



## Lewes District Council

### To all Members of the Employment Committee

A meeting of the **Employment Committee** will be held in the **Telscombe Room, Southover House, Southover Road, Lewes** on **Monday, 05 March 2018 at 10:00** which you are requested to attend.

Please note the venue for this meeting which is wheelchair accessible and has an induction loop to help people who are hearing impaired.

This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

21/02/2018

Catherine Knight  
Assistant Director of Legal and Democratic Services

### Agenda

- 1 Minutes**  
To approve the Minutes of the Meeting held on 18 December 2017 (copy previously circulated).
- 2 Apologies for Absence/Declaration of Substitute Members**
- 3 Declarations of Interest**  
Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.
- 4 Urgent Items**  
Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972.
- 5 Written Questions**  
To deal with written questions from councillors pursuant to Council Procedure Rule 12.3 (page D8 of the Constitution).

- 6 Update on the Joint Transformation Programme**  
To receive a verbal update by the Assistant Director of Human Resources and Transformation.
- 7 Attendance Management Policy Review (page 3)**  
To receive the Report of the Head of Human Resources (report attached herewith)
- 8 Sickness Report (page 25)**  
To receive the Report of the Head of Human Resources (report attached herewith)
- 9 Accidents to Lewes District Council staff from April 2017 to February 2018 (page 33)**  
To consider the Report of the Health and Safety Officer (report attached herewith)
- 10 Exclusion of the Public and Press**  
To consider, under Section 100(A) of the Local Government Act 1972 (as amended), excluding the public and press from the meeting during the discussion of Items 11 and 12 on this Agenda as there are likely to be disclosures of exempt information as defined in paragraphs 1, 2 and 4 of Part 1 of Schedule 12A of the Act
- 11 Consideration of Matters Raised by the Employees' Side**  
To consider any matters raised by the Employees' Side in respect of the items on this Agenda.
- 12 Consideration of Health and Safety Matters Raised by the Employees' Side**  
To consider any matters raised by the Employees' Side in respect of Health and Safety.
- 13 Date of Next Meeting**  
To note that the next meeting of the Employment Committee is scheduled to be held on Monday, 18 June 2018 in the Telscombe Room, Southover House, Southover Road, Lewes commencing at 10.00am.

For further information about items appearing on this Agenda, please contact Zoe Downton at Southover House, Southover Road, Lewes, East Sussex BN7 1AB. Telephone 01273 471600

**Distribution:**

Councillors: E Merry (Chair), M Chartier, P Franklin, S Gauntlett and R Robertson

Employees' Side: Mr M Busby, Mr R Haigh and Mr G Purdye

**Agenda Item No:** 7  
**Report Title:** Attendance Management Policy Review  
**Report To:** Employment Committee      **Date:** 5 March 2018  
**Ward(s) Affected:** All  
**Report By:** Helen Knight, Head of HR  
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#### **Purpose of Report:**

- 1 To update the Employment Committee regarding the review of the Attendance Management Policy.

#### **Officers Recommendation(s):**

- 2 To note that a full review of the attendance management policy has been undertaken in collaboration with a wide variety of stakeholders and amendments made as a direct result.

#### **Reasons for Recommendations**

- 3 Lewes District and Eastbourne Borough Councils have jointly committed to bringing policies and procedures together as part of the Joint Transformation Programme (JTP) which is an important step towards aligning our people and business practices.
  - 3.1 The Attendance Management Policy was the first of the HR policies to be aligned in September 2016 and at that time Unison requested that a review be conducted once the policy was in operation.
  - 3.2 The policy has now been in use for 17 months and HR has collated feedback amongst the team, from managers using the policy and from Unison.

#### **Information**

- 4 Until September 2016 there were slightly differing arrangements in place across LDC, EBC and those staff formerly employed by Eastbourne Homes Limited (EHL) that were TUPE transferred to EBC on 1 August 2017. For example, each organisation was using slightly different triggers for each stage of the policy and slightly different definitions for short term absence and long term absence.

4.1 A wide range of users were consulted including HR Business Partners, Service Managers, Team Leaders, Heads of Service and Unison. The feedback included those who thought the policy was very clear and easy to follow and some that thought specific areas were not as clear as they could be. Unison submitted a written submission and have had a full written response.

4.2 The main points from the review are:

- The wording has been clarified or simplified where users have found it confusing. For example, one of the triggers was previously expressed as “2 continuous weeks” and this has been changed to “10 working days (based on full time hours)”.
- Unison felt the triggers were ‘too strict’. The triggers are part of the overall management process; they also offer opportunity for support to be put in place and reasonable adjustments considered. The 3 absences in 12 months trigger is widely regarded as best practice. Much advice and best practice also recommends the 2<sup>nd</sup> trigger should be after 8 days or more of absence, we agreed to make our policy 10 days or more for this trigger following lengthy discussion with Unison prior to the policy being finalised.
- Five further training sessions have been facilitated by HR (in addition to the ten run during 2016) for those who did not attend the original sessions or have only recently been promoted to a managerial role.
- HR Business Partners have monthly meetings with their managers within the organisation and attendance management is a standing item on the agenda for these meetings
- Managers have been reminded that this policy should be implemented consistently through the councils and that the policy already references adjustments for those staff that have a protected characteristic under equalities legislation.
- The introduction of the joint intranet across the council has assisted with simplifying the paperwork required as part of this policy.

### **Financial Appraisal**

5 There are no financial implications related to the implementation of this revised policy, although clearly there are financial implications associated with the level of sickness experienced within the councils.

### **Legal Implications**

6 The Legal Services Department were consulted regarding the policy at that time that it was implemented.

### **Sustainability implications**

7 I have not completed the Sustainability Implications Questionnaire as this Report is exempt from the requirement because it is a progress report/budget monitoring report/development control report

### **Equality Screening**

- 8 An Equality and Fairness Analysis was completed for this policy when it was implemented.

**Appendix**

- 9 Eastbourne Borough and Lewes District Attendance Management Policy.



## **Attendance Management Policy**

### **1 Introduction:**

1.1 Our main objective is to maintain appropriate standards of attendance at work through the fair and effective management of absence due to illness. Our employees are our most valuable resource and the aim of the attendance management policy is to support the highest possible attendance levels to enable us to provide excellent service delivery to our customers. It is also important to manage absence levels because of the impact absence can have on colleagues at work. This policy underpins the Councils' commitment to reduce levels of sickness absence wherever possible.

1.2 The procedures within the policy:

- Provide a framework within which Eastbourne Borough Council and Lewes District Council ('the Councils') can achieve high levels of attendance
- Help to ensure the Councils meet our statutory obligations, promote the health and welfare of our staff and provide appropriate support to employees suffering the effects of ill health
- Provide a fair and consistent procedure for dealing with sickness absence and resolving situations that may arise
- Set out how pay and other benefits will be affected by sickness absence

### **2 Support, advice and guidance:**

2.1 All employees have access to the occupational health service through management referral; employees can refer themselves to the Employee Assistance Programme which includes the counselling offer. Staff are encouraged to share work related health concerns either with their manager or HR Business Partner to enable appropriate support to be provided.

2.2 In order to support this policy, the following services are available to managers and employees:

- Occupational Health services: to provide advice and guidance on the impact of ill health on work and what steps the Council and/or the employee may take;
- Employee Assistance Programme: a confidential service to employees providing support, information, advice and counselling;

- Human Resources: to provide support and guidance to managers in dealing with attendance and ill health and in the use of the Council's related policies and procedures;
- Specialist Advisor for Health and Safety/Health and Safety Officer: to provide advice on risk assessment and related policies and procedures

### **3 Equality and Diversity:**

3.1 The Councils are committed to good practice in equality and diversity, and to meeting our statutory equality responsibilities, both as an employer and in the provision of services. In respect of absence management, this means ensuring that staff with a protected characteristic which is covered by the Equality Act are not discriminated against or treated either more or less favourably.

### **4 Disability**

4.1 Regard will be given to the disability provisions of the Equality Act, which require employers to provide reasonable assistance, resources and support to employees with a long-term physical or mental impairment. If the manager does not know if the employee's condition would constitute a disability, then he or she would work on the basis that it is and make all such reasonable adjustments to enable the employee to return to work.

4.2 Under the Equality Act 2010, employees must not be unlawfully discriminated against in relation to their disability. Managers must consider and implement reasonable adjustments where practicable and at the same time manage disability related absence like any other absence – fairly, transparently and with reference to the Council Policy.

4.3 If at any stage the Council's Medical Advisor confirms that the employee has a disability that affects their ability to undertake normal day-to day activities then the Council will seek to gain medical or specialist advice on the reasonable adjustments that could be implemented that would assist the employee's ability to undertake their post.

4.4 Reasonable adjustments that may be considered include for example:

- Changes to workload, work practices or work pattern either as part of phasing the employee back to work or on a more permanent basis
- Reduced hours
- Phased return to work
- A period of home working if appropriate
- Redeployment to another role or service area

- An adjustment to the levels of absence at which the stages of this procedure are applied

4.5 Where a staff member requires reasonable adjustments to attend and participate in meetings regarding attendance, they may be accompanied by an appropriate person to provide support, in addition to their right to be accompanied by a colleague or trade union official. The manager responsible will ensure all reasonable adjustments and special arrangements are made. This includes ensuring information is in an accessible format, that meeting venues are accessible to all parties and that any reasonable adjustments are made to enable fair and complete participation by all parties. Staff members are invited to advise their line manager and subsequent managers of their needs and requirements to ensure they are fulfilled throughout the process wherever possible.

4.6 The decision about whether an adjustment is reasonable is a managerial one, not a medical one. The manager will need to strike a balance between what they can reasonably do to support an employee (including those with disabilities) and the requirement to maintain an operationally effective service.

## **5 Maternity related sickness Absence**

5.1 Staff must not be discriminated against as a result of maternity related sickness absence. Maternity related sickness absence during protected periods must not be taken into account as grounds for subsequent dismissal. The protected period is from notification of inception of pregnancy to the end of the woman's maternity leave. There is also legal protection from detriment or dismissal in connection with pregnancy. Managers should always seek advice from HR and occupational health where appropriate.

## **6 Roles and Responsibilities of the Council, Employees and Managers:**

6.1 The Councils:

- Will provide a safe and healthy working environment and a supportive and consistent approach to managing sickness in a lawful, fair, compassionate and non-discriminatory way in accordance with the Equality Act 2010.
- When there is absence we will aim to secure the earliest possible return to work of individuals fit for duty. In cases where this is not possible we aim to gain a full understanding of the nature and extent of the illness/condition and provide appropriate support. Our Occupational Health Service provides advice and guidance on the impact of ill health on work and what steps the Councils and/or the employee may take. The Councils reserve the right to refer an individual for medical examination by a qualified advisor at any time.

- Like all employers, the Councils have limited resources and an obligation to consider the effects of the absence on the organisation. The organisation cannot undertake to support indefinitely those who need prolonged periods of time off. Frequent or long term absence may, following the application of this policy and procedure, lead to dismissal.

## 6.2 Employees:

Individual staff members have personal responsibility to take all reasonable measures to ensure their fitness for work. All known health conditions should be declared to Occupational Health during the pre-employment health process and to Managers and/or HR during the course of an individual's employment with the Council. This information will be treated in the strictest confidence and will be used for no other purpose than to ensure that the member of staff is appropriately supported at work depending on their individual circumstances. Whilst we understand that, in certain circumstances, an employee may feel unwilling to tell their manager or anyone else in the organisation the nature of their illness this may limit the level of support that the organisation can offer, if they have no information upon which to act.

If absences are work related, e.g. as result of an accident at work or due to a situation that has arisen at work, employees have a responsibility to be proactive in raising concerns as part of the normal staff/manager relationship. If individuals have a medical condition which may affect their work (which may or may not be apparent or known to others) they should discuss any reasonable adjustments needed with their line manager.

As a Council employee you agree to:

- Come to work and maintain a high level of attendance
- Follow all Health and Safety rules and guidance
- Comply with the procedure for reporting absence
- Provide information on the reason for absence when asked
- Provide information on any long term health conditions that may be relevant to your employment either when employed or that arise during the course of your employment
- Provide any documents in a timely manner when asked, such as a fit note from your Doctor
- Use your best efforts to ensure a speedy return to work e.g. follow doctors' advice, take medication as required/prescribed etc.
- Not undertake any other paid or unpaid employment while off sick that could have a detrimental affect on your ability to carry out the job for which the Council employs you unless the Council has agreed following advice from its Medical Advisor

- Attend all meetings regarding absences or appointments with the Council's Medical Advisor when required. If staff decline to attend an appointment with an Occupational Health Advisor it may be necessary to make a decision which could affect their employment on the basis of the information available and without the benefit of a professional report.

### 6.3 Managers:

Are responsible for:

- Monitoring and managing absences within their team, using the Attendance Management Policy and treating information concerning employee's health in confidence.
- Ensuring that all new staff are informed of and read the Attendance Management Policy during their Induction/Probationary Period
- Promoting high levels of attendance in their teams. They also have a duty of care and a responsibility for good working practices, work behaviours and ensuring that Health and Safety rules and guidance are followed.
- Where appropriate and with advice from HR, maintaining regular contact with staff who are absent from work and to work constructively with staff who need to improve their attendance. They are also responsible for providing fair and consistent management support to those staff who are unwell.
- Reacting appropriately to signs of distress in your staff and finding an appropriate time and place to talk to them sensitively and in complete confidence about any problems they may be having either inside or outside of work. As a manager you may notice changes in any member of your team's behaviour, such as a drop in performance, unusual tiredness, behaviour that is out of character and/or increased sickness absence.
- Advising staff when their absence is causing concerns and managing employee attendance problems.
- Maintaining sickness absence records, treating these confidentially and storing securely (if they are held electronically they should be password protected).
- Seeking guidance and support from their HR Business Partner at an early stage
- Engaging early and often with employees who have health conditions as they will often be able to propose and consider solutions that are operationally acceptable and effective. Such action might prevent capability/absence issues arising in the first place.

## **7 The procedure to follow**

- 7.1 The managers within the Council treat absence as a priority and should a member of their team telephone them to report they are unwell it will be taken seriously, they will discuss with them the reason for their absence and whether there are any commitments for that day which need to be reallocated. The reason for this discussion is that we value our employees, we want them to know that their work is important and that line managers are concerned about their health

If you are too unwell to work, you should telephone your Team Leader/Manager (not a colleague) within half an hour of your normal starting time and explain when you first became unwell, the nature of your illness, if you will be seeking medical advice and the likely date of return if known. Waste Services staff have a dedicated telephone number which should be used to report sickness.

- 7.2 If you are too unwell to attend work but are able to work flexibly (i.e. from home) then this can also be discussed and agreed with your manager. Depending on the reason for the absence, Waste Services staff may be able to attend work and carry out other suitable duties.
- 7.3 You must try to speak personally to your manager, rather than sending a text message, an e-mail or speaking to a work colleague. It will not normally be appropriate for a friend or relative to make this call. However, if exceptional circumstances prevent you from telephoning personally, then a friend or relative may do so on your behalf and you should make direct contact with your manager at the earliest opportunity.
- 7.4 If your manager is unavailable, then you should contact an alternative manager within your service area. If you work in Waste Services and leave a message on the answerphone you should also leave a contact number so that a Team Leader can ring you back and check how you are.
- 7.6 Where you become unwell whilst at work, the same notification procedure should be adopted. You should not go home before reporting your sickness to a Team Leader or Manager unless there are extenuating circumstances which prevent you from doing this.
- 7.7 You should notify your manager as soon as possible if there is any change to the initial information you provided. For example, if you had anticipated returning to work a day later and then cannot. If you do not know how long you will be absent you should contact your line manager on a daily basis within half an hour of your normal start time. If you believe your absence will last more than 7 calendar days you must obtain a statement of fitness for work from your GP.

- 7.8 The statement of fitness for work should be provided to your Manager or HR within 7 days of its date of issue.
- 7.9 If your absence continues beyond a week and you are well enough to do so you should contact your manager regularly throughout the period of absence to let them know how you are and when you expect to be well enough to return to work. As a guide, contact from the second week onwards should normally be at least weekly.
- 7.10 On returning to work you should report to or contact your Team Leader or Manager. He or she want to know how well you have recovered, discuss any underlying reasons for the absence, bring you up to date with any developments whilst you have been absent and arrange for completion of the return to work form, including any adjustments which would assist your return to your normal job role.
- 7.11 If your doctor provides a Fit Note stating that you “may be fit for work” you should inform your manager immediately who will discuss with you whether there are any additional measures that may be needed to facilitate your return to work, taking into account the doctor’s advice. This may take place before your return or during a return to work interview. If appropriate measures cannot be agreed or taken, we will treat the fit note as if it says that you are not fit for work and you will remain on sick leave. We will then set a date to review the situation and may consider undertaking a risk assessment as part of your return to work.
- 7.12 Notifying your employer about your absence and keeping them updated is important and employees should be aware that entitlements under occupational or statutory sick pay schemes may not be paid if the notification procedure is not followed.

## **8 Absence Recording**

- 8.1 Every period of absence will be recorded and discussed with the individual upon their return to work regardless of the length of absence.
- 8.2 This return to work meeting must be undertaken at the earliest opportunity on their first day back at work and in a suitable place for a confidential discussion. This should be confirmed in writing on the appropriate return to work form, the return to work meeting is considered to be Stage One of this procedure.

## **9 Absence Definitions**

- 9.1 Short Term; for the purposes of this policy and Council monitoring, short term absences are those which last for less than four weeks.

9.2 Long term; is defined as a period of a sickness absence lasting for four weeks or more.

## **10 Managing Short Term Absence**

10.1 Where an individual's level of short term absence is intermittent and persistent the manager should complete a formal absence interviews to discuss any contributing reasons for the absences and any other support that is needed.

Where the following 'triggers' occur, the line manager will review the absence levels with the employee:

- 3 or more separate instances of sickness absence in any 12 month period\*
- 10 continuous working days (based on full time hours)
- A pattern of either absence or appointments during core hours which have not been discussed or agreed in advance with your manager. (A pattern of absences can include, for example, Fridays and/or Mondays on a weekly, monthly or bi-monthly basis)

\*The 12 month period is a rolling one, so will consider the 12 months prior to the absence being considered

10.2 Where the absence reaches one of these trigger points, the manager will meet with the individual for a Formal Absence Interview which is Stage Two of this procedure.

10.3 In some circumstances, such as where a member of staff has a mental health condition it may not be possible to meet with them personally, HR will advise if this circumstance should arise and managers should seek advice from HR before making formal interview arrangements.

10.4 Exceptionally the line manager also has the discretion, in consultation with HR, to formalise contact regarding the health, safety and well being of the employee where there is cause for concern. This may mean that a Stage Two Formal Absence Interview takes place where the normal trigger pattern has not been activated because the manager's first obligation remains to look after the health, safety and wellbeing of the individual and team . The manager's first obligation remains to look after the health, safety and well being of the individual and team. In such cases a formal record will be kept if the reason for triggering a Stage 2 Interview, this will be discussed with the employee and followed up in writing.

10.5 The Stage Two Formal Absence Interview is a formal interview to review the current situation and devise an action plan to support attendance.

10.6 The meeting should be open, honest, constructive and supportive. The employee should be encouraged to talk about the reasons for the absence,

what medical or other help is being provided and whether the Council can assist in any way. The manager should explain the reason for their concern the importance of supporting a swift return to work and the impact of the sickness absences on the service and colleagues within the service area.

10.7 An action plan will be agreed with the individual and an appropriate review date set. The review period will depend upon the individual circumstances.

10.8 The content of the meeting will be recorded on the Formal Absence Interview record defining the nature of the absence. These may be categorised as follows:

- Intermittent absence with underlying medical condition
- Single, period of absence due to obvious medical condition/treatment
- Intermittent and persistent absence where there is no obvious medical condition.

10.9 In conclusion of this meeting, the manager will decide the most appropriate action in view of the issues discussed. This can include one or more of the following:

- Support and/or assistance as appropriate
- Monitoring of the employee's level of sickness over a specified period (a minimum of three months). This timescale must be clearly set out with the improvements that are expected.
- Referral to the Council's Medical Advisor. A further meeting will be arranged to discuss the findings of this report once it has been received.
- Discussion and implementation of reasonable adjustments in terms of duties, location of work, equipment, hours of work etc.

10.10 In addition to the discussion of actions planned to support an improvement in attendance, the employee will be advised that this meeting will be confirmed in writing and that this marks the beginning of a formal rolling 12 month review process.

10.11 If, following written confirmation of the Stage Two Formal Absence Interview, there is further short term sickness absence within the 12 month period this will lead to a further Formal Review of Absence which is Stage 3 of the Policy.

If attendance improves and is no longer giving cause for concern, the manager should confirm in writing that the individual's attendance is no longer being actively managed. Any future sickness will be monitored in the usual way.

## **11 Managing Long Term Absence**

- 11.1 If an individual has been absent for four weeks or more the manager should have, where appropriate, had ongoing informal contact with the member of staff during this time by telephone to ascertain progress and to determine whether there is any assistance which the organisation can give.
- 11.2 Once an individual has been absent for four weeks or more HR will write to them to advise that we now consider their absence to be long term and what will happen during their continued absence i.e. regular contact from HR and/or their manager so that we can keep their progress under review, provision of fit notes and possible referral to Occupational Health. This letter will enclose the details of our Employee Assistance Programme as well as these policies so that staff can be clear what to expect in this situation.
- 11.3 If the individual remains absent after four weeks and there is no indication of an imminent return, the manager will arrange to meet with the employee. This meeting will be to discuss the absence, any treatment that is being received, the likely return to work date if known and offer any assistance to help the individual return to work as well as keeping the individual informed about what is happening with the Council.
- 11.4 As noted above, if attendance does not improve as a result of actions taken under Stage 2 of this process, Stage 3 will be triggered. This involves a formal absence review and, if it has not been done before, the individual will be referred to Occupational Health.
- 11.5 The purpose of this review is:
- To consider progress to date on achieving the required standards and improvements that were discussed during the Stage Two Formal Absence Interview
  - The reasons and factors contributing to further sickness absence
  - Managerial concerns
  - Employees view on managerial concerns and their own comments/concerns.
- 11.6 Where the absence continues and there is no clear indication of a return date in the foreseeable future the Senior Manager or Head of Service should meet with the individual to review and discuss the next steps. In some cases, this may mean consideration of Ill Health Retirement.
- 11.7 After consultation with the individual the Head of Service or senior manager will consider:
- The nature of the illness/reason for long term absence

- The length of the absence/s to date and the likely length of continuing absence
- Any known medical information
- The effect of continuing absence on the team
- Whether all possible measures to support the individual in achieving and sustaining a satisfactory level of attendance in cases of intermittent or persistent sickness absence have been considered and undertaken as appropriate.
- Whether an additional action plan or target should be implemented with timescales
- Whether the individual should be referred to Stage 4 of this procedure (a Capability Hearing).

11.8 The outcome of the meeting will be dependent on the individual circumstances of each case, and should be followed up in writing to the individual, clearly setting out the situation. When all appropriate options have been explored and where a date of return to work is not expected within a reasonable period the outcome of this review may be a decision to refer the employee to Stage 4 which is a Capability Hearing. Any actions being contemplated will be discussed with the employee and their representative, if applicable, before any decisions are made.

11.9 If attendance improves and is no longer giving cause for concern, the manager should confirm in writing that the individual's attendance is no longer being actively reviewed. Any future sickness will be monitored in the usual way.

## **12 Capability Hearing**

12.1 This is stage four of the policy and should only take place once the Return to Work and Formal Absence Interview and Review at Stage Two and Three have been completed.

12.2 The individual will be advised in writing, with a minimum of 5 working days' notice, of the meeting confirming the date, time place and purpose of the hearing.

12.3 The capability hearing is a formal meeting between the member of staff, a senior manager or Head of Service (Hearing Manager), the employee's manager (the Presenting Manager) and a representative from HR. The employee has the right to be accompanied by a trade union representative or workplace colleague.

12.4 The manager must send written notification of the meeting and a copy of the case papers to the employee and their representative 5 working days in advance of the meeting.

- 12.5 Papers that the employee wishes to present at the hearing must be sent to the Hearing Manager at least 5 working days in advance of the hearing.
- 12.6 At the Capability Hearing the Presenting Manager will;
- (i) Outline the staff member's absence record including information/assessment from occupational health
  - (ii) Specify the attendance levels expected in relation to Council averages and concern levels.
  - (iii) Set out what support and advice has been given including reasonable adjustments.
  - (iv) Demonstrate that attendance levels have not improved to an acceptable level.
- 12.7 The Hearing Manager will;
- (i) Provide the staff member/and or their representative with an opportunity to present their case and any additional relevant information.
  - (ii) Adjourn the hearing to consider the evidence presented by both sides.
- 12.8 At the end of the hearing the Hearing Manager will decide on one of the following outcomes;
- (i) Dismissal on the grounds of lack of capability to attend work.
  - (ii) Dismissal on the grounds of a lack of capability unless suitable alternative employment is identified within the notice period.
  - (iii) Dismissal on the grounds of permanent ill health (supported by medical certification).
  - (iv) No dismissal or warning required
  - (v) To issue either a first or final written warning
- 12.9 Where possible, the Hearing Manager will inform the employee in person at the end of the hearing of the outcome. If this is not possible an adjournment will be called and the hearing will be reconvened at the earliest possible date. Either way, once the outcome has been verbally advised a letter will be sent confirming the decision in writing within 10 working days. A copy of the letter will be held on the employee's personal file.

### **13 Appeals Against Dismissal**

- 13.1 The staff member may appeal against the decision in writing clearly stating the grounds of appeal to the Head of Organisational Development (OD) within 5 days of receipt of the letter confirming the outcome. On receipt of the appeal

letter the Head of OD will then arrange for a panel of elected members to hear the grounds for appeal. The appeal hearing will be held as soon as is reasonably practicable, for further information see the Councils Appeals Procedure.

## **14 Contact whilst absent from work**

- 14.1 During short term absence contact between manager and employee should be maintained as detailed in the 'procedure to follow' section of this policy.
- 14.2 When an employee is long term sick (i.e. has been absent from work for four weeks or more) a welfare visit will be arranged with the manager and HR.
- 14.3 This will be set up providing the employee with a minimum of 5 working days' notice and with the option of the meeting be held at their home address, at the office or at another mutually agreed venue. The employee is entitled to have a work colleague or union representative present at the meeting.
- 14.4 The purpose of a welfare meeting is to
- Maintain contact with the employee
  - Gain clarification on the employees' health and progress to date
  - Enable the employee to provide information in relation to their sickness absence
  - Decide the most appropriate action e.g. Support or assistance, referral to the Medical Advisor.
- 14.5 Thereafter the manager and employee should agree a protocol for keeping in touch. For example, telephone calls once a week. The purpose of this ongoing contact is to ascertain progress and to determine whether there is any assistance which the organisation can give. If an employee is off for a prolonged period, depending on the nature of their illness, managers will take appropriate steps to ensure that they continue to feel 'part of the team' such as sending them internal communications and inviting them to major events if they are well enough to attend.
- 14.6 If there are time-sensitive issues which need to be resolved, such as a redundancy situation or ongoing disciplinary proceedings, the Council may well seek Medical Advice as to whether or not employees are well enough to participate in the matter and may implement reasonable adjustments to the process involved if appropriate and relevant. The decision regarding this will also consider how many other staff are affected by the issue and, for example, how they would be impacted if a delay were to be proposed.

## **15 Return to work**

- 15.1 Where an employee returns to work following long term absence, the manager should arrange to meet to provide a welcome back; ensure the individual is fit for work, discuss any adjustments advised on the fit note by the individual's doctor, update on news and current work.
- 15.2 If the employee is unlikely to recover sufficiently to enable a return to work to his/her previous duties, the Council will consider what reasonable adjustments can be made to support the individual. This might result in offering suitable alternative work if it is available. This would not necessarily be equivalent employment in terms of responsibilities or remuneration.
- 15.3 Managers will work with HR to identify a reasonable alternative work for which the individual has the necessary skills and experience of which training could be provided within a reasonable timescale.
- 15.4 Temporary phased-in returns to work may be agreed by the line manager (often with support and advice from HR) where it has been recommended by a medical practitioner to assist the employee in returning to work on a permanent basis. They may last up to four weeks and the employee will be regarded as being back at work and will receive their normal weekly pay for those weeks.
- 15.5 Phased returns lasting more than 4 weeks may only be agreed by the Manager in consultation with HR. Such cases are unusual, but not unknown and generally start with very few hours being worked because of the individual circumstances. In such cases, the pay arrangements may be agreed on an individual basis, but as a minimum, the employee will be paid either the sick pay they would otherwise receive or the normal pay for the actual hours worked, whichever is the greater.
- 15.6 Phased returns are not automatically granted and may be declined where it can be demonstrated that they may cause operational difficulties and/or adversely affect the needs of the other team members of the service.

## **16 Representation**

- 16.1 Employees may ask for representation by a work colleague or union representative at any formal meeting from Stage Two of this policy onwards. If you feel there are special circumstances because of which you would like to be accompanied at Stage 1 of this policy (during your return to work meeting) please discuss this with either HR or your manager.

## **17 Sick Pay**

- 17.1 Entitlement to Occupational sick pay is outlined in your statement of particulars of employment and will depend on your length of service. The

Council also has the right to withhold/stop occupational sick pay in circumstances where an individual is:

- Failing to aid their recovery in every way possible, either by undertaking activities or behaviours that negatively affect or impede their recovery or by carrying out any other paid or unpaid work during a period of absence
- Failing to follow the reporting procedures set out in this policy

17.2 Most employees have a contract which recognises the conditions of service of the National Joint Council (NJC) for Local Authority Workers. NJC conditions of service provide Occupational Sick Pay (OSP) (a payment equating to full or half pay at the standard rate for the job) at stated rates and for periods of time linked to the completed 'continuous service' of the individual. These employee's may also have entitlement to Statutory Sick Pay (SSP) according to their rate of pay, this may be payable for up to 28 weeks of each period of absence due to illness.

17.3 Certain groups of employees within the Council are not entitled to OSP but may be entitled to SSP depending on their earnings.

17.4 The Council reserves the right to dismiss an employee for unsustainable levels of sickness absence, even where an employee has not exhausted all of their sick pay entitlements, once the procedures under this policy have been followed.

## **18 Industrial Injuries**

18.1 Managers need to ensure that the Health and Safety procedure for reporting accidents is followed where an absence is a result of an alleged industrial injury. It is the responsibility of the Department of Work and Pensions (DWP) to decide whether to accept any claims by a staff member to have an accident at work declared as an industrial injury.

18.2 Sickness entitlement for industrial injuries is treated as separate entitlement to normal occupational sick pay so only previous periods of industrial injury allowance within the preceding 12 month period count against the sickness entitlement.

18.3 All accidents and activities resulting in industrial injuries must be investigated locally and the findings and any action points should be notified to the Head of Service, relevant Director, Council's Health & Safety Adviser and HR. The Council's Health and Safety Officer may advise the Trade Union Health and Safety Officer particularly if one of their members is involved.

## **19 Stress and Mental Health Issues**

- 19.1 Whilst the vast majority of people with mental health problems are treated by their GP and many are capable of continuing to work effectively, some will need different levels of support from colleagues, their manager and possibly the Council as their employer.
- 19.2 The most common forms of clinically diagnosed mental health problems are depression and anxiety and the symptoms of these conditions can have a severe impact on an individual's everyday life including their attitude, behaviour and performance at work.
- 19.3 Where managers are concerned that a staff member may have a mental health issue (for example if they seem depressed or withdrawn) it is important to talk to the staff member and offer support. Seek advice and guidance from HR when managing mental health issues in the workplace. Further information which may be helpful to individuals and/or their managers can be found on the Council's Employee Assistance website which can be accessed via the Intranet.
- 19.4 Staff can advise a manager, HR or a Trade Union Health and Safety Representative if they are concerned about a colleague within the organisation whom they consider may be suffering from a mental health issue.

## **20 Alcohol and Drugs**

- 20.1 It is important to recognise that absence and performance problems may occur where employees have a particular problem related to drugs or alcohol. Managers should seek as far as reasonable, to be supportive of those suffering dependency. This cannot however, be at the expense of the needs of the service.
- 20.2 Managers should seek to positively assist any employee who is willing to take active steps to overcome their addiction; seeking professional advice to deal with the addiction offers the best opportunity to overcome their problem. This will probably include taking advice from the Council's Occupational Health Advisors.
- 20.3 In the event that a breach of Council Rules occurs, arising through dependency, action will be pursued through the appropriate procedure i.e. disciplinary or capability.

## **21 Ill Health Retirement**

- 21.1 An employee who cannot return to work on the grounds of permanent ill health may be considered for Ill Health retirement subject to certain conditions being met.

- 21.2 This applies where the employee is a member of the Local Government Pension Scheme and Occupational Health confirm that the employee is, or will soon be, medically unfit to undertake his/her post or any other suitable post available.
- 21.3 With confirmation from the Council's Medical Advisor, if an employee is deemed "permanently unfit for their substantive post or any other comparable duties within the Council", would be eligible to be considered for ill-health retirement.
- 21.4 If the employee is retired on ill health grounds, and has been a member of the pension scheme for at least two years, they are eligible to have their pension rights brought forward to the date of ill-health retirement.
- 21.5 When an employee is declared permanently unfit for their substantive post, the Manager/HR will:
- (i) Provide the employee with a copy of the Medical Advisor's report
  - (ii) Offer the opportunity of a meeting with the Manager/HR to review the circumstances i.e. redeployment or retirement, informing them of their entitlement to have a union representative or work colleague present
  - (iii) Inform the employee that they have a right to appeal against the decision
- 21.6 Where alternative employment is not appropriate, the Manager/HR will:
- (i) Confirm the report from the Council's Medical Advisor in writing to the employee
  - (ii) Advise the employee of their entitlements under the pension scheme (if they are a member)
  - (iii) Inform the employee of the intention to seek approval of termination of their employment, on the grounds of premature retirement due to ill health
  - (iv) Outline their right to appeal against the Council's Medical Advisor's decision

## **22    Sickness and Annual Leave**

- 22.1 If you fall sick during annual leave, a Statement of Fitness for Work will be required to reclaim lost annual leave. On production of the Statement, the absence will be regarded as sick leave from the date indicated on the statement and the relevant annual leave will be re-credited to you.

## **23    Ill health which does not lead to absence from work**

- 23.1 There may be occasions where an employee is suffering from ill health but this does not lead to the employee being absent from work. If the employee

believes that their ill health or long term health condition is having an impact on their ability to undertake their job they should raise this with their line manager. The manager will discuss the matter confidentially with employee, review the workplace risk assessment and discuss whether any additional support can be provided to the employee to support them at work. Depending on the circumstances, it may be helpful to seek advice and guidance through the Occupational Health Service.

## **24 Disciplinary Considerations**

24.1 The Attendance Management Policy will be followed in all cases for all employees.

24.2 The Head of Service is also entitled to investigate the cause of any absence where he or she sees fit. In addition there are a number of different steps that the Council can take when problems arise, depending on the individual circumstances of each case.

These include:

- (i) Withholding sick pay where it can be shown that the employee is not aiding their return to work by undertaking activities or behaviours that negatively affects or impedes their recovery.
- (ii) Regarding the sickness as unpaid leave if the employee fails to follow the reporting procedures set out above.
- (iii) Regarding any false information about the absence as a disciplinary matter that may result in a warning or dismissal under the Council's Disciplinary Procedure.
- (iv) Regarding any failure to aid their recovery in every way possible as a possible disciplinary matter. This includes carrying out any other paid or unpaid work during a period of absence that has not previously been agreed with the Council/manager.
- (v) Regarding a deliberate and/or persistent failure to follow reasonable health and safety procedures.

24.3 If any of these steps are taken employees will be informed in writing. If employees feel they have been unfairly treated they may register a grievance under the Council's Grievance Procedure.

24.4 In some cases where absence gives cause for concern, the Councils reserve the right to deal with an attendance problem under the Disciplinary Procedure rather than this Attendance Management Policy (an example of this could be a persistent failure to follow procedures, though each case will be assessed on its own merits).

24.5 A false declaration of sickness absence is a serious matter and may result in disciplinary action, including dismissal.

## **25 Referral to other Council Policies**

25.1 Referral to the following policies or procedures may be necessary depending on the circumstances:

- Policy on drugs and alcohol in the workplace
- Work Related Stress/Stress Management Policy
- Annual and other leave
- Flexi time scheme
- Well-being Programme

**Agenda Item No:** 8  
**Report Title:** Sickness Report  
**Report To:** Employment Committee      **Date:** 5 March 2018  
**Ward(s) Affected:** All  
**Report By:** Helen Knight  
**Contact Officer(s)-** Helen Knight  
**Name(s):** Helen Knight  
**Post Title(s):** Head of HR  
**E-mail(s):** Helen.knight@lewes-eastbourne.gov.uk  
**Tel No(s):** 07966 645102

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**Purpose of Report:**

To update the Employment Committee regarding the Council's sickness figures.

**Officers Recommendation(s):**

- 1 To note the report.
- 

**1 Reasons for Recommendations**

The Committee have asked for a regular item to be presented regarding the absence statistics within the Council.

**2 Information**

- 2.1 The figures for Quarter 3 of 2017/18 (1 October to 31 December 2017) are presented as appendices to this report. The average number of days' absence per employee for Q3 was 1.81.
- 2.2 An excel spreadsheet showing the Council's sickness figures for Quarter 3 (1 October to 31 December) is Appendix 1.
- 2.3 The overall sickness for Lewes for the year 2016/17 was 10.9 days per FTE which did not meet the Council's target of 9 days although it did reflect a reduction on the last couple of years which have been 12.5 days. The first three quarters of 2017/18 have totalled 7.25 so although we are currently likely to be above the annual target of 9 days at the end of quarter 4 there is a marked reduction. Management of sickness absence continues to be a priority within the organisation with close scrutiny and management by line managers and HR.

- 2.4 As demonstrated by the reasons for absence by service area breakdown at Appendix 2 the reasons for absence during Q3 continue to be varied.
- 2.5 Of the six long term absences shown in the appendixes three have either returned to work or left the Council (voluntarily) since the end of Quarter 3.
- 2.5 Unison previously requested a review of the attendance management policy which was introduced in September 2016; this has now been completed and is the subject of a separate report to this committee.
- 2.6 There continues to be close monitoring of attendance management within the councils with support available to staff and managers from HR. To date the reasons for absence are varied and aside from musculoskeletal injuries in Waste no themes by service area have been identified.
- 2.7 With affect from 1 February 2017 the majority of employees have been employed by Eastbourne Borough Council. From Q1 of 2018/19 absence information will reflect absence rates across both councils and not be split. HR will continue to maintain detailed absence rates across service areas and reasons for absence.
- 2.8 Although the details for Quarter 4 will not be known until early April we are aware from the weekly sickness returns submitted to HR and information from managers that many of our staff have been impacted by significant viruses such as flu and vomiting which resulted in increased short term absence during January 2018. This will reflect in the overall Quarter 4 figures.

### **3 Financial Appraisal**

- 3.1 The financial implications of this report are the number of working days lost to sickness.

### **4 Legal Implications**

- 4.1 There are no legal implications arising from this report

### **5 Risk Management Implications**

- 5.1 I have completed the Risk Management Implications questionnaire and this report is exempt from the requirement because it is a progress report/budget monitoring report/development control report

### **6 Equality Screening**

- 6.1 Equality analysis is not required as this is an information only report with no key decisions attached.

### **7 Background Papers**

None

## **8 Appendices**

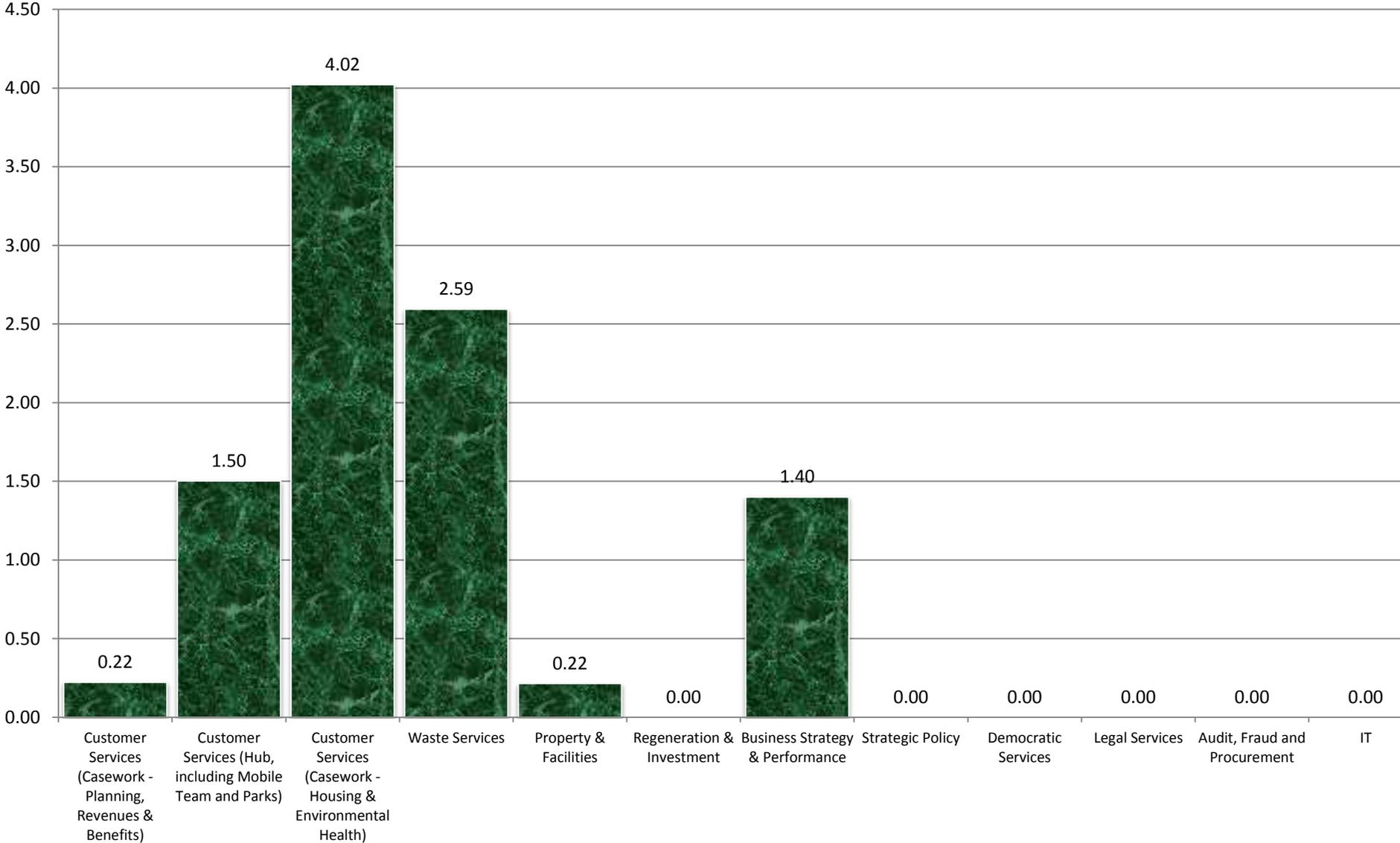
- 8.1 Appendix 1 Excel spreadsheet showing the Council's sickness figures for Quarter 3 (1 October to 31 December)
- 8.2 Appendix 2 Excel Spreadsheet showing reasons for absence (by service area) during Quarter 3.

APPENDIX 1

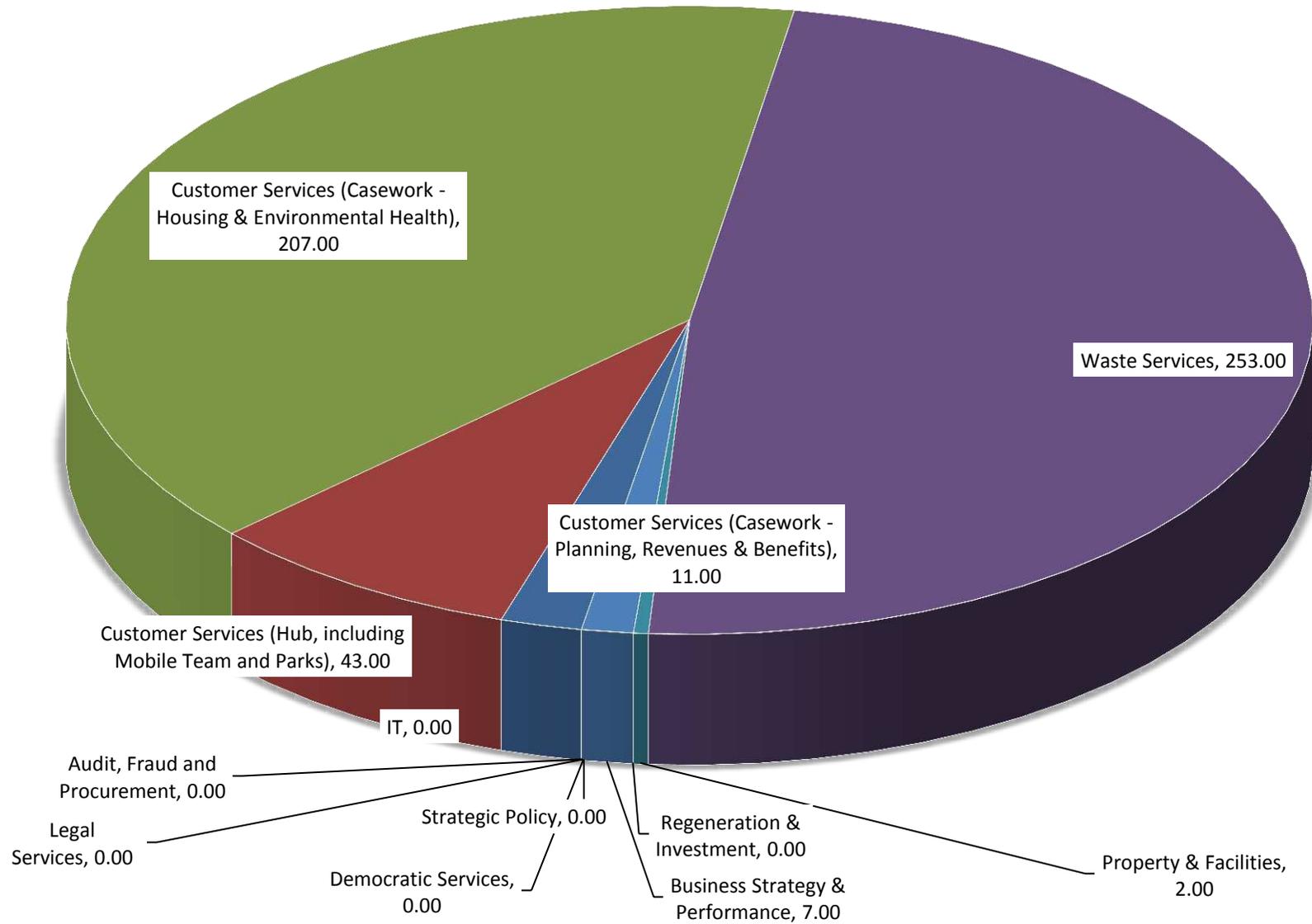
Dept	15/16 Q3	15/16 Q4	16/17 Q1	16/17 Q2	16/17 Q3	16/17 Q4	17/18 Q1	17/18 Q2	17/18 Q3	17/18 Q4
	FTE	FTE								
Customer Services (Casework - Planning, Revenues & Benefits)	47.58	51.59	56.09	57.25	57.98	49.12	55.9	54.29	49.45	
Customer Services (Hub, including Mobile Team and Parks)	39.77	43.02	39.51	42.51	45.98	35.53	31.6	30.54	28.62	
Customer Services (Casework - Housing & Environmental Health)	66.41	66.56	66.06	68.22	68.86	67.01	61.21	58.98	51.47	
Waste Services	85.76	90.76	92.40	88.40	89.40	93.92	96.45	101.08	97.53	
Property & Facilities	10.14	8.81	9.29	9.29	9.29	10.30	10.97	10.29	9.29	
Regeneration & Investment	7.68	8.22	8.66	7.55	8.85	8.05	8.13	5.54	6.54	
Business Strategy & Performance	8.16	8.67	9.06	7.94	6.94	3.49	3.00	5.00	5.00	
Strategic Policy	7.50	9.5	6.50	6.50	7.50	6.50	2.00	1.00	2.00	
Democratic Services (inc Chief Exec's Office)	15.81	13.81	10.20	10.20	10.20	10.20	9.60	9.60	9.60	
Legal Services	8.97	9.05	9.05	10.05	10.05	10.05	10.05	10.05	10.05	
Finance	16.58	15.37	15.10	16.10	16.10	15.90	15.91	15.51	15.51	
Audit, Fraud and Procurement	5.45	5.05	5.05	5.05	5.13	4.13	4.13	4.13	4.13	
IT	16.44	16.44	13.44	13.44	1.00	0.00	0.00	0.00	0.00	
<b>Total</b>	<b>336.25</b>	<b>346.85</b>	<b>340.41</b>	<b>342.50</b>	<b>337.28</b>	<b>314.20</b>	<b>308.95</b>	<b>306.01</b>	<b>289.19</b>	

Dept	15/16 Q3	15/16 Q4	16/17 Q1	16/17 Q2	16/17 Q3	16/17 Q4	17/18 Q1	17/18 Q2	17/18 Q3	17/18 Q4	15/16 Q3	15/16 Q4	16/17 Q1	16/17 Q2	16/17 Q3	16/17 Q4	17/18 Q1	17/18 Q2	17/18 Q3
	Absences	Absences	Absences	Absences	Absences	Absences	Absence	Absence	Absence	Absence	Days per FTE								
Customer Services (Casework - Planning, Revenues & Benefits)	78.00	63.82	167.5	103.00	157.50	100.00	82.00	58.00	11.00		1.64	1.24	2.99	1.80	2.72	2.04	1.47	1.07	0.22
Customer Services (Hub, including Mobile Team and Parks)	252.00	207.37	104	87.00	159.50	91.00	61.00	86.00	43.00		6.34	4.82	2.63	2.05	3.47	2.56	1.93	2.82	1.50
Customer Services (Casework - Housing & Environmental Health)	252.00	251.17	173	103.00	133.50	241.00	152.00	298.00	207.00		3.79	3.77	2.62	1.51	1.94	3.60	2.48	5.05	4.02
Waste Services	527.00	546.37	511	327.00	319.00	435.00	465.00	336.00	253.00		6.15	6.02	5.53	3.70	3.57	4.63	4.82	3.32	2.59
Property & Facilities	35.00	8.67	1	4.00	14.50	23.00	41.00	91.00	2.00		3.45	0.98	0.11	0.43	1.56	2.23	3.74	8.84	0.22
Regeneration & Investment	0.00	6.03	5.5	2.00	6.00	0.00	0.00	0.00	0.00		0.00	0.73	0.64	0.26	0.68	0.00	0.00	0.00	0.00
Business Strategy & Performance	8.00	17.14	4	13.00	69.00	2.00	0.00	0.00	7.00		0.98	1.98	0.44	1.64	9.94	0.57	0.00	0.00	1.40
Strategic Policy	10.00	5.00	3	2.00	9.00	0.00	0.00	0.00	0.00		1.33	0.53	0.46	0.31	1.20	0.00	0.00	0.00	0.00
Democratic Services	7.00	10.39	5	5.00	4.50	55.00	0.00	2.00	0.00		0.44	0.75	0.49	0.49	0.44	5.39	0.00	0.21	0.00
Legal Services	5.00	26.89	6	6.50	9.00	6.00	0.00	0.00	0.00		0.56	2.97	0.66	0.65	0.90	0.00	0.00	0.00	0.00
Audit, Fraud and Procurement	0.00	-	0	6.00	4.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	1.19	0.78	0.00	0.00	0.00	0.00
IT	23.00	25.00	5	2.00	2.00	0.00	0.00	0.00	0.00		1.40	1.52	0.37	0.15	2.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>1197</b>	<b>1167.85</b>	<b>985</b>	<b>660.5</b>	<b>887.50</b>	<b>953.00</b>	<b>801.00</b>	<b>871.00</b>	<b>523.00</b>		<b>3.56</b>	<b>3.37</b>	<b>2.89</b>	<b>1.93</b>	<b>2.63</b>	<b>3.03</b>	<b>2.59</b>	<b>2.85</b>	<b>1.81</b>

### 17/18 Q3 Days Per FTE



# 17/18 Q3 FTE Absences



**APPENDIX 2**

Q3 Sickness Reasons By Department	Reason	Absences
<b>Finance</b>		
	Common Cold	1
<b>Property and Facilities</b>		
	Vomiting	1
<b>Customer Servives (Hub, mobile, parks)</b>		
	Heart Problem	1
	Common Cold	1
	Upset Stomach	1
	Food Poisioning	1
	Flu	1
	Headaches	1
	Sinuses	1
<b>Waste</b>		
	Flu	4
	Back pain	5
	Abdominal Pain	1
	Knee	1
	Hernia	1
	Foot	1
	Virus	2
	Dental Pain	1
	Operation	1
	Chest Infection	1
	Stomach Bug	2
	Food Poisioning	1
	Bereavement	1
	Sore Throat	1
	Rib Injury	1
<b>Business Strategy &amp; Planning</b>		
	Laringytis / Sore throat	1
	Virus	1
<b>Finance</b>		
	Headaches	1
	Flu	1
	Common Cold	1
<b>Housing and Health</b>		
	Burns	1
	Leg Injury	1
	Sore Throat	1
	Stress	2
	Upset Stomach	1
<b>Planning, Revs and Benefits</b>		
	Flu	2
	Virus	1
	Upset Stomach	1
	Common Cold	1

Q3 Sickness Reasons	Absences
Stress	2
Flu	9
Heart Problem	1
Stomach	1
Headaches	1
Sinuses	1
Common Cold	6
Back pain	5
Abdominal Pain	1
Knee Injury	1
Hernia	1
Foot Injury	2
Virus	4
Dental	1
Chest infection	1
Stomach Bug	4
Food Poisioning	3
Bereavement	1
Sore Throat	3
Rib Injury	1
Vomiting	1
Leg Injury	1
Operation	1
Burns	1

<b>Q3 Sickness Reasons by Dept</b>		
<b>Finance</b>		
Stress		1
<b>Housing and Env Health</b>		
Cancer		1
Medication Adjustment		1
<b>Waste</b>		
Cancer		1
Foot injury		1
COPD		1

**Agenda Item No:** 9

**Report Title:** Accidents to Lewes District Council staff from April 2017 to February 2018

**Report To:** Employment Committee      **Date:** 5 March 2018

**Ward(s) Affected:** Employees and workers

**Report By:** Jill Yeates

**Contact Officer(s)-** Jill Yeates

**Name(s):** Jill Yeates  
**Post Title(s):** Health and Safety Officer  
**E-mail(s):** [jill.yeates@lewes-eastbourne.gov.uk](mailto:jill.yeates@lewes-eastbourne.gov.uk)  
**Tel No(s):** 01273 085469

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**Purpose of Report:**

To report the statistics on accidents sustained by Lewes District Council staff reported between 1 April 2017 and 10 February 2018.

**Officer's Recommendation:**

- 1 That the Committee note the report and make any recommendations to the relevant senior officer or Council body for follow-up action considered necessary.

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**Reasons for Recommendations**

- 1 This regular report to Employment Committee provides accident and near miss information necessary to fulfil items 2.4 (c), and 2.5 (g) and (k) of the Lewes District Council (LDC) Constitution Section 5 Remit of the Employment Committee.
- 2 **Information**
  - 2.1 The statistics are presented as previously requested – with numbers and percentages, comparisons with the previous year (same period). Insurance information has been included as requested, although this will change over time as claims on Employers Liability insurance will go to Eastbourne Borough Council (EBC). The LDC Insurance Officer will be informed and asked to look into the issue.

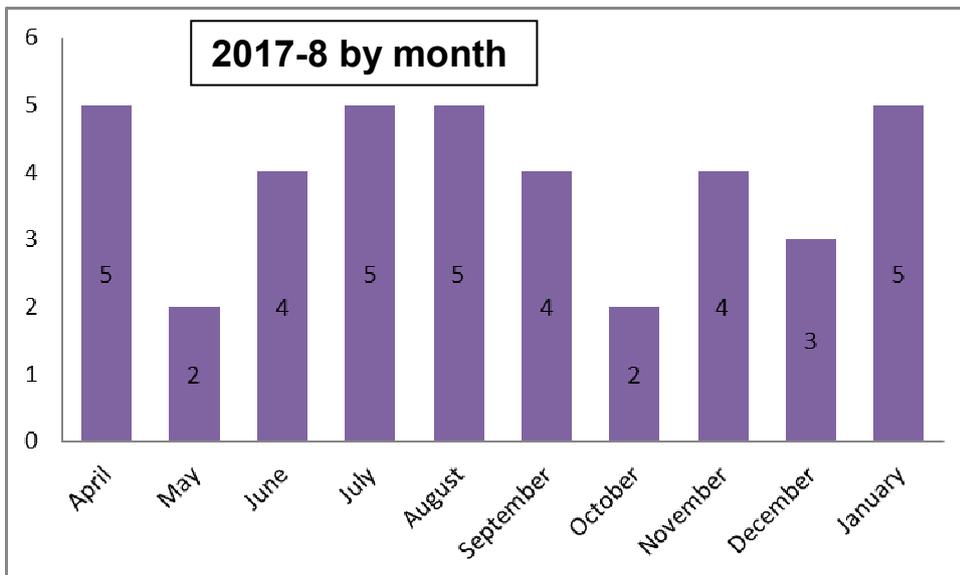
- 2.2 Whenever an accident or incident has been recorded, the individual will have reported it to a supervisor or manager, who will then have discussed the accident or incident with them and completed the second side of the form which looks at the underlying causes, and reports on actions taken. This is then sent to the Health and Safety Officer who will follow up any action and ask for updated documents where relevant.
- 2.3 Starting in the current financial year (2017-18), the new accident and incident reporting system has been introduced, whereby one form covers accidents, near misses, aggression and violence at work reports.

Although most employees are now employed by EBC, accidents and near misses to those in Southover House, and in Waste and Recycling are still clearly reported to the LDC Health and Safety Officer; thus the information given below is still comparable with last year. Once a common accident reporting system is set up on The Hub (intranet), the system will change again in line with EBC's system whereby they are reported online.

## 2.4 Accident Statistics - Staff

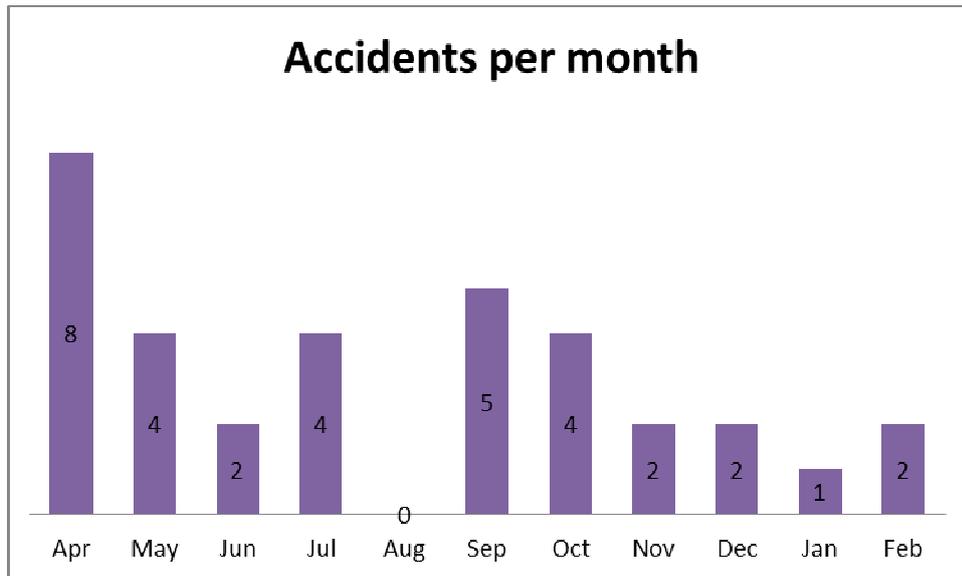
### Monthly accidents

Between April 2017 and February 2018, there were 39 accidents to staff and agency staff reported. There are no obvious causes by month, or patterns except that the summer quarter has marginally more accidents than other quarters this year.



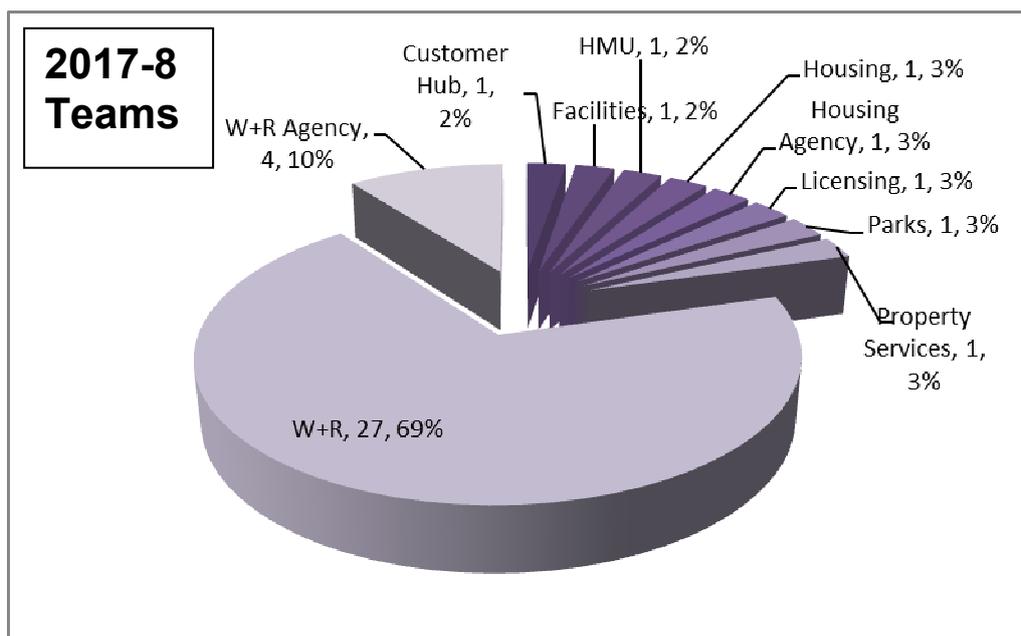
Last year between April 2016 and February 2017, there were 34 accidents reported to staff and agency staff, 8 in April, 5 in September, 4 in May, July, October and fewer in other months; again there is no pattern.

## 2016-7 Accidents



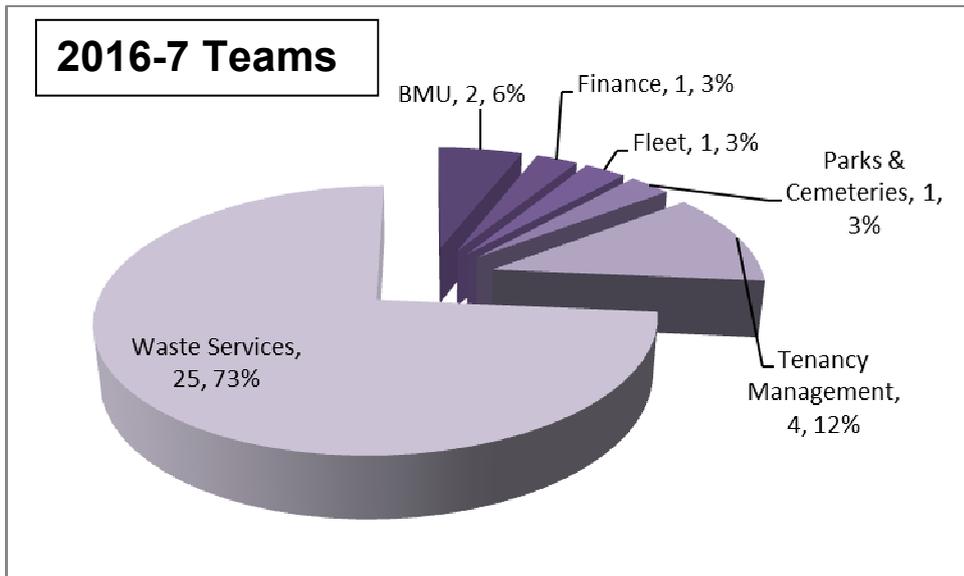
## Which teams

So far this year, 31 employees and agency staff in waste services reported having accidents (79% of the total accidents), and one each in building maintenance, property services, parks, customer hub, licensing, facilities, housing and sheltered housing (agency).



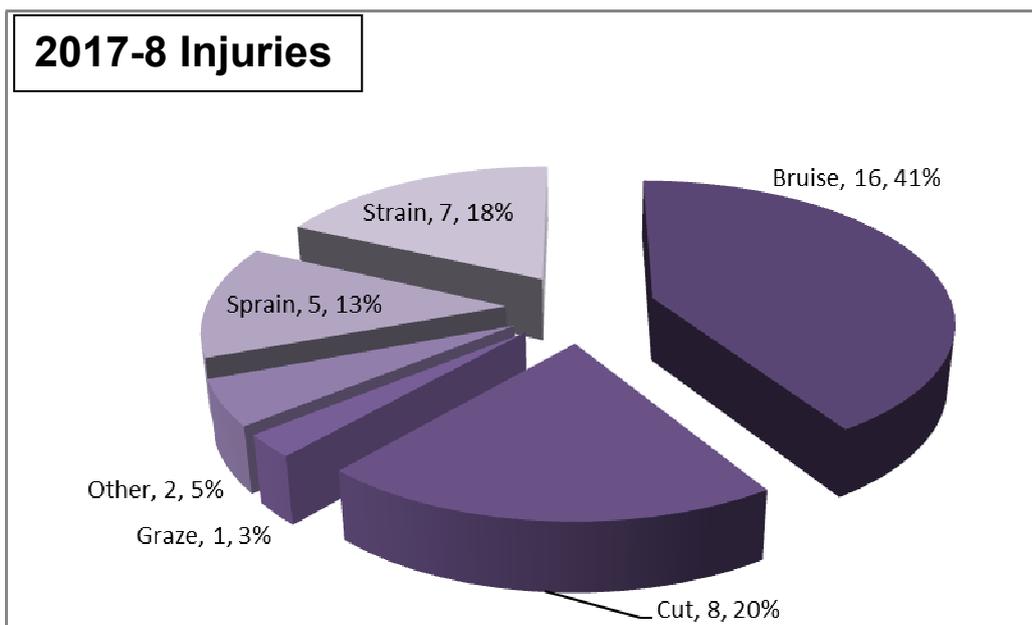
Last year, 25 employees and agency staff in waste and recycling reported having accidents (73% of the total accidents), 4 in tenancy management, 2 in the building

maintenance unit, and one each in finance, the transport workshop and parks and cemeteries.



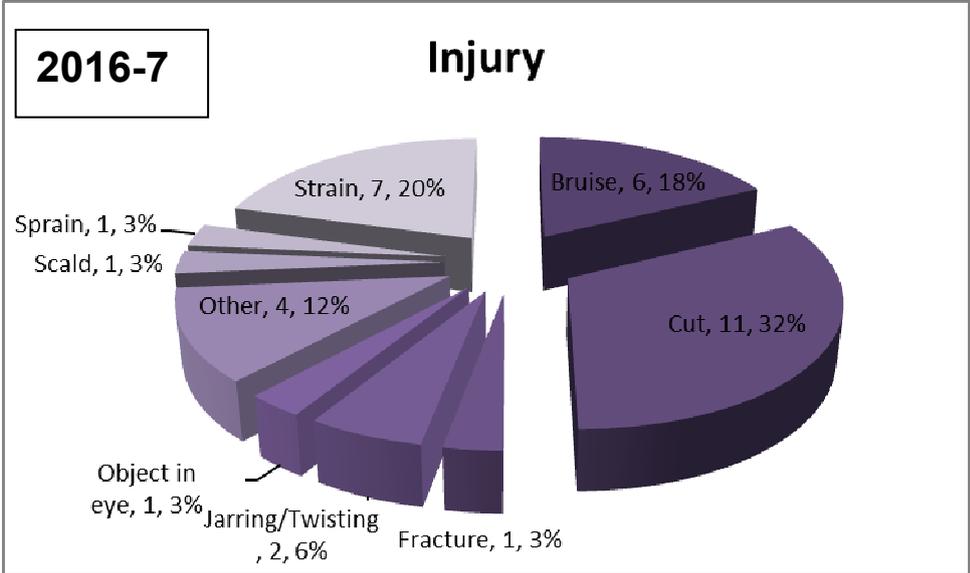
### Injuries

This year, bruises and cuts account for most (24, 61%) of the injuries. Two-thirds of these were bruises – whereas last year two-thirds were cuts. Strains and sprains accounted for another 12 (31%). There was also one graze, one wasp sting and one stomach upset.



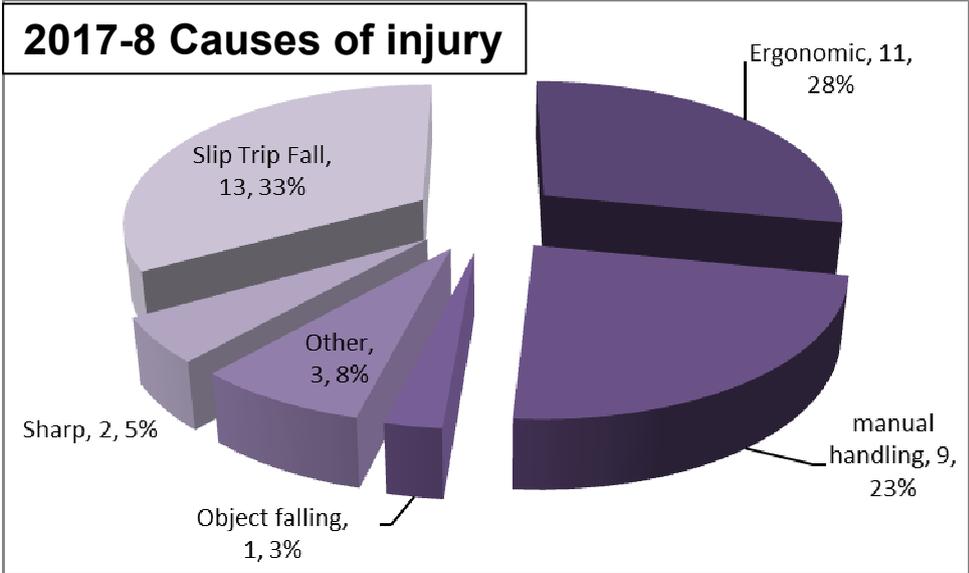
Last year, 11 (32%) of the accidents involved cuts, and 13 more involved bruises (18%) and strains (20%). Unusually 10 of these ended up in hospital (though none

overnight) – 6 as a result of cuts, three manual handling injuries and one with grit in the eye, 3 at their doctor’s surgery and 3 having first aid administered at work.

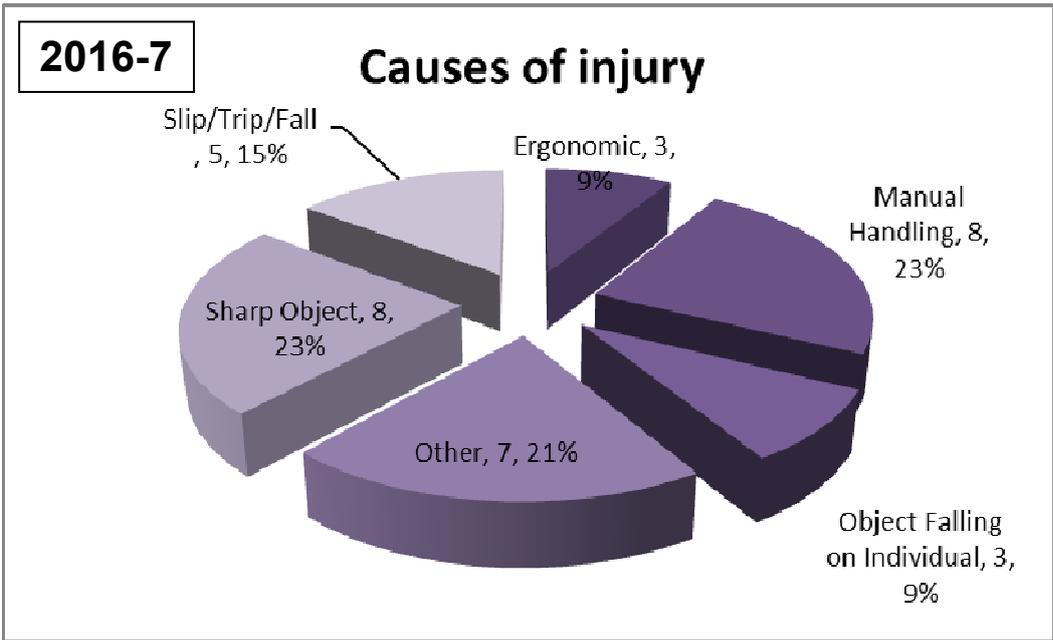


**Causes of injury**

This year, slips, trips and falls (13, 33%) have been the largest single cause of injury, although manual handling and ergonomic causes were jointly responsible for 51% (20) of the accidents. An object falling, two sharp objects in rubbish bags, disturbing a wasp’s nest, a shard of wood in the eye, and grit in the eye were the other causes. It is good news that sharp objects have gone down as a cause – mainly due to learning lessons about the dangers from needle sticks, but a pity that slips and trips are more than doubled.



Last year, a third had been caused by manual handling and ergonomic accidents – down from the previous year when it was about half the accidents. Sharp objects as causes were 23% last year, and slips, trips and falls were 15%.



**Near misses**

We have had 3 near misses reported this year so far, one involved a blind falling down when touched (put back up and the rest checked), one a police incident in Saxon House reception and one slipping off vehicle steps. It was agreed at the September Employment Committee meeting that we will resurrect the ‘Near Miss

Campaign' in the new financial year when staff across both councils are settled into their new roles.

Last year we had 13 reported near misses by the end of February – five were reported aggression/verbal abuse, and one each of driving, ergonomic, fire, trip, sharp object, tree collapsing, ceiling collapsing, lid collapsing.

### **RIDDOR Reports**

There were 3 accidents reported to the HSE under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) (compared to 5 last year); all these were for Waste and Recycling people being incapacitated for more than 7 days (as with last year), and involved pulling bins, pushing bags and stepping into a pothole resulting in leg, ankle and groin strains.

## **3 Financial Appraisal**

At least 28 (151 last year) employee working days have been lost (this is a minimum as we don't have final figures currently), all of them in Waste Services (4 accidents). This means that more than 28 (151 last year) days' Agency staff would have to be paid for as a result of the accidents.

Finance have agreed this report.

### **Insurance**

The Council is insured 'for accidents' although much depends on who's having the accident and whether the Council are negligent. Employer's Liability (EL) insurance covers the Council's liability to its employees arising from negligent acts and omissions. Public Liability insurance covers the same in respect of third parties. The insurance (EL) claim from the member of staff who was knocked over last year by the bins, where our insurers have accepted liability, is still ongoing (reported in previous reports). There are no other claims currently.

We also have a Personal Accident (PA) policy. This is benefit rather than an indemnity policy and no liability need be demonstrated. So if, for example, a worker had a life-changing accident, then he or she would be entitled to claim on the PA policy even if an EL claim failed or was not pursued at all. There are no claims currently.

## **4 Legal Implications**

The Committee should consider, in light of the statistics and trends presented in this report, whether to recommend to the relevant person(s) specific measures intended to fulfil the Council's legal duty to ensure, so far as is reasonably practicable, the health, safety and welfare at work of its employees.

Legal have agreed this report.

**5 Sustainability Implications**

I have not completed the Sustainability Implications Questionnaire as this Report is exempt from the requirement because it is a progress report.

**6 Risk Management Implications**

I have not completed the Risk Management Implications Questionnaire as this Report is exempt from the requirement because it is a progress report.

**7 Equality Screening**

I have not completed the Equality Questionnaire as this Report is exempt from the requirement because it is a progress report.

**8 Background Papers**

There are no background papers.

**9 Appendices**

There are no appendices.