



East  
Northamptonshire  
Council

# Absence Management Policy

The image shows two overlapping calendar pages. The top page is for April, and the bottom page is for May. The date 25th of April is circled in purple, with a handwritten note 'off sick' written below it. The calendars are set against a green background with a faint watermark of the council's name.

APRIL			
SUN	MON	TUE	WED
3	4	5	6
10	11	12	13
17	18	19	20
24	25	26	27

*off sick*

MAY			
SUN	MON	TUE	WED
1	2	3	
8	9		

## Document Version Control

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0.7	2/06/11	Includes comments and suggestions from UNISON and employees

*NB: Draft versions 0.1 - final published versions 1.0*

## Consultees

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)
Tricia Orr (HR Advisor), Katy Everitt (Head of ROD)	
CMT	
UNISON	
X-change	
Staff (via EUNICE)	

## Distribution List

Internal	External
e.g. Individual(s) / Group / Section	e.g. Stakeholders / Partners /Organisation(s)

## Links to other documents

Document	Link
Disciplinary Policy	
Mental Wellbeing in the Workplace (Stress policy)	

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## 1.0 Scope

1.1 This policy applies to all employees.

## 2.0 Policy outcomes

2.1 The outcomes to be delivered by this policy are:

Absence management policy outcomes	Links to corporate outcomes
<ul style="list-style-type: none"><li>A healthy and effective workforce.</li></ul>	<ul style="list-style-type: none"><li>Effective management</li><li>Achievement of knowledge, skills and behaviours</li></ul>

## 3.0 Introduction

- 3.1 The council has a responsibility to ensure that work doesn't make any of us ill or make any illnesses we have worse. Equally we all have a responsibility to look after our own health.
- 3.2 Everyone gets ill from time to time, mostly this will just be a day or two with a cold or stomach bug. The majority of people therefore only need to read and follow the first part of this policy which covers: telling us you are ill, talking to your manager when you get back and filling out some brief paperwork.
- 3.3 Sometimes people are ill more frequently, have more serious conditions or disabilities. We want to support and care for our colleagues, but we also have a responsibility to ensure delivery of services to the council's customers.
- 3.4 Everyone's roles are vital, therefore repeated or longer term sickness absence makes it harder to deliver services. The rest of the policy exists to help make sure that we manage these situations fairly and consistently for both staff and customers. There are parts of this policy that we hope will never need to be used.
- 3.5 This policy relies on individuals following the procedures, managers being skilled and knowledgeable and professional support being provided by the Human Resources (HR) and Organisational Development (OD) team.
- 3.6 Part A of this policy covers the basic information that everyone needs to know.
- 3.7 Part B covers situations and circumstances which happen to only a few people and infrequently. Most people will never need to refer to this section.
- 3.8 Part C describes the formal process for managing sickness absence.

## PART A: What everyone needs to know

### 4.0 Telling your manager you are ill

- 4.1 You must call your line manager as soon as possible, and by 10am at the latest, to tell them that you can't come to work that day.
- 4.2 To make sure your line manager knows what is going on you should explain:
- What illness you have.
  - How long you expect to be absent.
  - Any critical meetings or work that will need to be covered.
  - Whether you intend to visit your GP (or not).
- 4.3 If you can't get hold of your line manager to tell them you are ill, then tell another manager or your Head of Service.
- 4.4 If you are unable to make the call yourself, then a spouse, partner, parent or friend can make the call for you.
- 4.5 Emails and text messages must only be used if no-one can call. Make sure that you include in the text/ email the same details you would give if you phoned in (listed in 4.2 above).
- 4.6 If you are still not well enough to come in to work on the day you told your manager you would be back, you will need to call in again.
- 4.7 It is your responsibility to keep your line manager up to date on your situation should anything change.

### 5.0 What to do if you need to be off sick for more than 7 days

- 5.1 If you need to be off work due to illness for more than 7 consecutive days (including non-working days such as weekends and bank holidays) then you will need to visit your GP. They will give you a 'fit note' that states how long you need to be absent from work due to your illness.
- 5.2 When you get your 'fit note' you should call your line manager (or another manager or Head of Service, if your manager is absent) to explain what it says. You should then send the signed 'fit note' to HR straight away. The 'fit note' is needed as soon as possible to ensure that your pay is uninterrupted.
- 5.3 If you do not feel able to return to work on the day your GP has stated you will be fit for work, you will need to contact your GP again and arrange another 'fit note'. You will then need to call your manager to update them on the situation, and send HR a further 'fit note'.
- 5.4 If you are ill while on annual leave you should visit your GP as soon as possible to get a 'fit note' to cover the time you were ill. You will need to explain what happened to your line manager when you return. Once they have been given your signed 'fit note' you will be able to record the time as sick leave on your flexi sheet. You will then be able to take

your annual leave at another time. Your leave will continue to be recorded as annual leave until your 'fit note' is received.

- 5.5 In certain circumstances your GP may issue a fit note that suggests you may be fit to return to work under certain circumstances. More information about this is provided below in section 11.
- 5.6 If you are absent from work for a month or longer this is classed as long term sick leave. More information is provided below about contact during long term sick leave (section 12), referrals to occupational health (section 14) and managing long term sickness (section 17).

## 6.0 Sick pay - the basics

- 6.1 Employees are entitled to receive sick pay for the following periods:
- During 1st year of service 1 month's full pay and (after completing 4 months service) 2 months half pay.
  - During 2nd year of service 2 months full pay and 2 months half pay.
  - During 3rd year of service 4 months full pay and 4 months half pay.
  - During 4th & 5th year of service 5 months full pay and 5 months half pay.
  - After 5 years service 6 months full pay and 6 months half pay.
- 6.2 Where employees have recognised continuous service with a previous organisation this will be used to calculate sick pay.
- 6.3 More information about sick pay can be found in section 13 below.

## 7.0 Wellbeing meeting

- 7.1 After returning to work, you should have a Wellbeing meeting with your line manager.
- 7.2 The purpose of this meeting is to:-
- Welcome you back and show support and concern for your health and wellbeing.
  - Ensure that you are well enough to be back at work.
  - Provide an opportunity to discuss your health.
  - Discuss any disability issues (if applicable - see section 10 for more information).
  - Make sure all the paperwork has been done (see appendix C).
  - Discuss the implications if your absence was due to an accident or injury at work.
  - Feedback any key pieces of work or information you may have missed.
- 7.3 This meeting will normally be held confidentially in a quiet office.
- 7.4 However, if you have only been absent for a day or two, it may be appropriate to have this conversation at your desk, as long as:-
- You are happy to do so (if not a confidential meeting in an office should be arranged).
  - The nature of your illness is straightforward (a cold or virus perhaps).

7.5 A Wellbeing form should be completed and signed by yourself and your line manager during the meeting (Appendix C).

## 8.0 Paperwork

8.1 Your line manager will ask you to complete and sign a Wellbeing form during your Wellbeing meeting. You will need to do this for every absence, whether it was a day, a week, or months.

8.2 You should send a copy of the wellbeing form to HR within a week of completion.

8.3 You will also need to record your sickness absence on your flexi sheet.

## 9.0 Sickness monitoring and reports

9.1 Sickness levels are monitored by managers and HR. Reports on levels of sickness are produced for performance meetings, managers, Heads of Service, the Corporate Management Team (CMT) and the Personnel Sub-Committee (PSC). The reports are available on EUNICE after the meetings. The general reports (to CMT, PSC and on EUNICE) do not contain information or details about individuals but give overall statistics and trends.

## Part B: Things you may need to know

### 10.0 Disability

10.1 Disability law is a complicated area and issues will be dealt with according to each individual employee's personal circumstances and the relevant legislation (such as the Equality Act 2010) and case law.

10.2 Where a manager believes that an employee may have a disability, they should contact HR for advice before taking any action.

10.3 An employee meets the legal definition<sup>1</sup> of having a disability if:

- They have a physical or mental impairment.
- The impairment has a substantial (more than minor or trivial) and long-term (12 months) adverse effect on their ability to perform normal day-to-day activities (such as eating, washing, walking, concentrating and going shopping).

10.4 Progressive conditions such as HIV, cancer or multiple sclerosis are automatically classified as disabilities from the point of diagnosis.

10.5 If an employee has a disability, the council is required by law to make reasonable adjustments to their role and policies and procedures (including this one).

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<sup>1</sup> Equality Act 2010

## 11.0 More about GP 'fit notes' and 'may be fit notes'

- 11.1 The language of GP certificates can be confusing as they are called 'fit notes' even if what they actually say is you are too ill to work.
- 11.2 When you visit your GP they sign the 'fit note' to confirm one of three outcomes:
- You are well enough to return to work.
  - You are too ill to be at work at the moment and until a specific date.
  - You may be well enough to return to work if certain temporary changes to your job are made.
- 11.3 If your GP advises that you **may be** fit for work, then you should call your line manager to discuss the matter.
- 11.4 Your GP is the expert on your health, however they do not know all the details about your job or how the council works. Therefore they can only make suggestions and recommendations about temporary changes to your job. They may suggest things like:
- A phased return to work which is a gradual increase in your work duties or working hours, for example after an operation or after injury.
  - A temporary change to your working hours.
  - Changes to the workplace to take into account your condition, for example allowing you to work on the ground floor if you have problems going up and down stairs.
- 11.5 Ideally your manager will be able to agree the recommendations.
- 11.6 If your manager feels that it would be impossible or impractical to make the amendments that your GP has recommended, you may need to remain absent from work until you are able to return to your full duties. Your manager will discuss this with HR before communicating this with you.

## 12.0 Keeping in contact during long term sickness absence

- 12.1 Unfortunately there are times when employees will be unable to attend work due to sickness for an extended period. This may be for a variety of reasons, from a broken leg to something more serious and long term such as cancer or severe depression.
- 12.2 If you are likely to be off sick for more than two weeks your manager will contact you to discuss the situation and see how you are. This is not part of the formal absence management process.
- 12.3 The type of contact will depend on the circumstances. Initially the line manager should contact the employee by phone, but a letter, home visit, or informal meeting somewhere other than the home, may be more appropriate. Visits will be pre-arranged.
- 12.4 Where a call or home visit would be of little use or have a negative impact, it will be delayed to a more appropriate time. This may be where a member of staff is in hospital or suffering from a mental health issue.

12.5 In some circumstances the employee may feel that it would be more appropriate to speak to someone in HR rather than their line manager. If this is the case they need to let HR know as soon as possible.

12.6 The purpose of the call/visit is to:-

- Offer support to the employee and ensure that they know that they are both missed and that the council, their manager, and colleagues wish them a quick return to health.
- Facilitate an open and frank discussion about the employee's health. This is especially important if any issues at work are causing or contributing to the ill health.
- Get an idea of when a return to work is likely, even if this is only an estimate.
- Enable early discussions about how the employees return to work can be supported and for things to be put in place (for example, temporarily moving someone's work station to the ground floor if they have broken their leg).
- Keep the employee updated of what is going on in the office (where appropriate) so that there will be less anxiety and a smoother transition when the employee returns to work.
- Consider whether a referral to occupational health would be useful.
- Where it is expected that the employee will remain off work for some time, a further call/ home visit should be arranged. The type of contact and timescale will depend on the circumstances but is unlikely to be more than a month from the first call/ home visit.

## 13.0 More about sick pay

13.1 The terms of the sickness pay scheme, as determined under the National Joint Council for Local Authorities (NJC) "green book", will be applied during an employee's absence due to sickness. Under the terms of the scheme there is an entitlement to sickness pay providing that certain conditions of qualification and notification are fulfilled. Some of those terms are reproduced below.

13.2 The scheme is a supplement to Statutory Sick Pay and will ensure that normal pay is maintained during the period of absence.

13.3 Absence in respect of normal sickness is entirely separate from absence through industrial disease, accident or assault arising out of or in the course of employment with the council. Periods of absence in respect of one will not be set off against the other for the purpose of calculating entitlements under the scheme (see section 10.2 of the NJC "green book")

13.4 If you have been absent for a long period and have exhausted your allowance under the scheme, you will still be entitled to state benefits.

13.5 There may be certain circumstances where you come to work but the council believes that you are either unfit for work or risk the health of other employees (if for example you have a highly contagious disease). The council reserves the right, under these circumstances, to require that you go home for a specified period on full pay. The period of absence on this account shall not be reckoned against your entitlements under this scheme.

- 13.6 If you are required to go home because of a risk to the health of other employees, any absence will not be counted towards the triggers discussed below in section 15.
- 13.7 You will not be entitled to sick pay if you are absent on account of sickness due or attributable to deliberate misconduct, deliberate conduct prejudicial to recovery, neglect or active participation in professional sport or injury whilst working in your own time for private gain or for another company (section 10.10 of the NJC "green book").
- 13.8 Sick pay will not be paid to you if you are absent as a result of an accident if damages may be recoverable from a third party. An allowance will be paid to you during your absence, equivalent to your sick entitlement, subject to the requirement that it is refunded when any insurance claim is settled.
- 13.9 Full pay will be paid for agreed phased returns of up to four weeks. In exceptional circumstances pay beyond four weeks will be considered by the Head of Resources and Organisational Development.

## 14.0 Occupational Health

- 14.1 There are times when it is helpful to get a medical opinion on how to support your return to work or when you have met a trigger. Where this is the case a referral will be made to the council's occupational health advisors. If a referral is needed, this will be explained to you. The occupational health service will write to you directly to invite you to an appointment.
- 14.2 You can get a copy of the referral and the written report if you wish.
- 14.3 Sometimes it is also useful to get copies of your medical records. If this is the case, you will be asked to complete a form to allow these records to be released.
- 14.4 The occupational health advisor will be asked questions that relate to your health as part of the referral. These questions may include:
- Is this a temporary condition or problem or is it likely to be long-term or permanent?
  - Is the condition a disability?
  - Is the employee fit for their post/ position/ grade at present?
  - Is a gradual return to work recommended? If so, on what basis?
  - Are there any actions/ adjustments that the council could make to facilitate a return to work?

## PART C: Formal process for managing sickness absence

### 15.0 Managing absence: formal stages and triggers

15.1 There are two formal stages that apply when managing both short and long term absence.

Stage 1	Absence review meeting
Stage 2	Absence review hearing

15.2 The purpose of an absence trigger is to initiate a meeting with your manager to discuss your health. This meeting is called an absence review meeting (see section 18).

15.3 The absence triggers will be as follows:

#### Short term

- **3 periods** of sickness in a **rolling six month period**.
- **AND/ OR 5 periods** of sickness in a **rolling 12 month period**.
- **AND/ OR a noticeable pattern**, such as Mondays, or the day after annual leave.

#### Long term

- **1 months absence or when you enter into half pay**, whichever comes first

15.4 The council reserves the right to instigate an earlier discussion of an employee's sickness absence record if the situation requires such action. Examples might be a single day of absence that is due to work related stress, a work related injury, an accusation of bullying and harassment, or where there is evidence that the employee was not ill. If a line manager believes that action should be taken before a trigger is reached, they must contact HR for advice before speaking to the employee.

### 16.0 Management of short term absence

16.1 When a short term absence trigger is reached (see section 15.3 above) an absence review meeting will be arranged. See appendix A for a flow chart.

16.2 The general purpose and procedure to be followed during an absence review meeting is detailed below in section 18.

16.3 Where short term absence is to be discussed at the absence management meeting it will also be necessary to:-

- Set an attendance improvement target for the future.
- Explain that if the targets are not met you will be invited to an absence review hearing (see section 19 below).
- Consider whether a further meeting is needed.

16.4 The attendance improvement target will depend on the trigger met and the circumstances, but will be discussed with you during the meeting.

16.5 If you fail to achieve the improvement target you will be invited to attend an absence review hearing (see section 19 below).

## 17.0 Management of long term absence

17.1 When a long term absence trigger is reached (see section 15.3 above) an absence review meeting will be arranged. See appendix B for a flowchart.

17.2 The general purpose and procedure to be followed during an absence review meeting is detailed below in section 18.

17.3 Where long term absence is being discussed, the purpose of the meeting will also be to:-

- Discuss when you may be able to return to work.
- Discuss ways of supporting your return to work.
- Set a date for a follow up meeting if required.
- Set a timeframe for an absence review hearing in case you continue to be absent from work (a hearing trigger).

17.4 If you are still absent on the date set as the hearing trigger (see 17.3 above) then you will be invited to attend an absence review hearing (see section 19 below for more details).

## 18.0 Absence review meeting

18.1 If you reach a trigger, your line manager will invite you to an absence review meeting. This represents stage one of the formal process for managing sickness absence.

18.2 In exceptional situations (such as terminal or life threatening illness) the Head of Resources and Organisational Development can delay the absence review meeting; indefinitely if appropriate.

18.3 You will be entitled to be accompanied to the meeting by either a Trade Union representative or a work colleague.

18.4 A representative from the HR team will be present at the meeting and will advise you and your manager on the process and next steps.

18.5 It is important that any information relating to your health and absence, including your absence record, is collected before the absence review meeting. This might include:

- A referral to occupational health.
- A request (with your permission) for your GP records.

18.6 The purpose of the meeting will be to:-

- Discuss your absence record.
- Ensure that your line manager understands the causes of your illness.
- Consider any disability issues.
- Consider how you might improve your health.
- Consider how the council may be able to support you to improve your health.

- 18.7 Within a week of the meeting you will receive a letter summarising what was discussed and agreed. The letter will include:
- Details of how to appeal the outcome of the meeting should you wish to do so.
  - Details of the circumstances in which an absence review hearing would be triggered.
  - Details of how to seek clarification or further information on any aspect of the letter or process.
- 18.8 Follow up actions will depend on the circumstances, but may include.
- An initial or further referral to occupational health.
  - Providing practical support to assist attendance such as allowing occasional working from home.
  - Providing support for dealing with work-related problems such as workloads.
  - Arranging coaching, mentoring and/ or training to assist the employee with challenges at work.
  - Instigating more frequent management supervision sessions.
  - Providing information about the council's confidential counselling services.
  - Instigation of the bullying and harassment policy and procedure.
  - Requesting that you obtain a GP note for every absence (any cost will be paid by the council).
  - A date for a further meeting.
  - No further action.
- 18.9 Any appeal will follow the process set out in the disciplinary procedure but will be heard by a Head of Service.
- 18.10 If it is impractical for the member of staff to attend, the meeting can go ahead and the employee can either present something in writing to be considered at the meeting and/or have their views delivered by their representative.

## 19.0 Absence review hearing

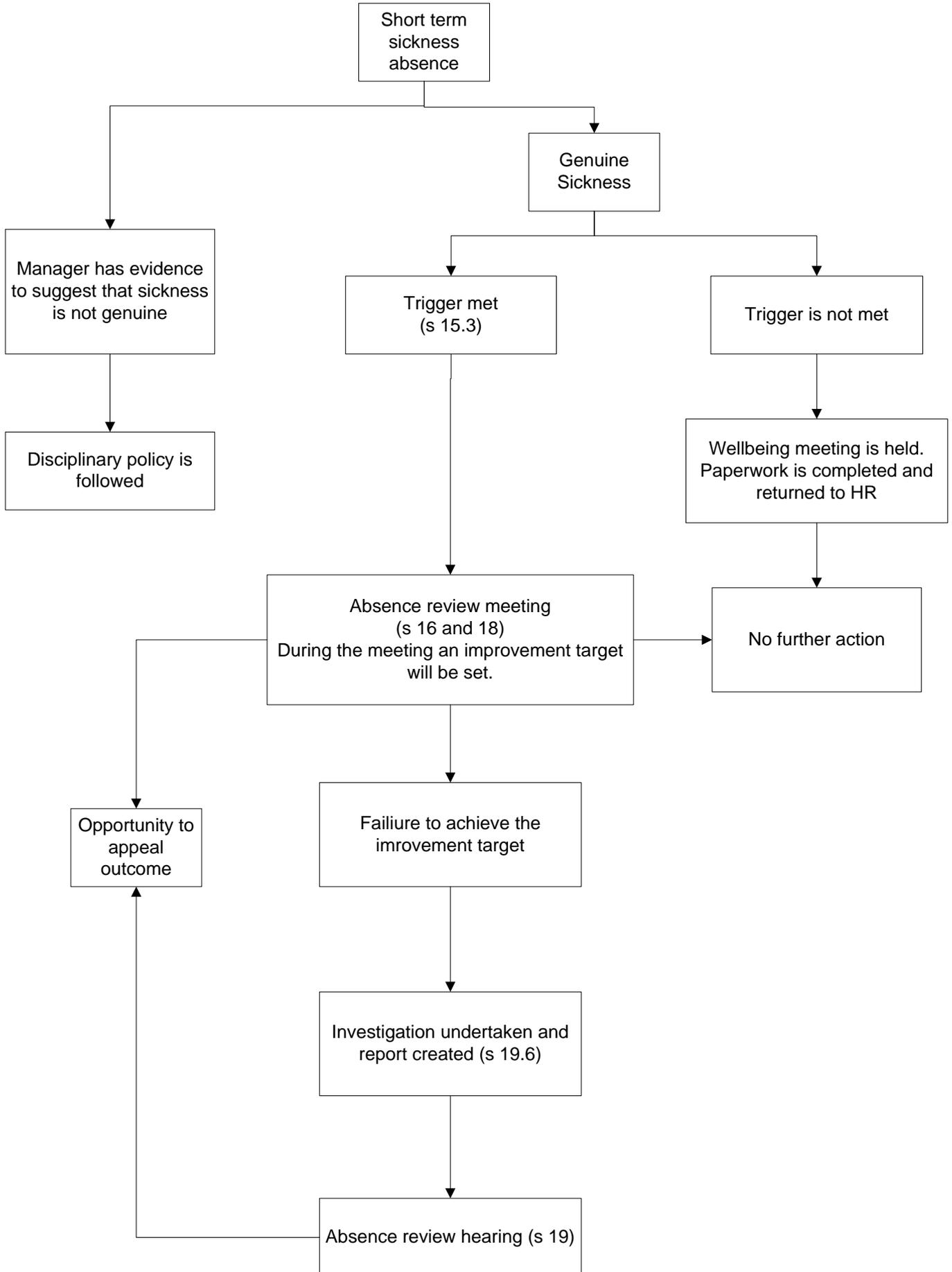
- 19.1 You will be invited to an absence review hearing in the following circumstances:
- **Short term absence:** you have failed to achieve an improvement target set in an absence review meeting discussing short term absence (see 16 above)
  - **Long term absence:** you are not expected to be back to work by the date set in an absence review meeting as the hearing trigger (see 17 above).
- 19.2 The purpose of a formal hearing is to consider all the circumstances and whether any more can be done to support your return to work or an improvement in your attendance. An absence review hearing is the second stage of the formal absence management procedure. Outcomes from an absence review hearing can include dismissal and ill health retirement.
- 19.3 In exceptional situations (such as terminal or life threatening illness) the Head of Resources and Organisational Development can delay the absence review hearing; indefinitely if appropriate.

- 19.4 The hearing will be chaired by a Head of Service, supported by HR.
- 19.5 You are entitled to be supported by a Trade Union representative or colleague.
- 19.6 Before the hearing, your line manager will ensure that a thorough investigation has been undertaken and will write a report which they will share with you at least 5 days before the hearing. The investigation should include:
- Previous documentation, including letters from absence review meeting(s).
  - A breakdown of your absences.
  - Making a referral to occupational health.
  - Obtaining up-to-date medical advice (where appropriate).
  - Considering whether re-deployment is a possibility.
  - Considering any reasonable adjustments that could be made if you have a disability.
  - Reviewing the effect of your continued absence on service delivery.
  - Considering whether ill health retirement may be an option.
  - Considering your service history.
- 19.7 Within a week of the hearing you will receive a letter summarising what was discussed and the outcome(s) of the hearing. It will explain how you can appeal the outcome(s) should you wish to. Any appeal will follow the process set out in the disciplinary policy but will be heard by two members of the Corporate Management Team.
- 19.8 It may become necessary to consider as part of an absence hearing, after reviewing all the facts, whether the situation justifies dismissal.
- 19.9 A further hearing may be needed to review the situation again depending on the circumstances.
- 19.10 Absence review hearings deal with genuine illness. If your manager believes that your absences may not be due to genuine sickness they will discuss with HR whether it is appropriate to instigate the formal disciplinary process instead of the formal sickness management procedure.
- 19.11 If it is impractical for the member of staff to attend, the hearing can go ahead and the employee can either present something in writing to be considered at the meeting and/or have their views delivered by their representative.

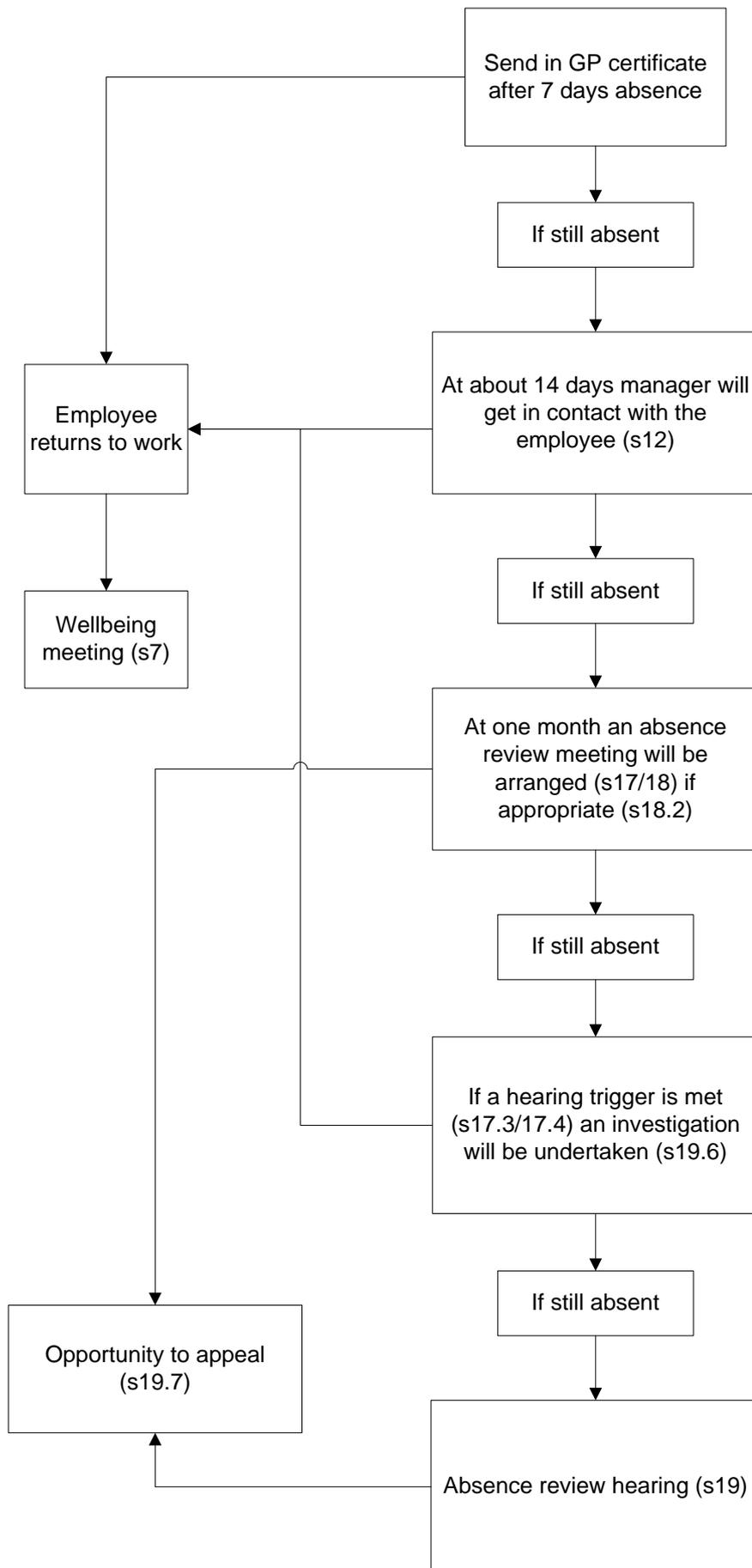
## 20.0 Early retirement on the grounds of ill health

- 20.1 Early retirement on the grounds of ill health can be considered where occupational health have certified that the employee is:
- permanently incapable of doing their job efficiently, **and**
  - permanently incapable of doing any comparable job that is available within the council.
- 20.2 Early retirement will be considered on an individual basis and in co-ordination with colleagues from Northamptonshire County Council (who administer the council's pension scheme).

# Appendix A - Managing short term absence flow chart



## Appendix B - Managing long term absence flow chart





# EAST NORTHAMPTONSHIRE COUNCIL

## Wellbeing form

*Note - This form should be used for all absences irrespective of whether a doctors' note has been submitted. It should be completed on the day of return to work and forwarded to Organisational Development without delay.*

Name	<input type="text"/>	Date of Birth	<input type="text"/>
What was the first day you were unable to attend work due to your sickness?	<input type="text"/>		
What date did your sickness end?	<input type="text"/>		
What date did you return to work?	<input type="text"/>		
How many days were you absent from work due to this sickness?		<input type="text"/>	
Was your absence caused by an accident at work or industrial disease?		<input type="text"/>	
Nature of your illness/sickness:			
<input type="text"/>			
Other issues discussed during Wellbeing meeting (including disability issues):			
<input type="text"/>			
Date of wellbeing meeting	<input type="text"/>		
Employee's signature	<input type="text"/>	Manager's signature	<input type="text"/>