



West Lothian
Council

Discretion to Extend Sickness Allowance Implementation Arrangements



Human Resources
Reviewed August 2014



DISCRETION TO EXTEND SICKNESS ALLOWANCE

IMPLEMENTATION ARRANGEMENTS

1. INTRODUCTION

- 1.1 Depute Chief Executives have delegated authority to extend sickness allowance beyond specified contractual levels in exceptional circumstances.
- 1.2 The purpose of this guide is to make sure that requests for extension of sickness allowance are dealt with fairly and consistently across the council.

2. OPERATIONAL PRINCIPLES

- 2.1 The council's normal practice is to apply the levels of service-related sickness allowance set out in each of the schemes of conditions of service. **Consequently, any decision to extend sickness allowance will be the exception to normal practice.**
- 2.2 Exhaustion of accrued sickness allowance is not, in itself, grounds for exercising discretion to extend payment.
- 2.3 In all cases:
 - a phased return to work under the council's sickness absence policy should be considered before extending sickness allowance; and
 - decisions will be taken in light of medical evidence and advice.
- 2.4 Discretion will not be exercised to provide a sickness allowance payment to employees who would not otherwise qualify for payment (e.g. 'red book' employees with less than 26 weeks continuous service with the council).
- 2.5 Discretion can only be considered for employees who have a minimum of five years' continuous service with the council and who have exhausted their existing entitlement to sickness allowance.
- 2.6 Discretion may be exercised only once in any five-year period.
- 2.7 When considering requests, Depute Chief Executives will take account of the employee's sickness absence record over the previous five years.
- 2.8 Extension to sickness allowance will be service-related and based on half sickness allowance only as follows:
 - up to a maximum of four weeks after five years' continuous service with the council; and
 - up to a maximum of eight weeks after ten years' continuous service with the council.

2.9 Discretion will normally only be considered in circumstances where:

- an employee is demonstrably experiencing severe, exceptional and unforeseen difficulties as a consequence of a serious debility, condition or illness; and where the employee's actions have not contributed to the reason for absence; or
- an employee is terminally ill, justifying an extension of sick pay on compassionate grounds. In these circumstances, qualifying service requirements, as set out in paragraph 2.8 above will be waived. However, the maximum amount payable will still be 8 weeks' half sickness allowance.

2.10 The decision of the Depute Chief Executive is final in all cases.