

# Sickness Absence Policy

## 1. Purpose and Scope

It is important to identify and address ill health issues in a way that balances the support of the Employee with the efficient provision of service. It recognises the joint responsibility of Employer and Employee in achieving this aim and in implementing this policy.

## 2. Principles

The principles underlying this policy are:

- The Employee is the most valuable resource and the Employer aims to provide a healthy working environment for all its Employees.
- All Employees are to be treated fairly and consistently, with a confidential and sensitive approach.
- The Employer is responsible for managing the absence of the Employee for whom s/he is responsible and for providing support and guidance.
- This policy is considered in conjunction with other policies and relevant employment legislation such as the Equality Act 2010.

### Confidentiality

It is implicit in the management of any sickness absence situation that Employees are assured of strict confidentiality and that any information is shared on a 'need to know' basis and only after consultation with the Employee involved.

### Responsibilities

Employers and individual Employees all have a part to play in the positive management of sickness absence management.

**The Employer** is responsible for managing the attendance of Employees. This is achieved by:

- Ensuring Employees are made aware of the procedures regarding sickness absence;
- Accepting primary responsibility for the promotion of good attendance;
- Keeping in regular touch with Employees who are absent through sickness and ensure they receive support and ease their return to work;
- Being aware that the way they manage can affect the amount of sickness their Employees incur;
- Reviewing each Employee's sickness absence in accordance with the procedure set out in these guidance notes;
- Establishing a clear action where it is decided that action is justified;

**Individual Employees** have a responsibility to comply with the sickness absence recording procedures by.

- Providing medical certificates at the appropriate times;
- Ensuring medical advice and treatment, where appropriate, is received as quickly as possible via their Medical Practitioner in order to facilitate an early return to work;
- Ensuring that they do not undertake any activity including other paid or voluntary work that might delay their return to good health and work. Such action, without permission could lead to a breach of the employment contract and disciplinary action.

## **Induction**

New Employees must be made aware, during their induction of the Sickness Absence Policy and the responsibilities in minimising sickness absence. In particular they must be made aware of the relevant notification arrangements for reporting sickness absence.

## **Probation period**

Employers should discuss all incidents of sickness absence with an Employee during their probation. An unsatisfactory sickness record during a probation period may be a reason for an Employee not being confirmed in post. The formal part of the sickness absence procedure does not need to be followed during the probationary period.

## **3. The Procedure**

### **Reporting and recording sickness absence**

- Employees should inform their Employer of their absence at least one hour before their usual start time on the first day of sickness.
- If their Employer is unavailable a message should be left with another appropriate person.
- The Employer will confirm the nature of the illness and its expected duration.
- If returning before seven days absence the employee will be required to complete and sign a self certification form (available through Disability Focus)
- If the absence continues beyond seven calendar days a medical certificate "Fit Note" is required. Without the medical certificate, the Employer cannot authorise the payment of sick pay.
- When an individual falls sick during their normal working day, this will be recorded as a day or half-day sickness as appropriate.
- Records of sickness absence will be maintained.

### **Keeping in touch**

- Throughout any period of absence, it is very important that the Employee keeps the Employer informed of the likely length of absence.
- The Employee should contact their Employer *before* their medical certificate expires to indicate whether they will be returning to work or will be absent for a further period. If this does not happen at the appropriate time, the Employer will contact the Employee.
- The Employer must keep a record of all contacts with absent Employees.

### **Return to work contact**

- When an Employee returns from *any* period of sick leave his/her Employer should have an appropriate discussion with the individual to confirm the cause of the sickness absence, confirm whether he/she is fit to return to work.
- This discussion should occur on the day of return or as soon as practically possible.
- This is a two way dialogue during which the Employee should feel able to discuss any issues or concerns relating to the workplace which may have contributed to the sickness. It also provides the Employer with the opportunity to update Employee on developments during his/his absence.

### **Informal Procedure for Short Term Sickness Absence**

A series of short-term sickness absences can cause as much disruption as a longer period of sick leave. The early and successful management of this issue is essential to good working relations.

Employers may initiate a Sickness Absence Monitoring Review with Employees where the following trigger points have been met:

- A cumulative total of 15 calendar days over two or more occasions in a rolling 12 month period
- Four occasions of sickness absence in a rolling 12 month period
- A consistent pattern of absence which is significant for the service, but falls short of the parameters above, eg always taking a Friday or Monday off.

Any review by the Employer should include the following considerations:

- The reasons for sickness absence, e.g. whether there are any underlying medical problems
- Whether patterns of sickness absence have been established, e.g. Fridays/Mondays
- The reasons for absence, which could include work related problems, personal, welfare and/or medical circumstances
- Whether the sickness absence is disability related.
- Whether it is appropriate to advise the Employee that a failure to improve attendance may result in formal proceedings.

Written records must be kept of all conversations between the Employee and Employer and notes of decisions made relating to informal and formal action.

### **Informal Procedure for Long Term Sickness Absence**

In deciding whether absence is “long term” consideration needs to be made of the prognosis rather than the actual absence to date. However, as a guide, 4 weeks or more of continuous absence will be regarded as long term.

Long term sickness absence generally falls into the following two categories:

- The first is where it is reasonably certain that an individual will return to work within a specified time frame (e.g. broken bone or minor operation).
- The second category is where the cause of the illness is less well defined and/or there is no prognosis of a likely return to work date. In these cases it is important that the Employer keeps in regular, and agreed contact. This also ensures that the Employer maintains an accurate picture of the circumstances.

### **Long term sickness absence reviews**

A review must be held for any individual who has been absent for, or where it is anticipated they will be absent for, 40 days’ continuous sickness. Following the initial review, the case must be reviewed on a formal basis every two to three months thereafter

Reviews should also be held for Employees on rehabilitative and/or restricted duties.

The review meetings should provide an opportunity to review the absence of the individual, their progress towards recovery and the support provided to the individual.

The individual should be invited and encouraged to attend the review meeting although attendance by the individual is not compulsory.

Individuals must receive written notification at least seven days in advance of the intended meeting. The letter should explain the purpose of the meeting, who will be attending, and the individual concerned may be accompanied by a representative who may represent the individual at the review meeting even if the person concerned cannot or does not wish to attend.

The review meeting should consider what additional action might be taken to facilitate the individual’s return to work. Such action might include:

- Short term alternative working arrangements
- Phased return to work
- Reasonable adjustment
- Redeployment
- Ill health retirement

A plan detailing what actions need to be progressed, by whom and within what timescale, should be agreed. A copy of the agreed action plan from the review meeting or any subsequent reviews should be given to the individual concerned and a copy held by the Employer. If it appears unlikely that the individual will be able to provide effective service in the future, options for their departure will be considered including moving to the formal procedure.

Management of long term sickness absence will normally move from informal to the formal procedure following two review meetings.

**Formal procedure for handling persistent short term sickness absence and/or long term sickness absence.**

In very occasional cases where the informal process has not resulted in a satisfactory level of attendance and the adverse effects on service delivery are continuing, the Employer **must** seek guidance and assistance from their Insurance provider, appropriate Care Trust and or ACAS.

**Staff with disabilities**

Advice must be sought from the appropriate body (Insurer, ACAS, Care Trust) in all cases of disability related absence, as the employer is obliged to make reasonable adjustment to the work place if this could enable the Employee to fulfill their job responsibilities and to reduce sickness absence.

**Medical and dental appointments**

Employers have discretion to agree to reasonable paid time-off for medical appointments, subject to the caveat that every effort must be made to arrange appointments at appropriate times to cause least disruption to work. This should normally be at the beginning or end of the day or at the quietest time of day.

Time off with pay will be given for antenatal care.

**Sickness absence and leave**

If an employee is unwell while on leave, they may *retake* their leave at a later date. The Employee must inform their Employer at the earliest reasonable opportunity to advise that they are unwell on leave. If they are unwell for less than 7 days they must fill out a self certification form, if longer they must supply a medical certificate "Fit Note".

**Appeals**

An employee who wishes to appeal against a disciplinary decision must do so within 14 calendar days of the date of the letter confirming disciplinary action and clearly state the grounds for the appeal.

The Employer **must** seek guidance and assistance from their Insurance provider, appropriate Care Trust/Council and or ACAS.