

WORCESTERSHIRE COUNTY COUNCIL

RECORD OF OFFICER EXECUTIVE DECISION

TITLE:	Managing Attendance and Contractual Sick Pay
Decision Taken By:	<i>Paul Robinson, Chief Executive</i>
Cabinet Member	<i>Rob Wharton, Deputy Leader and Cabinet Member with Responsibility for Finance and Corporate Services</i>
Decision Made*	<p>From the 1 April 2026, to reinstate contractual sick pay from the first day of sickness for all employees and make changes to the Managing Attendance policy to include:</p> <ul style="list-style-type: none"> • Stage 2 Improvement notice to be issued automatically (same as Stage 1) with meeting held if an employee appeals • Strengthen and tighten case review meetings for long term absences, first review at 4 weeks, 6 months commence ill health retirement process and amend policy to state absences not normally sustained for more than 9 months (currently 12 months) • Exemption to include absences directly related to planned or emergency surgery (non-elective), recovery from pregnancy, gender transitioning, cancer, multiple sclerosis (MS), HIV and other life limiting illnesses requiring palliative care such as motor neurone disease
Is this Report Exempt as per Schedule 12A Local Government Act 1972	No
Decision taken under the following delegation:	See legal implications for detail
Division(s) Affected	N/A
Date of Decision*	31 March 2026
Summary of Decision*	From the 1 April 2026, reinstate contractual sick pay from the first day of sickness for all employee and make changes to the Managing Attendance policy to include:

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<p>Reason(s) For Decision*</p>	<p>Nil pay for the first 3 days sickness (excluding industrial injury, maternity or disability related sicknesses) was an initiative introduced alongside three days mandatory unpaid leave (MUL) back in 2011. Since then, MUL was removed with effect from 31 March 2023 which means any substitute leave is being taken out of the employee's contractual annual leave.</p> <p>As part of the Employment Rights Act 2025, statutory sick pay (SSP) has been introduced from the first day of absence. This change abolishes the current three-day waiting period and is a new rule taking effect from the 6 April 2026. For individuals to now take substitute leave there would need to be a way of deducting the SSP allocation from the leave entitlement and the iTrent HR system does not allow for this to happen, meaning it would have to be a manual and time-consuming process.</p> <p>Reinstating the three-day sick pay is also one of the most frequently raised issues at staff briefings and from our recognised Trade Unions.</p>
<p>Alternative Options Considered and Rejected</p>	<p>Option 1 – Do nothing (leave as is). This is rejected due to the capacity issues, this would create, for HR teams to manually deduct SSP hours from substitute leave requests</p> <p>Option 2 – Reinstate three days sick pay with no changes to managing attendance policy. This has been rejected due to the organisations position on needing to tightly manage attendance</p>
<p>Summary of any financial implications</p>	<p>The cost to pay the first 3 days sickness for all employees would be c£310k based on employee's sickness in the financial year 2024/25.</p> <p>Under the Employment Rights Act (2025) with effect from 1 April 2026 the first three days of sickness will be paid as Statutory Sick Pay (SSP). This is paid by WCC as the employer. This will cost c£101k based on employee's sickness in 2024/25. Therefore, the net cost to implement this would be c£209k. These are direct costs only the calculation and excludes the opportunity cost of</p>

	<p>staff manually adjusting records and diverting them away from other HR activities.</p>
<p>Summary of any legal implications</p>	<p>The scheme of arrangements states that the Assistant Director for Human Resources, Digital and Communications has authority to:</p> <p>To determine and issue general guidelines to officers for the management of human resources, including recruitment, training, conditions of service, staff development/appraisal, disciplinary matters and any other matter concerning staff.</p> <p>The post of Assistant Director for Human Resources, Digital and Communications has not been filled since the last postholder left. The Assistant Director for Communities is covering the Human Resources part of the above role.</p> <p>The Chief Executive as the Head of Paid Service can make this decision under the Scheme of Arrangements in consultation with the Head of HR and has consulted with the Cabinet Member with Responsibilities for Finance and Corporate Services. (Confirmed support for the approach on the 30 March 2026).</p> <p>This decision is being considered as part of the council's transformation programme and there will be a report to Cabinet in May 2026. A delegation can be made by Cabinet to the Chief Executive authorising him to finalise and sign a collective agreement referred to in the paragraph below.</p> <p>A Collective Agreement was signed by the Chief Executive of the Council in 2011, one of the terms related to the managing attendance policy.</p>
<p>Consultation process and results</p>	<p>Recognised Trade Unions have been consulted and are supportive of the proposed changes. This will eventually form part of a signed collective agreement.</p>
<p>Equality duty Implications</p>	<p>An Equalities impact assessment has been completed to consider the potential, anticipated, probable and definite impacts of negative, neutral, and positive outcomes regarding each of the protected characteristics, and aims to evidence our due regard to our statutory duties, as per the Public Sector Equality Duty, in line with The Equality Act 2010. The content of this impact assessment has been considered by relevant parties, when making this decision and mitigating action will be taken where possible, suitable and relevant, this may include widening the scope of the exemption list from stage 2 of the managing attendance policy</p>
<p>Social Value Implications</p>	<p>N/A</p>
<p>Any Conflict of Interest declared by a consulted Cabinet Member/ any</p>	<p>N/A</p>

dispensation granted*	
Background documents*	Cabinet Report February 2011, budget report, reference made in paragraph 49 to reducing sick pay entitlement.
Signature	Paul Robinson
Reference/Date Published	31 March 2026
Monitoring Officer Review needed	Yes

*Legal Requirement