

REPORT TO EMPLOYMENT PANEL

Title: **Variation to Sickness Certification Rules During Swine Flu Pandemic**

Date: 10 November 2009

Member Reporting: Councillor D Burbage

Contact Officer(s): Carol Naismith, Head of HR 01628 796211

Wards affected: None

1. SUMMARY

- 1.1.1 The Government is encouraging Employers to review their sickness certification arrangements during the swine flu pandemic in order to alleviate the burden on GP's time and resources during the peak autumn/winter period.
- 1.1.2 The Local Government Employers organisation (LGE) has issued guidance to local authorities and has recommended that authorities temporarily amend their sickness certification rules for those staff absent with 'flu like symptoms'. This would mean that the current requirement to supply a Doctor's certificate on the 8th calendar day of sickness would be amended to the 11th calendar day. All other absences would still require a certificate in accordance with the Council's current rules.

2. RECOMMENDATION

That the requirement to supply a Doctor's certificate on the 8th calendar day of absence be amended to 11th calendar day for those staff absent with 'flu-like' symptoms. Implementation of this amendment will be delegated to the CE and the Head of HR and be effective until the end of April 2010, when it would be reviewed.

What will be different for residents as a result of this decision?
Ensures that GP's time is focussed on helping those with patients with real need rather than using time for issuing certificates for employers.

3. SUPPORTING INFORMATION

3.1 Background

- 3.1.1 In early October the LGE issued guidance to all Local Authorities regarding the management of sickness absence during the 'swine flu pandemic'. In order to support GP's and alleviate the pressure that surgeries will be facing during the autumn/winter period, the Government are encouraging employers to review their sickness certification requirements.

- 3.1.2 Under the Council's current Management of Sickness Absence policy, all staff are required to produce a Doctor's certificate on the 8th calendar day of absence. This is in line with many national terms and conditions of employment including the 'Green Book' which covers employees in Local Government Services.
- 3.1.3 The LGE recommended that authorities temporarily amend their certification requirements to the 11th calendar day for those staff absent with 'flu like symptoms'.
- 3.1.4 Evidence suggests that 50% of those with 'flu' will recover within 7 days, 25% within 7-10 days, without needing to see a Doctor and 25% will take over 10 days.
- 3.1.5 The Advisory team in HR monitor absence and there is no evidence that staff currently abuse the absence system by returning to work just before they need to obtain a certificate. Managers also monitor sickness within service areas and the evidence gathered for the monthly Scorecard data highlights any areas of potential concern. Staff and managers would be required to stay in contact during any absence so that resource planning can continue as normal. Any cases where the genuineness of the absence is in doubt, would be investigated and dealt with under the disciplinary procedure as appropriate.
- 3.1.6 The change to the rules are only required on a temporary basis, during the peak period of the pandemic, so it is suggested that the change is temporary until the end of April 2010, at which time it would be reviewed.
- 3.1.7 Section 3.1 of the Managing Sickness Absence policy will be updated to reflect this temporary change. This change will be publicised to managers, staff and schools via the appropriate channels.

4. OPTIONS AVAILABLE AND RISK ASSESSMENT

4.1 Options

	Option	Comments	Financial Implications
1.	Amend the rules temporarily to allow 11 th day certification for those absent with 'flu-like symptoms' until 30 th April 2010. Recommended option	This reflects the advice and recommendation from the LGE	Revenue N/A Capital N/A
2.	Make no adjustment to the current rules regarding sickness certification	As a major local employer the Council should be seen to be supporting local health services by adopting measures to help alleviate the pressures they will be facing over the	Revenue N/A Capital N/A

	Option	Comments	Financial Implications
		next few months.	

4.2 Risk assessment

- 4.2.1 The management of sickness absence will continue in accordance with the Council's current policy and procedure. Any abuse of the sickness absence scheme will be addressed through the disciplinary procedures as it is now.

5. CONSULTATIONS CARRIED OUT

- 5.1.1 The local Trade Union representatives were advised of this proposal and they are supportive of this approach. (TBC)

6. COMMENTS FROM THE OVERVIEW AND SCRUTINY PANEL

- 6.1.1 N/A

7. IMPLICATIONS

- 7.1.1 The following implications have been addressed where indicated below.

Financial	Legal	Human Rights Act	Planning	Sustainable Development	Diversity & Equality
✓	✓	✓	N/A	N/A	✓

Background Papers: None