, will maintain regular contact with the staff member to discuss their wellbeing, the expected length of continued absence from work, and any of outstanding work or tasks that require attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.
- 4.3. This will usually be via telephone calls or emails from the Line Manager, or in their absence the Staffing Committee. We will modify our contact arrangements if necessary to take account of the reason for absence.
- 4.4. All staff members are expected to cooperate with our requests for updates on the absence, and any associated condition(s).

#### **5. Sick Pay Entitlement**

- 5.1. A staff members contract of employment sets out the sickness absence pay entitlements.
- 5.2. Unless the contract of employment sets out any enhanced entitlement, the staff member will usually be entitled to receive Statutory Sick Pay (SSP) for the first 28 weeks of absence. The rate of SSP is set by the Government and changes every year.
  - a To request details of the current rate of SSP please put your request in writing to the Town Clerk.

- 5.3. Staff members not on enhanced sick scales will not receive any payment of SSP during the first three days of any absence. These are known as 'waiting days'. SSP becomes payable after completion of these 'waiting days'.
- 5.4. In order to receive SSP, the staff member must have followed the official procedure on reporting absence.

## **6. Holidays and Sickness**

- 6.1. When a staff member is absent due to sickness they continue to accrue holiday. They can contact their Line Manager to request holiday whilst off sick. In such cases, they will be paid holiday pay rather than sick pay for the days treated as holiday.
- 6.2. If a period of long term sickness absence spans two holiday years, the staff member may be able to carry forward untaken holiday from one year to the next, subject to certain restrictions<sup>2</sup>. Further details can be found in our Holiday Policy at para 8.
- 6.3. If a staff member becomes unwell while on holiday, they may request a conversion of holiday absence into sickness absence. However, they must report their sickness as set out above, and must provide any evidence of sickness which is requested.
  - a If approved, the holiday may be taken at another time.
  - b Where holiday has been paid, this will need to be repaid.

## **7. Unauthorised Absence**

- 7.1. If a staff member fails to turn up for work without good reason, or leaves work during the day without appropriate, or prior approval, the absence will be treated as being unauthorised<sup>3</sup>.
- 7.2. Unauthorised absence includes any sickness absence which is not covered by required supporting evidence (for example, a fit note), or absence where a staff member may be entitled to self-certify, but has failed to contact the Council to advise the sickness absence.
- 7.3. Staff members will not be entitled to pay or any other benefits during any period of absence from work that is unauthorised.

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<sup>2</sup> Restrictions may include requirements to have followed the absence reporting procedure, and a limitation on the number of days to be carried forward (maximum of 4 weeks, and usage within 18 months).

<sup>3</sup> This may include taking unapproved Time of in Lieu, where prior consent has not been granted by the Line Manager, Staffing Committee, or LTC Chair.

- 7.4. The Council reserves the right to deduct pay from a staff member to take account of your unauthorised absence.<sup>4</sup>
- 7.5. Unauthorised absence is a disciplinary matter which will be handled under our Disciplinary Policy, typically considered misconduct for a first offence. However, may be considered gross misconduct if repeated, or when other factors are involved. In such circumstances unauthorised absence assessed as gross misconduct may result in termination of employment, following a fair investigation in accordance with the relevant disciplinary process.

## **8. Short-Term Absence**

- 8.1. Short-term absence can have a real impact on the products and services of Ludgershall Town Council. Effective management of short-term absence to make sure that it does not happen too often is, therefore, important.
- 8.2. Line Managers, or the Staffing Committee will always take the time to discuss absence with the staff member. This will be done at return-to-work meetings following any period of absence, regardless of duration.
- 8.3. We will ask what we can do to help you to maintain good attendance and try and understand the reasons why you may be failing to reach our attendance standards. On occasion, this may involve asking for your permission to obtain information and support from a medical professional (see below).

## **9. Absence Triggers**

- 9.1. To manage short-term absence Ludgershall Town Council will follow a trigger system which monitors short-term absence levels and triggers formal action if patterns begin to emerge, or when levels become unreasonable.
- 9.2. Ludgershall Town Council will follow the 'Bradford Factor' model, which operates as follows<sup>5</sup>.

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<sup>4</sup> Please note that a deductions clause is required in the contract of employment if you wish to make deductions from an employee's wages.

<sup>5</sup> The Bradford Factor tends to be used in larger public sector organisations and may be too complex for some smaller businesses. An alternative approach could be to treat 'occasions' of absence as any period of absence in a rolling 12-month period, regardless of duration, and to have a first trigger (verbal warning) after, say, three occasions of absence, with the warning remaining live for six months. If a further two occasions of absence occur whilst the warning remains live, then you move to the second trigger (written warning) etc. Alternatively, you could set out triggers over shorter periods (for example, if three occasions of absence occur in three/six months, a trigger point could be hit and a warning considered).

- 9.3. The score is created by using the calculation  $S \times S \times D$ , and is based off a rolling 12-month period.
- a 'S' is the number of spells (occurrences) of absence.
  - b 'D' is the total number of days absent over that same period.
- 9.4. The calculation using the Bradford Factor method will provide an absence score. The following action will be taken depending on the score calculated:
- a 51-100 Action Informal Discussion
  - b 101-215 Action Consider Verbal Warning
  - c 216-400 Action Consider First Written Warning
  - d 401-650 Action Consider Final Written Warning
  - e 651+ Action Consider Dismissal
- 9.5. When a trigger point requiring action is reached, the staff member will be invited to a formal meeting to discuss their absence levels. Staff members are entitled to be accompanied at this meeting by a work colleague, a Councillor, or Trade Union representative.
- 9.6. The meeting will provide an opportunity to take an in-depth look at the reasons, impact, and possible solutions in respect of the repeated absence.
- 9.7. Meetings will be approached supportively, with the aim of understanding and addressing any underlying problems which are contributing to high absence levels.
- 9.8. Any warnings issued as part of the Improving Attendance Process, or through this policy, will remain live on a staff members personal file for 12 months.
- 9.9. See the Improving Attendance Process for further details on informal and formal action to take when a trigger point is reached.
- 9.10. Disability-related, pregnancy-related, and statutory leave absences are excluded from Bradford Factor calculations, in line with Equality Act 2010 and ACAS guidance.

## **10. Appeals**

- 10.1. Staff members have the right to appeal any formal action taken under this Absence Management Policy, including warnings or dismissal.
- 10.2. Appeals must be submitted in writing within 10 working days of the decision, stating the grounds for appeal.

- 10.3. Appeals will be heard by an Appeal Manager not previously involved in the original decision.
- 10.4. Staff may be accompanied at appeal meetings by a work colleague, Trade Union representative, or Councillor.
- 10.5. The outcome of the appeal will be communicated in writing and will be final.
- 10.6. Further details on the appeals process can be found in the Improving Attendance Process.

## **11. Disabilities**

- 11.1. Where sickness absence is due to a disability (in accordance with the Equality Act 2010) meetings will still take place, however particular consideration will be given to the disability, and any reasonable adjustments that can be made to support attendance.
- 11.2. A medical report, or Occupational Health report will be required to support affirmation that a condition or illness is considered a disability.
- 11.3. Staff members who feel they are affected by a disability, or any medical condition, which impacts their ability to undertake their work, and deliver their role must inform their Line Manager who will in turn inform the Staffing Committee.
- 11.4. Any information provided will be handled in a confidential manner in accordance with the Data Protection Act 2018 and Ludgershall Town Council policies.

## **12. Seeking a Medical Opinion**

- 12.1. Ludgershall Town Council may, at any time in operating this Policy, may require a staff member to attend a medical examination, such as an Occupational Health Assessment, or with a nominated doctor, or practice, at our expense.
- 12.2. Ludgershall Town Council may ask for your voluntary consent to allow us to have full access to medical reports and to discuss the contents with the relevant medical practitioner. You **do not** have to consent, but if you do not, we will have to make decisions based on existing medical and other available information.

## **13. Long-Term Absence**

- 13.1. Long-term absence is defined as any absence from work which lasts longer than four weeks. Once an absence has been continuing for a period of four weeks or more, we will usually arrange an absence review meeting with you. This is an

informal meeting at which we can discuss the reason for your absence and any help or assistance that we may be able to provide.

- 13.2. We will maintain regular contact with you throughout any period of long-term absence. We will discuss with you the best way to do this, bearing in mind the reason for your absence, and we will be sensitive to your needs.
- 13.3. We may, at any point during your absence, seek to obtain a medical opinion regarding your condition and likely timescale for recovery. This request may be made at our first informal meeting with you, or at any time during your absence from work. Any request will be processed in line with the 'Seeking a medical opinion' paragraph.
- 13.4. We will hold regular absence management meetings with you during your long-term absence to keep up to date with your prognosis, any adjustments which we may be able to make to enable you to return, the impact your absence is having on the business, and any support we can provide. We will discuss the most appropriate way to hold these meetings with you, for example, we could agree to hold them at your home, at an agreed location, or remotely via video conference.
- 13.5. If your absence continues and we believe (whether based on medical evidence obtained or otherwise) that you are unlikely to return to work for some time, then we may proceed to hold a formal absence management meeting with you. You are entitled to be accompanied at this meeting by a work colleague, a Councillor, or Trade Union representative. In the letter inviting you to this meeting, we will warn you that dismissal may result.
- 13.6. At the absence management meeting, we will normally cover the following:
  - a A review of any meetings that have taken place and matters discussed.
  - b Whether there have been any changes since the last meeting, regarding either a possible return to work, or opportunities for return, or redeployment.
  - c Whether there are any reasonable adjustments which could be made to support attendance.
  - d The impact the absence is having on the business.
  - e Any further matters the staff member wishes to discuss, or review.
  - f Whether there is likelihood of returning to work in a reasonable time.
  - g The possible termination of employment<sup>6</sup>.

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<sup>6</sup> Termination will normally be with full notice or payment in lieu of notice, in accordance with contractual obligations.

## **14. Returning to Work Following Absence**

- 14.1. After sickness absence, irrelevant of timeframe, a return-to-work meeting will be conducted by the Line Manager, with the staff member.
- 14.2. Where sickness has been self-certified the staff member will be asked to complete a self-certification form.
- 14.3. A note will be taken of the meeting, which will be signed by the Line Manager and the staff member. This will be retained on the staff member's personal file.
- 14.4. At the return-to-work meeting, discussions will include the reason for the absence, and any support we can provide to improve, or support, future attendance levels.

## **15. Phased Return to Work**

- 15.1. Following a period of sickness absence, particularly long-term absence, a phased return to work may be appropriate to support a staff member's recovery and reintegration.
- 15.2. A phased return may involve reduced hours, adjusted duties, or temporary changes to working arrangements.
- 15.3. The Council will consider recommendations from Fit Notes, Occupational Health, or medical professionals when planning a phased return.
- 15.4. Phased return arrangements will be agreed between the staff member, their Line Manager, and the Staffing Committee, taking into account operational needs and available resources.
- 15.5. The duration and structure of the phased return will be reviewed regularly and adjusted as needed.
- 15.6. Staff members will continue to be paid in accordance with their contract and any applicable sick pay entitlements during the phased return period.

## **16. Mental Health Absence**

- 16.1. Ludgershall Town Council recognises that mental health is as important as physical health, and may affect a staff member's ability to attend or perform at work. Absences due to mental health conditions will be treated with sensitivity and in line with our commitment to wellbeing and equality.

- 16.2. Staff members are encouraged to speak with their Line Manager or a member of the Staffing Committee if they are experiencing mental health difficulties.
- 16.3. Absences related to mental health will be managed under the same principles as physical health absences, including eligibility for self-certification and Fit Notes.
- 16.4. Where appropriate, the Council may seek advice from Occupational Health or a medical professional to understand how best to support the staff member.
- 16.5. Reasonable adjustments will be considered to support attendance and recovery, including changes to duties, hours, or working arrangements.
- 16.6. All discussions and information relating to mental health will be treated confidentially and in accordance with the Data Protection Act 2018.

## **17. Jury Service**

- 17.1. If a staff member is called for Jury Service, they must tell their Line Manager as soon as possible. Whilst on Jury Service staff can expect to receive full pay, minus any allowances paid by the court.

## **18. Other Public Duties**

- 18.1. Ludgershall Town Council will allow reasonable time off to carry out duties in some public roles, including Magistrate and School Governor. The staff member must provide at the earliest opportunity a confirmation of dates and times they need to be absent to fulfil those public duties. Whilst carrying out these duties the Council will not pay for the absence, however, TOIL or annual leave/holiday may be used.
- 18.2. Ludgershall Town Council recognises its legal obligations under the Reserve Forces Act 1996, therefore any staff who are members of the Armed Forces Reserve Forces, who are called for military service (mobilised), will be supported with their absence from the Council.
  - a Those staff members will be permitted to use TOIL, annual leave, or unpaid leave during periods of mobilisation. Where necessary an LTC salary will be suspended during the mobilisation timeframe.
  - b LTC will provide reasonable unpaid leave for training commitments where possible.
  - c The staff member will need to provide to the Council the official mobilisation notification.
  - d Where the mobilization would cause serious harm to LTC the Council and staff member will work together to apply for a deferral or exemption.

## **19. Emergency Time off to Care for Dependants**

- 19.1. Staff members may take reasonable time off work to deal with emergencies involving their dependants<sup>7</sup>.
- 19.2. A dependant is defined as a spouse, civil partner, children (including adopted children) or parents, or any person who reasonably relies on the staff member, such as an elderly neighbour or partner not living together.
- 19.3. The staff member must follow the same procedure as for sickness absence reporting and contact their Line Manager as soon as they know they will be taking time off.
- 19.4. The time taken must be both reasonable, and necessary, to deal with something immediately and/or respond to an emergency. Normally, this means a small number of hours, or a maximum one or two days.
- 19.5. In exceptional circumstances working from home may be used to support emergency care requirements, this will be limited to two days per year, and should only be used in extremis.
- 19.6. This type of leave is not designed to provide care over the longer term.
- 19.7. Leave taken under this paragraph will not be paid.

## **20. Carrying Out Trade Union Duties**

- 20.1. If a staff member is elected as a Trade Union official, they are legally entitled to reasonable time off to fulfil their obligations.
- 20.2. Staff members would be paid at their full basic rate for all related absences during working hours. The Council will not pay for duties carried out outside working hours.

**END**

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<sup>7</sup> This does not cover general home issues, such as wanting time off to deal with a problem with a boiler.

**Administration of the Absence Management Policy**

**A1. Review Date**

This policy will be reviewed every two years, or when there are any legislative changes that affect this policy.

**A2. Version Control**

<b>Version</b>	<b>Approved</b>	<b>Date</b>	<b>Adopted</b>	<b>Date</b>	<b>Comments</b>
V1	Staffing Committee	2 Dec 25	FTC	8 Dec 25	Initial Copy

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