

Sickness absence policy

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Sickness absence policy

1. ABOUT THIS POLICY

1.1 This policy sets out our arrangements for sick pay and for reporting and managing sickness absence.

1.2 Abuse of sickness absence, including failing to report absence or falsely claiming sick pay will be treated as misconduct under our Disciplinary Procedure.

1.3 This policy does not form part of any employee's contract of employment and we may amend it at any time.

2. INTRODUCTION

2.1 Whenever management has cause for concern about an employee's short-term persistent or long-term absence the monitoring and consultation procedure will be invoked.

2.2 Short-term absenteeism refers to a series of illnesses that are often unconnected which result in frequent, short periods of absence.

2.3 Long-term absence would normally be classed as at least four weeks' continuous absence.

3. REPORTING WHEN YOU ARE SICK

3.1 If you cannot attend work because you are sick or injured, you should personally telephone your line manager as early as possible and no later than 30 minutes after the time when you are normally expected to start work.

3.2 You must talk directly to your line manager and not leave messages with anybody else. If your line manager is unavailable then a message must be left with their immediate manager giving the reason for the absence, which will then be recorded on the HR Database. The only exception is where it is clearly not possible for you to ring personally – such as where you have been admitted to hospital.

3.3 When reporting your absence from work you must give the following information:

(a) the reason for your absence (if known);

(b) the expected length of your absence (if known);

3.4 If you are unsure on a day-to-day basis when you will be returning to work, you must inform your line manager on a daily basis of your continuing absence, following the above procedure.

3.5 You do not need to inform your line manager on a daily basis if you have previously advised of your return date.

4. SICKNESS CERTIFICATION

4.1 On the first day back at work, you must complete a Sickness Self-Certificate form giving the reasons for sickness absence of up to seven calendar days.

4.2 For absence of more than seven calendar days you must obtain a certificate from your doctor stating that you are not fit for work, giving the reason and submit it to your line manager no later than the tenth day of absence, covering the absence from the eighth day. You must also complete a self-certification form to cover the first seven days. The certificate will be forwarded to the HR Department for processing. If absence continues beyond the expiry of a certificate, further certificates must be provided to HR or your line manager to give continuous cover for the period of absence.

4.3 If the doctor's medical certificate does not specify the period of absence covered, it will be classed as covering a period of seven calendar days only.

4.4 If your doctor provides a certificate stating that you "may be fit for work" you must inform your manager immediately. We will hold a discussion with you about how to facilitate your return to work, taking account of your doctor's advice. If appropriate measures cannot be taken, you will remain on sick leave and we will set a date for review.

5. STATUTORY SICK PAY (SSP)

You may be entitled to Statutory Sick Pay (SSP) if you satisfy the relevant statutory requirements. Qualifying days for SSP are Monday to Friday, or as set out in your employment contract. The rate of SSP is set by the government in April each year. No SSP is payable for the first three consecutive days of absence. It starts on the fourth day of absence and may be payable for up to 28 weeks.

6. OCCUPATIONAL SICK PAY (OSP)

6.1 You may be entitled to Occupational Sick Pay (OSP) if you satisfy the relevant service requirements. OSP is paid based on your length of service as set out below:

- (a)** 1st Year of service – 1-month full pay (2 months' full pay after successful completion of probation)
 - (b)** 2nd Year of – 3 months' full pay and 3 months half pay
 - (c)** 3rd Year of service – 4 months' full pay and 4 months half pay
 - (d)** 4th and successive years – 6 months' full pay and 6 months' half pay
- 6.2** Where we make full or half payment in times of illness or injury, this includes any entitlement to statutory sick pay (SSP).

6.3 You will forfeit entitlement to OSP if:

- (a)** you fail to comply with notification and certification requirements;
- (b)** you make or produce any misleading or untrue statement or document concerning their fitness to work;
- (c)** you fail to make yourself available to attend medical referrals reasonably requested by the company

7. RETURN-TO-WORK INTERVIEWS

7.1 After a period of sick leave your line manager must hold a return-to-work interview with you. The discussion should allow for an exchange of information and be as frank and as open as possible as this will prevent any misunderstandings concerning the nature of the absence.

7.2 The purposes of the return to work interview may include:

- (a)** ensuring you are fit for work and agreeing any actions necessary to facilitate your return including any assistance or reasonable adjustments that may be possible to enable an employee to return to work or prevent further absence occurring;
- (b)** confirming you have submitted the necessary certificates;
- (c)** updating you on anything that may have happened during your absence;
- (d)** raising any other concerns regarding your absence record or your return to work.

8. MANAGING LONG-TERM OR SHORT TERM PERSISTENT ABSENCE

8.1 The purpose of the procedure is to investigate and discuss the reasons for your absence, whether it is likely to continue or recur, and whether there are any measures that could improve your health and/or attendance. We may decide that medical evidence, or further medical evidence, is required before deciding on a course of action.

8.2 We operate an accurate method of recording and monitoring levels of absence.

8.3 We will notify you in writing of the time, date and place of any formal meeting, and why it is being held. We will usually give you a week's notice of the meeting.

8.4 Meetings will normally be conducted by your line manager except at a Third Formal / Final Sickness Absence Meeting when a manager who is more senior to your line manager will conduct the meeting.

8.5 You may bring a companion to any formal meeting or appeal meeting under this procedure. Your companion may be either a trade union representative or a work colleague, who will be allowed reasonable paid time off from duties to act as your companion.

8.6 If you or your companion cannot attend at the time specified you should let us know as soon

as possible and we will try, within reason, to agree an alternative time.

8.7 If you have a disability, we will consider whether reasonable adjustments may need to be made to the sickness absence meetings procedure, or to your role or working arrangements.

8.8 We will give you the outcome of any formal meeting in writing. Where appropriate you must be given notice that your level of absence is unacceptable and a period of time to improve

9. SHORT TERM PERSISTENT ABSENCE - MONITORING AND CONSULTATION

9.1 If the amount of time you are taking off for illness is giving us cause for concern or hits the first trigger point (see Annex A at the end of this policy), then your line manager will discuss those concerns with you in a clear and unambiguous way at an informal meeting with you providing support where appropriate. In cases of short-term, intermittent absence, we may set a target for improved attendance within a certain timescale.

9.2 If a further trigger point is reached or there is no obvious improvement in your health or there are signs of patterns emerging in your absence (e.g. taking regular Mondays off sick) then your line manager will arrange to meet you to review your case at a formal First Review Meeting. You may bring a companion to this meeting as explained above.

9.3 We will give you the outcome of this meeting in writing. Where appropriate you must be given notice that your level of absence is unacceptable and a period of time to improve.

9.4 If you fail to improve within the given time scale, then a formal Second Review Meeting must be undertaken by your line manager (or if possible a more senior manager). You may bring a companion to this meeting as explained above.

9.5 Where appropriate you will be given notice that your level of absence is unacceptable and that you are being given a period of time during which to reduce your level of absence. You must also be informed at this stage that any further absences may result in your employment being terminated.

9.6 If there is still no improvement within the laid down time scale a Third Formal / Final Sickness

Absence Meeting will be held with an appropriate Senior Manager and an HR representative. You may bring a companion to this meeting as set out above. The Senior Manager & HR representative will review all the available evidence including any medical reports.

9.7 If there are no special circumstances, you could be dismissed on the grounds of capability or conduct because of your inability to meet the acceptable standards of attendance required by us.

10. MEDICAL EXAMINATIONS

10.1 We may ask you to consent to a medical examination by a doctor or occupational health professional or other specialist nominated by us (at our expense).

10.2 You will be asked to agree that any medical report produced may be disclosed to us and that we may discuss the contents of the report with the specialist and with our advisers. All medical reports will be kept confidential. You will be given a copy of any medical reports obtained.

10.3 You must make yourself available to attend medical referrals.

11. LONG TERM ABSENCE - 'CARE AND CONCERN' REVIEWS

11.1 In cases of long-term absence, your line manager must arrange to conduct regular 'care and concern' reviews (see Annex B at the end of this policy) with you to discuss possible courses of action should your absence continue. You may bring a companion to this meeting as explained above. Your line manager may also choose to be accompanied, normally by a HR representative or another manager (see annex B for trigger points). We will send you a letter or note recording what was discussed at each meeting.

11.2 If employees are too ill to travel the line manager may choose to conduct a home visit at a mutually convenient time.

11.3 In cases of long-term absence, regular medical assessments must be sought at reasonable intervals. Where there is doubt regarding your ability to return to work on a permanent basis advice must be sought from an Occupational Health Service Provider or alternatively, and with your permission, a medical report may be requested from your GP.

11.4 In cases of long-term absence, we may seek

to agree a return-to-work programme, possibly on a phased basis.

12. LONG TERM ABSENCE - RETURNING TO WORK

12.1 Wherever possible, we will use our best endeavours to aid your return to work on a permanent basis. We may take further medical advice to help establish the most effective way of achieving your return to work.

12.2 This may include making reasonable adjustments to your role, allowing a phased return to work, or by allowing you to return to work on a reduced or alternative hours' basis.

12.3 Where a phased return to work is recommended through the medical assessment, you will be able to return to work on a part-time basis and receive your full pay for a maximum period of four weeks. Thereafter, you must substitute your annual leave for days not worked or receive payment only for the hours worked.

12.4 Where you request a phased return to work themselves, annual leave should be taken for days not worked or you may choose to receive payment only for the hours worked.

13. LONG TERM ABSENCE REDEPLOYMENT, ILL-HEALTH RETIREMENT AND RESIGNATION

13.1 Where medical opinion advises us that you are unfit to return to your former role, we will consider the possibility of alternative employment. However, this is subject to the availability of suitable alternative posts.

13.2 Where medical opinion advises us that you are permanently unfit, you may have the option for applying for early retirement on the grounds of ill health, in line with the provisions of your pension scheme. You will need to contact your Pension Scheme for advice on how to proceed.

13.3 Where there have been a minimum of three formal reviews and there is no likelihood of a return date, you may be dismissed on the grounds of capability/ Ill-health

13.4 At any time during this process you may choose to resign from your employment. You are required to give your contractual notice and any outstanding accrued holiday entitlement will be paid in lieu. Your line manager may agree that you receive payment in lieu of notice.

14. CAPABILITY REVIEW MEETING

14.1 Where the termination of your employment has been identified as the only appropriate option (i.e. all

other options as outlined above have been investigated and found to be inappropriate) we will hold a formal Capability Review Meeting with you.

14.2 We will notify you in writing that are at risk of dismissal, and the situation has not changed significantly. At the Capability Review Meeting, we will consider the possible termination of your employment. Before we make a decision, we will consider any matters you wish to raise and whether there have been any changes since the last meeting.

14.3 At this meeting, you have the right to be accompanied by a work colleague or Trade Union Representative.

14.4 Your line manager may also choose to be accompanied, normally by a HR representative or another manager.

14.5 If the formal Capability Review Meeting results in the termination of your employment then following the meeting you will be informed in writing of the reason(s) for dismissal; including the date of dismissal, your right to appeal, together with any payment in lieu of contractual notice and any other outstanding payments to which you are entitled e.g. annual leave.

15. APPEALS

15.1 You may appeal against the outcome of any formal stage of this procedure.

15.2 The basis of an appeal should normally relate to one of the following areas:

- (a)** that the Policy had not been followed correctly;
- (b)** that the resulting action was inappropriate;
- (c)** that the need for action was not warranted.

15.3 If you wish to appeal you should set out your appeal in writing to the Head of your Department or Senior Leadership Team member stating your grounds of appeal, within 10 calendar days of the date on which the decision was sent or given to you. The letter of appeal may be constructed by the employee or their representative.

15.4 Unless you are appealing against a decision to dismiss you we will hold an appeal hearing, usually

within 10 days of receipt of the appeal letter.

15.5 If you are appealing against a decision to dismiss you, we will hold an appeal meeting, normally within 14 calendar days of receiving the appeal. This will be dealt with impartially and where possible, by a more senior manager who has not previously been involved in the case.

15.6 We will confirm our final decision in writing, usually within one week of the appeal hearing. There is no further right of appeal.

15.7 The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

Annex A - Short Term Absence Trigger Points

1. Trigger points are agreed levels of sickness absence which, when reached, will trigger management action.

2. Where an employee is approaching a trigger point, it may be an early indication of a problem and line managers should informally discuss an employee's attendance record with him/her, including reminding him/her of the standards expected and of the support available to help his/her attendance improve, including early interventions.

3. Trigger points are used to remind managers that the amount of sick leave being taken may be a problem and that it should be addressed.

4. Before considering action, line managers should consider each case on its merits and take account of:

(a) Isolated illnesses/accidents which should not lead to formal action in an otherwise good attendance record

(b) Staff who are disabled, where special consideration may have to be given to a higher level of absence.

(c) Whether the absence has resulted from an industrial injury or illness, in these circumstances further action may not be appropriate.

(d) Whether the absence is related to pregnancy or an assault in connection with their duties, in which case no further action should be taken

Bradford Factor Score	Action Required
0-49	No action required
50-124	Manager has informal discussion to raise concerns
125-399	1st Formal absence meeting - where informal meeting has already taken place and absence continues to be a concern
400-649	2nd Formal absence meeting - where 1st Formal meeting has already taken place and absence continues to be a concern
650+	3rd Formal absence meeting/possible dismissal or extended review period - where 2nd Formal meeting has taken place and absence continues to be a concern

Annex B – Long Term Absence Trigger Points

These are a guide and all circumstances should be looked at on an individual basis

Absence length	Action Required
<p>1 month</p>	<p>First Review HR to be informed and a review to take place with the line manager. (with HR support where needed)</p> <ul style="list-style-type: none"> y This review is to establish if any support is needed, reasonable adjustments or occupational health referral. y Second Review date should be scheduled
<p>2 months</p>	<p>Second Review takes place with the line manager (HR support if needed)</p> <ul style="list-style-type: none"> y This will cover what was discussed in the 1st review and steps to take to facilitate a return. y Third Review date should be scheduled
<p>3-4 months</p>	<p>Third / Final Review with line manager and HR - This is a review of the previous meetings</p> <ul style="list-style-type: none"> y A return date should be set at this meeting. y Where there is no foreseeable return date employment can be terminated based on capability. y However, further support and a further review can be set where required