TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

2 July 2012

Report of the Central Services Director

Part 1- Public

Delegated

1   UPDATES TO THE SICKNESS ABSENCE POLICY

The existing Sickness Absence Policy is presented in Annex 1 to this report. As part of programmed Equality Impact Assessments some qualitative research was undertaken to ascertain the views of those who have, or who could potentially be involved in the application of this policy. This report recommends some amendments that reflect the suggestions made by these individuals and presents the recommended amendments in a draft updated policy in Annex 2 to this report.

1.1   Amendments

1.1.1   The consultation process identified 7 topics to add to the policy. The list below summarises how these have been incorporated in the draft revised policy in Annex 2 :

>reference to how ill health issues could be tackled with regards to staff employed in shared service/partnership arrangements etc is addressed in Section C

> information is provided about the processes for sickness notification and the Fit Note regime in Section D

>guidance is given concerning the nature of the information that is sought from the Council's Occupational Health Adviser and what happens once this information has been received by the Council in Section E

>in Section F the policy states a commitment to maintaining confidentiality about information pertaining to an individual's health

>the Council's position regarding "elective" procedures such as laser eye treatment and cosmetic surgery is clarified in section G

>Section H specifies the 4 potential approaches to managing cases where the Occupational Health Adviser has indicated that there is no likelihood of a return to work in ill health cases

>guidance on the appeal process in cases of dismissal on ill health grounds is summarised in point ix) in Section I.

1.1.2   The amendments to the policy that are presented in Annex 2 have been endorsed by both the Management Team and the JECC.

1.2   Legal Implications

1.2.1   The draft updated policy in Annex 2 is compliant with the Equality Act 2010, the Data Protection Act 1998, the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 and the Access to Medical Reports Act 1990.

1.3   Financial and Value for Money Considerations

1.3.1   By including the additional information specified in 1:1 in the updated policy it is likely that users of this policy will in future have much of the facts that they require to implement the relevant procedures in a more timely, efficient, and therefore potentially cost effective manner.

1.4   Risk Assessment

1.4.1   In compliance with its action plan for implementing the Equality Act 2010, the Council has committed to undertaking an Equality Impact Assessment for the Sickness Absence Policy this financial year and to implement any actions that have been identified. The draft policy in Annex 2 delivers this commitment.

1.5   Equality Impact Assessment

1.5.1   See 'Screening for equality impacts' table at end of report and Annex 3 for the full Equality Impact Assessment.

1.6   Recommendations

1.6.1   I recommend that the Council adopts the updated Sickness Absence Policy in Annex 2 to this report.

Background papers: contact: Delia Gordon

Nil

Julie Beilby
Central Services Director

Screening for equality impacts:		
Question	**Answer**	**Explanation of impacts**
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	Yes	See the full Equality Impact Assessment in Annex 2.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.