Yorkshire Dales National Park Authority **Item 8**

Finance and Resources Committee

20 May 2025

Sickness Absence Policy

Purpose of the Report

1. To seek approval for proposed updates to the Attendance Management Policy. As part of these revisions, the policy has been renamed Sickness Absence Policy to better reflect its specific focus.

Recommendation

2. That Members approve the revised Sickness Absence Policy, as set out in **Appendix A**.

Strategic Framework

3. The information and recommendation(s) in this report are consistent with the Authority's statutory purposes and its approved strategic planning framework;
    - Corporate Action Plan Objective 31: Ensure that we have HR policies, procedures, terms and conditions to attract and support the right people with the right skills to deliver the work of the Authority effectively.

Background

4. The current Sickness Absence Policy was last reviewed in 2019. Periodic updates are necessary to ensure continued compliance with employment legislation, incorporate best practice, and address evolving organisational priorities. These updates contribute to improved staff wellbeing and operational efficiency.

5. A draft of the revised policy was shared with the Member Champion for Corporate Management, UNISON representatives, and the Senior Management Team to gather feedback and inform refinements.

Summary of key changes

6. The main amendments to the policy include:
    - Separation of procedure and sick pay details for improved clarity;
    - Enhanced guidance on occupational health and reasonable adjustments;
    - A new section covering annual leave and office closures;

- Expanded information on sickness review meetings;
- Introduction of a structured process for managing long-term sickness absences;
- Provision for phased return-to-work arrangements; and
- Clarification regarding ill-health retirement.

Financial Implications

7. The proposed changes are designed to help reduce the costs associated with staff absence.

Legal Implications

8. The revised policy ensures continued alignment with current employment legislation and legal obligations.

Equality, Diversity and Inclusion Implications

9. The revised policy promotes fairness, consistency, and support for staff with health-related needs, helping to foster an inclusive and equitable working environment.

Conclusion

10. The updated Sickness Absence Policy reinforces the Authority's commitment to staff wellbeing and organisational resilience through clear, legally compliant, and supportive absence management practices.

Vikki Thomas
Head of HR

Appendix A

Sickness Absence Policy

1. Introduction

1.1 The Authority is committed to promoting the health and wellbeing of all staff. This policy aims to maximise staff attendance while recognising that there will inevitably be some sickness absence.

1.2 The purpose of this policy is to outline the steps that the Authority will take to monitor and manage sickness absence. It also outlines the support which is available to staff in relation to their health and attendance at work.

2. Scope and status of the policy

2.1 This policy applies to all staff directly employed by the Authority.

2.2 This policy does not form part of any contract of employment and the Authority reserves the right to amend it at any time.

3. Principles

3.1 Through the application of this policy, the Authority aims to:

- Minimise the level of sickness absence through early intervention and support;
- Offer support and assistance to staff through periods of ill health with the aim of securing their return to work or other resolution as appropriate; and
- Ensure a fair, transparent and consistent approach to the management of sickness absence across the Authority.

4. Recording and monitoring sickness absence

4.1 Staff who are unable to attend work due to ill health are required to adhere to the notification and certification procedures detailed in the Sickness Absence Procedure (**Appendix 1)**. Failure to comply with these requirements may impact eligibility to Statutory Sick Pay (SSP) and Authority (Occupational) Sick Pay where appropriate (**Appendix 2)**.

4.2 To promote a positive culture, managers are responsible for recording, reporting and monitoring the attendance of their staff. This includes monitoring absence levels, conducting return-to-work interviews, and taking appropriate action in line with the Sickness Absence Procedure (**Appendix 1**).

4.3 The Authority currently uses a system of trigger points to monitor sickness absence to determine when further action may be necessary. The specific trigger points are detailed within the Sickness Absence Procedure (**Appendix 1**). The Authority will consider the impact of any underlying medical condition or disability when reviewing sickness absence trigger points and will take mitigating circumstances into account where appropriate.

5. Communication during sickness absence

5.1 Managers and staff should maintain contact at agreed intervals during periods of sickness absence. Staff should contact their manager regularly to provide updates, particularly upon receipt of a 'fit note'. Regular communication helps to ensure staff are receiving the appropriate level of support while also allowing managers to arrange cover where necessary.

6. Promoting return to work

6.1 The Authority wishes to promote a caring and supportive approach to sickness absence and aims to facilitate an early and sustained return to work where possible. A phased return to work may be implemented where this will enable a member of staff to gradually build back up to their normal working hours. This approach is typically a short-term measure, with further details available in the Sickness Absence Procedure (**Appendix 1**).

7. Occupational health

7.1 It may be necessary to make a referral to Occupational Health to provide further information to management and to ensure staff receive appropriate support. This is a supportive intervention that may be appropriate for both short-term and long-term sickness absences or where the member of staff is experiencing health concerns that could impact upon their ability to work.

7.2 The Authority reserves the right to make a referral at any time where there are reasonable grounds for doing so. Staff are expected to engage fully with the Occupational Health Service, including attending appointments and granting the Authority access to the resulting report. Failure to comply without good cause may lead to disciplinary action.

7.3 In some cases, the Authority may request information from a staff member's own medical practitioner. Where this is necessary, staff are expected to engage with the process and consent to the full disclosure of relevant medical records. Any applicable charges will be met by the Authority.

7.4 The Authority also provides an Employee Assistance Programme (EAP), which includes a telephone helpline and an online platform. This is a confidential service available to all staff, with further information available from the HR Team.

8. Disability/Reasonable adjustments

8.1 The Authority acknowledges that sickness absence may result from a disability. Under the Equality Act 2010, a disability is defined as a physical or mental impairment that has a 'substantial' and 'long-term' adverse impact on an individual's ability to carry out normal daily activities.

8.2 While there is no requirement for staff to disclose a disability or health condition, staff are encouraged to inform their manager, particularly if they believe it may affect their ability to undertake work or pose a health and safety risk. The

Authority treats all disclosures confidentially and ensures appropriate support is provided.

8.3 Where a member of staff chooses to disclose a disability, managers should consider and discuss necessary support, adaptations and reasonable adjustments to the workplace, role, or other working arrangements that will provide support at work and/or assist a return to work. Support for managers is available from the HR Team.

9. Annual leave

9.1 Staff will continue to accrue annual leave during periods of sickness absence. Any staff on long-term sickness absence may be expected to use accrued annual leave as part of any agreed phased return adjustment recommended by their doctor and/or Occupational Health.

9.2 If a member of staff becomes ill while on annual leave, they should follow the normal reporting and certification requirements. If a medically certified absence prevents them from carrying out their holiday plans, they may be allowed to take the annual leave at another time. However, if the sickness absence occurs when the Authority would normally be closed, (e.g. on a bank/public holiday or during the period between Christmas and New Year), the leave entitlement will not be re-credited.

Appendix 1

Sickness Absence Procedure

1. Notification and certification

1.1 On the first day of absence, staff must notify their manager by telephone as soon as possible. Alternative communication methods may be used only if pre-approved by the manager. The notification should include details of the illness, the expected duration of absence, and any urgent work that needs covering.

1.2 If a member of staff leaves work early due to illness, the lost time will be recorded as sickness absence. They should inform their manager before leaving.

1.3 Staff should make every effort to speak directly to their manager. If the manager is unavailable, they should contact another manager and provide their contact details. Email or text message notifications are not acceptable. Staff should report their own absence unless exceptional circumstances (e.g. hospitalisation) make this impossible.

1.4 During the first week of absence, unless agreed otherwise, staff should regularly update their manager by telephone. This ensures ongoing communication about their condition, any improvements, and their expected return to work date.

1.5 For absences of seven calendar days or less, staff must complete a self-certification form and submit it to their manager upon their return-to-work.

1.6 If the absence extends beyond seven calendar days, a fit note from a medical professional is required. Staff should submit this within 24-hours of receipt to their manager, who will upload it to Civica.

1.7 If the fit note states the member of staff 'may be fit to work', they must discuss possible adjustments with their manager. Staff can return to work at the end of the fit note period or earlier if agreed, after consultation with the HR Team.

1.8 Managers will maintain regular contact with absent staff to receive updates on their health, discuss return-to-work plans, and provide any relevant workplace updates.

1.9 Failure to follow these notification requirements without valid reason may result in the absence being classed as unauthorised, which could affect sick pay eligibility. The Authority reserves the right to take disciplinary action if necessary.

2 Return to work discussion

2.1 Upon returning from sick leave, staff should have a return-to-work discussion with their manager, ideally on their first day back. The discussion allows the manager to:

- welcome the member of staff back;
- provide workplace updates;
- discuss the absence and confirm expectations for attendance; and
- identify any support needed, including reasonable adjustments.

2.2 Following the discussion, the manager should complete the return-to-work section of the self-certification and return to work form and upload this to Civica.

3 Managing absence

3.1 The Authority recognises that staff may need time off due to illness or injury. However, frequent or prolonged absences can impact colleagues, teams and overall operations. Therefore, all absences are monitored.

3.2 Informal and formal absence review meetings are not intended to question the validity of an absence or commitment to work but to ensure appropriate support and reasonable adjustments where necessary.

4 Managing short-term sickness absence

Monitoring and trigger levels

4.1 Managers are responsible for proactively monitoring and managing sickness absence with support from the HR team.

4.2 The Authority has established trigger levels to ensure a consistent approach in identifying potentially excessive absences. When any of the following thresholds are met, the manager must arrange an absence review meeting with the member of staff:

a) Four or more occasions[1] of absence within a rolling six-month period;
b) Five or more occasions[1] of absence within a rolling twelve-month period;
c) Ten or more days of absence within a rolling twelve-month period; or
d) Any pattern of absence that raises concern (e.g. frequent absences on Mondays or Fridays).

Informal procedure (short-term absence)

4.3 When a member of staff's absence reaches the defined triggers, the manager will invite them to an informal absence review meeting to discuss their absence levels, underlying factors and potential support. The manager will explain why the member of staff has met the Authority's absence triggers.

4.4 This meeting is intended as a supportive discussion to:

- Determine if there is a connection between absences.
- Identify any concerns related to workload.
- Inform the member of staff about available support (e.g. Employee Assistance Programme (EAP), Occupational Health).

[1] An occasion is a single period of absence, i.e. half a day or 5 consecutive days

4.5 A record of the meeting should be taken, noting the date, time, key discussion points, agreed actions, any required follow-ups, and any necessary support. The record should be shared with the HR team.

4.6 After this discussion the manager may decide to:

- Continue informal monitoring, setting an agreed review period for improvement to prevent escalation to the formal stage; or
- Escalate the case to the formal procedure if no improvement is expected or if concerns persist.

Formal procedure (short-term absence)

4.7 If the member of staff's absence does not improve following the informal review, the formal procedure will apply in the following circumstances:

- The member of staff is absent for 5 or more days or has two or more instances of absence within six months after the informal review.
- The member of staff's overall level of absence remains unacceptable, despite previous discussions and support.

4.8 The same criteria outlined in section 4.7 will also apply when progressing:

- From Stage 1 to Stage 2; and
- From stage 2 to Stage 3.

4.9 During the formal process:

- the manager will invite the member of staff to a formal absence review meeting in writing.
- The member of staff has the right to be accompanied by a trade union representative or a work colleague.
- The manager may be accompanied by a member of the HR team for procedural guidance.

4.10 **Stage 1: Formal Review**

During the meeting, the manager will:

- Review the member of staff's absence record, including reasons for each period of absence.
- Allow the member of staff to provide any relevant information.
- Consider any impact of underlying medical conditions or disabilities.

4.11 After the discussion, and in consultation with the Section Head[1], the manager may decide:

- To formally monitor the member of staff's absence, issuing a Stage 1 written notification with clear improvement targets.
- To refer the member of staff to Occupational Health, if appropriate.
- To consider further support or monitoring as appropriate.

4.12 The Stage 1 monitoring period typically lasts up to six months. If the absence is related to pregnancy or disability, formal monitoring targets may not be appropriate.

[1] If the manager is a Section Head they should consult the Director

4.13 If no satisfactory improvement is observed, the manager (after consulting with the Section Head[1]) may escalate the case to Stage 2 of the formal procedure. This may occur before the end of the monitoring period if necessary.

4.14 If improvement is satisfactory, the manager may end or extend the monitoring period, depending on the circumstances of the case.

4.15 **Stage 2 Formal review (short-term absence)**

The Stage 2 formal review follows a similar structure as Stage 1, with the manager:

- Reviewing the absence record;
- Considering the impact of any medical conditions.
- Discuss available support options, including an Occupational Health referral if required.

4.16 Following the discussion, and in consultation with the Section Head[1], the manager may:

- Issue a Stage 2 written notification, setting improvement targets for a further six-month formal monitoring period.
- Clarify that failure to improve may lead to Stage 3 of the process, potentially resulting in dismissal on capability grounds.
- Consider further support or monitoring as appropriate.

4.17 If no improvement occurs, the case may be escalated to Stage 3. The decision may be made before the monitoring period ends if necessary.

4.18 If improvement is satisfactory, the manager may decide to end or extend the Stage 2 monitoring period depending on the circumstances of the case.

4.19 **Stage 3 Final formal review (short-term absence)**

The Section Head[2] will meet with the member of staff to:

- Review the absence record.
- Assess potential underlying medical condition.
- Seek Occupational Health input (if not already obtained).

4.20 The member of staff will have an opportunity to respond to the Occupational Health findings and present any additional relevant information.

4.21 After the meeting, the Section Head[1] will determine whether:

- The member of staff's continued employment should be considered for termination on capability grounds; or
- Further support or monitoring is appropriate.

[1] If the manager is a Section Head this will be the Director
[2] If the manager is a Section Head the Director should meet with the member of staff

4.22 If consideration for termination is recommended, a formal report will be prepared, detailing:

- Absence records.
- Previous review meetings.
- Support provided.

A copy will be provided to the member of staff.

4.23 **Capability meeting (short-term absence)**

If termination is a consideration, the member of staff will be invited to a Capability Meeting, chaired by the relevant Director[1].

4.24 The meeting allows the member of staff to:

- Present their case.
- Submit any relevant evidence.

4.25 The possible outcomes of the Capability Meeting include:

- Termination of employment on capability grounds, usually with notice; or
- Continuation of employment with adjustment or support.

4.26 The outcome will be confirmed in writing within five working days of the meeting.

4.27 **Right of appeal (short-term absence)**

Staff have the right to appeal against written notifications issued under Stages 1, 2 and 3 of this procedure.

4.28 Staff should submit an appeal in writing to the Head of HR within five working days of receiving an outcome notification. The appeal must state the grounds for appeal, including if the decision was flawed or unfair.

4.29 An appeal hearing will be arranged within ten working days, and the member of staff will be notified in writing. They have the right to be accompanied by a trade union representative or work colleague.

4.30 An appeal will be heard by a more senior manager than the manager who made the decision and issued the outcome notification. For an appeal against termination of employment this will be heard be a member of the Senior Management Team who was not previously been involved in the case.

4.31 The appeal outcome will be confirmed in writing within five working days.

4.32 If the result of the appeal is that a decision to terminate employment is overturned, the member of staff will be reinstated with immediate effect. They will be reimbursed in full for any pay lost since their dismissal.

[1] If the Director met with the member of staff at the Stage 3 meeting, an alternative member of SMT should chair the capability meeting

4.33 This is the final stage of the appeal process. There is no further right to appeal and the procedure is considered exhausted at this point

5 Managing long-term sickness absence

5.1 Definition and communication

The Authority considers any single absence lasting four or more weeks as long-term sickness absence. During this period, it is essential for both managers and staff to maintain reasonable contact to share updates and provide appropriate support. Staff are expected to communicate with their manager regularly, and the manager will arrange absence review meetings as necessary.

5.2 Absence review meetings

Absence review meetings should typically take place every four weeks at a location suitable for both parties.

5.3 The purpose of these meetings is to

- Discuss the member of staff's progress and current condition;
- Assess the likelihood and timescales for a return to work;
- Explore support mechanisms to facilitate a return to work; and
- Provide workplace updates to ensure the member of staff remains informed.

5.4 A record of the absence review meetings should be taken, noting the date, time, key discussion points, agreed actions, any required follow-ups, and any necessary support. The record should be shared with the HR team.

5.5 Occupational health referral

If an absence exceeds four weeks, a referral to Occupational Health will typically be made to:

- Obtain medical advice and prognosis;
- Identify reasonable adjustments that may support a return to work (in line with the Equality Act);
- Provide the Authority with informed options regarding the member of staff's role and ability to return.

5.6 If a return to work is not feasible, the manager will discuss alternative employment options or, where necessary, the possibility of dismissal on capability grounds, with the HR Team, and the relevant Section Head or Director.

5.7 Phased return to work

After a long-term sickness absence, a phased return to work may be considered, typically based on Occupational Health recommendations, allowing the member of staff to return before they are fully recovered.

5.8 Under a phased return:

- Staff should work at least 50% of their usual hours in Week 1; and
- Hours should gradually increase each week over the phased return period.

5.9 To mitigate financial impact, the Authority considers four weeks a reasonable timeframe for staff to build up their hours. Adjustment may be made to ensure pay and flexi balance are not negatively affected during this period.

5.10 If a member of staff cannot return to full hours after four weeks, any unworked hours from Week 5 onward will be recorded as sick leave (with sick pay entitlements applied). Staff may use annual leave to supplement hours and prevent a reduction in pay

5.11 If a phased return is expected to last beyond six weeks, an additional Occupational Health referral will be required.

5.12 **Alternative employment**

5.13 If a member of staff is unable to return to their current role due to disability or medical condition, and all reasonable adjustments have been exhausted, alternative employment may be considered.

5.14 The manager, in consultation with their Section Head[1] and HR Team, will:

- Discuss potential redeployment with the member of staff;
- Identify suitable alternative roles based on the member of staff's skills, experience and development needs.

5.15 If the member of staff accepts alternative employment, the terms and conditions of the new role will apply.

5.16 **Ill health retirement**

If a member of staff is a member of the Local Government Pension Scheme (LGPS), they may be eligible for ill health retirement. However, the Authority cannot guarantee approval, as eligibility depends on:

- The specific rules of the LGPS, which may change over time; and
- The member of staff's individual circumstances and medical assessment.

5.17 Staff interested in exploring this option should discuss it with their manager and seek further guidance from the HR team.

5.18 **Dismissal on the grounds of capability (long-term absence)**

Dismissal may be considered when:

[1] If the manager is a Section Head they should consult their Director

- Occupational Health has confirmed that the member of staff is unlikely to return to work within a reasonable period of time;
- No reasonable adjustments can be made to facilitate a return;
- Redeployment is not a viable option; or
- The member of staff does not wish to, or is unable to, take early or ill health retirement.

If these conditions apply, the formal capability procedure will be initiated.

5.19 **Stage 1 formal procedure (long-term absence)**

The Section Head[1], will issue a written invitation to the member of staff for a Stage 1 Formal Meeting to discuss their ongoing employment. The member of staff has the right to be accompanied by a trade union representative or a work colleague. The Section Head[1] will chair the meeting and may be accompanied by a member of the HR team to ensure adherence to policy and procedure.

5.20 The invitation letter will specify that the meeting will involve consideration of potential dismissal on the grounds of capability.

5.21 At the Stage 1 meeting:

- The chair of the meeting, manager and member of staff will review the absence record;
- The most recent Occupational Health report will be discussed.
- The member of staff will be invited to provide comments, updates on their condition, and any additional relevant information.

5.22 Following this discussion, the chair of the meeting, may:

- Proceed to Stage 2, recommending consideration of dismissal on capability grounds; or
- Extend the review period (typically not exceeding two months) to allow for further assessment

5.23 If the absence is further reviewed, a follow-up Stage 1 meeting will be scheduled at the end of the review period. A new Occupational Health report may be obtained if necessary. The decision will be communicated to the member of staff in writing within five working days, including any support the Authority can offer.

5.24 **Stage 2 formal procedures (long-term absence)**

The manager and Section Head[1] will prepare a comprehensive report covering:

- The member of staff's absence history;
- Record of review meetings and discussions;
- Medical evidence, including the latest Occupational Health report; and

[1] If the member of staff is a Section Head this will be the relevant Director and if the member of staff is a Director this will be another member of SMT

- Any reasonable adjustments or alternative options explored.

5.25 The member of staff will be formally invited to a Stage 2 Meeting, chaired by the relevant Director[2].
- The member of staff will receive five working days' written notice.
- The invitation will outline their right to be accompanied by a trade union representative or work colleague.
- The letter will state that dismissal on the grounds of capability is a possible outcome.

5.26 The Section Head[1] will present the formal report, with support from a member of the HR team to advise on policy and procedure.

5.27 The member of staff will have an opportunity to:
- Make representations; and
- Submit any supporting evidence for consideration.

5.28 Following the meeting, the decision will normally be communicated in writing within five working days. If dismissal on capability grounds is confirmed, the letter will outline the reasons and the next steps.

5.29 **Right of appeal (long-term absence)**

A member of staff who wishes to appeal against dismissal under this procedure must submit a written appeal to the Head of HR within five working days of receiving the outcome letter. The appeal must clearly state the grounds for the appeal.

5.30 The appeal will be scheduled as soon as reasonably practicable, normally within 10 working days of receipt of the appeal. The member of staff will receive written notification of the arrangements and has the right to be accompanied by a trade union representative or work colleague.

5.31 The appeal will be heard by a Senior Management Team member ('the appeal manager') who has not been previously involved in the case. The appeal manager will review the case and decide whether to uphold or reject the appeal. The outcome will be communicated in writing within five working days.

5.32 This is the final stage of the appeal process. There is no further right to appeal and the procedure is considered exhausted at this point.

[2] If the relevant Director chaired the meeting at the Stage 1 meeting, an alternative member of SMT should chair the capability meeting

[1] If the member of staff is a Section Head this will be the relevant Director and if the member of staff is a Director this will be another member of SMT

Appendix 2 – Occupational Sick Pay

All Authority staff	
During 1st year of service	1 month's full pay and (after completing 4 months service) 2 months half pay
During 2nd year of service	2 months full pay and 2 months half pay
During 3rd year of service	4 months full pay and 4 months half pay
During 4th and 5th years of service	5 months full pay and 5 months half pay
After 5 years of service	6 months full pay and 6 months half pay

Calculation of sick pay

The Authority calculates sick pay entitlement on a rolling 12-month basis. This means that all sickness absence within the 12 months preceding the start of a new absence will be considered when determining sick pay entitlement.

Conditions for Sick Pay Eligibility

Sick pay is conditional upon the member of staff's full compliance with this Sickness Absence Policy and Procedure, including but not limited to:

- Adhering to absence notification requirements.
- Providing required medical evidence (e.g., fit notes).
- Engaging in sickness absence review meetings as required.

Authority's Right to Withhold Sick Pay

The Authority reserves the right to withhold sick pay in the following circumstances:

- Non-compliance with this policy and procedure.
- Failure to follow absence reporting and notification procedures.
- Where there is reasonable evidence that the absence is not due to genuine illness.

Exclusion from Sick Pay Entitlement

A member of staff who is absent due to an accident will not be entitled to sick pay if they are eligible to receive damages from a third party in connection with the accident.

Advance Payment by the Authority

In certain cases, the Authority may, at its discretion, provide an advance payment up to the equivalent of the staff member's sick pay entitlement under this scheme. This is subject to the staff member:

- Agreeing to refund the total amount advanced, or a proportionate amount, from any damages received.
- Providing appropriate confirmation of any compensation claims or settlements.