

## **SICKNESS ABSENCE MANAGEMENT POLICY**

### **Aim**

The Organisation recognises at times individuals become ill and are unable to work, the Organisation wishes to be supportive of employees who are unwell and set out a clear process which must be followed when notifying and managing absences due to ill health. The purpose of this policy is to clearly set out the standards that are expected by the Organisation when dealing with cases of absence due to ill health. This policy is applicable to all employees.

### **PRINCIPLES**

- All matters regarding an employee's ill health will be treated sensitively and in accordance with the procedures as detailed below.
- Employees must notify the Organisation of any absences as a result of their ill health as soon as possible and ensure that they remain in contact with the Organisation throughout the period of absence.
- Medical evidence such as doctor's certificates must be provided to cover all periods of absence, ensuring that there are no gaps in any absence requiring certification.
- Employees should not carry out work for another employer during any period of sickness absence regardless of whether they are receiving sick pay or not, unless written agreement for carrying out such work has been obtained from the Chief Executive.
- The Organisation will record attendance and reasons for absence for monitoring purposes. These records will only be held on secure systems and may be used to aid management decision making.

## **NOTIFICATION OF SICKNESS ABSENCE**

Where an employee is unable to attend work as a result of sickness absence, he/she must contact his/her manager as soon as possible, in any event this must be within one hour of his/her start time. Notification of absence must be made by the employee personally and by telephone. Notifying absence by email and text is not acceptable, in the unusual circumstance (such as an admission to hospital), where the employee is unable to make contact personally, a third party should contact the Organisation on the employee's behalf as soon as possible.

The employee must state the reasons for his/her absence and give an indication as to how long he/she is likely to be away. The employee must also inform the Organisation of any outstanding or urgent work or meetings that will need to be actioned during the period of absence.

It is important that during any period of absence the employee maintains regular contact with the Organisation; initially this should be on a daily basis unless otherwise agreed with the employee's manager. Where absence is likely to be pro-longed, contact may be on a weekly basis; however, this must be agreed in advance with the individual's manager.

No salary will be paid for unauthorised absence from work. Provided that the employee satisfies the conditions for Statutory Sick Pay (SSP) the employee will be entitled to SSP which may be paid for up to 28 weeks. If the Organisation chooses to pay enhanced sick pay, details of this will be provided to the employee in his/her contract of employment.

## **CERTIFICATION**

Where an employee has been absent for work as a result of illness, he/she must:

- where the absence is seven calendar days or less; complete a self-certification form
- where the absence exceeds seven calendar days, provide a doctors certificate or fit note stating the reason for the illness and how long the absence is likely to last, this must be received by the eighth day of absence

Failure to provide certification as detailed above will normally result in disciplinary action being taken against the employee; this will be in accordance with the Organisation's disciplinary procedure. Any absence which is not covered by an appropriate certificate as detailed above will be treated as unauthorised and payment of salary will normally be withheld. The doctor's certificate/ fit note must be sent to the Organisation as soon as it is issued by the doctor. Employees may be required to provide medical evidence signed by their doctor for periods of absence which are less than eight calendar days, where such evidence is required and the employee incurs a cost by the doctor for obtaining the certificate, the Organisation will meet these costs.

The employee's own medical practitioner may provide a Statement of Fitness to Work which may state that the employee may be fit for some work, where this is the case the medical practitioner will make comments on the 'functional effects' of the employees' health condition and will normally make suggestions as to what adjustments could be considered in order to facilitate the employee's return to work. Where such a statement is provided the Organisation may seek further medical opinion and/or assessment regarding the individual's ability to return to work.

At any stage during the employee's absence the Organisation may require a doctors report regarding the individual's health or for the employee to attend a medical assessment with an Organisation appointed medical practitioner. Employee's permission will always be sought prior to obtaining any such medical information.

## **RETURN TO WORK REVIEWS**

When an employee returns to work, his/her manager will meet with the employee to discuss the reasons for his/her absence, whether the employee's health has improved and also to discuss whether the employee is currently taking any medication as a result of his/her illness and whether any such medication is likely to have any side affects which could have an impact on the individual's ability to carry out his/her role.

Where the employee's medical condition has re-occurred on several occasions the manager will discuss this with the individual to establish whether there is anything the employee or the Organisation can do to assist in the on-going management of the illness.

The return to work meeting is not a formal investigatory or disciplinary meeting. However, should the Line Manager have reasonable grounds to believe that an employee has not been genuinely sick or that an employee's sickness or injury did not warrant their absence from work, an investigatory meeting may subsequently be arranged.

### **MEDICAL APPOINTMENTS**

The Organisation has a policy of supporting employees who require time off for appointments relating to pregnancy or progressive illness and this will normally be paid.

Employees are entitled to reasonable paid time off to attend routine hospital, medical and dental appointments. Employees should, however, always try to arrange appointments for the beginning or end of the working day in order to minimise any disruption that absence may cause. Wherever possible, employees should request the time off in advance from their Line Manager. Proof of such time off will normally be requested.

Employees requiring time off on a regular basis should also speak to their Line Manager in advance and, if granted, such time-off will be unpaid (unless relating to pregnancy or progressive illness). Agreed paid absence for medical appointments will not be treated as sick pay entitlement.

### **SICKNESS DURING ANNUAL LEAVE**

If an Employee becomes sick or injured while on annual leave such that they would be unfit for work they may ask us to treat the period of incapacity as sick leave. The same notification and certification requirements apply as during non leave periods even if the employee is abroad.

### **ATTENDANCE TRIGGER POINTS**

Regular assessments of sickness levels within the Organisation will be carried out, where an employee meets one or more of the 'trigger points' as detailed below, the employee will be invited to attend a meeting to discuss his/her levels of absence, the reason for the absences and whether any further action is required by the Organisation and/or the employee:

- more than three spells of sickness absence in any six month period
- more than 10 days of sickness absence in any six month period
- any unauthorised absence

### **SHORT TERM AND INTERMITTENT SICKNESS**

Where an employee meets or exceeds the trigger points as detailed above, the individual's manager will arrange to meet with the employee to discuss the reasons for his/her sickness absence. If there is no underlying medical reason for the sickness absence, the employee's attendance rate will be expected to improve and monitoring of any ongoing sickness absence will take place.

Where an employee continues to take time off for ill health, the manager will arrange to meet with the employee to discuss the reasons for this, if there is no underlying medical reason and if the absence is deemed unacceptable by the Organisation, then the disciplinary procedure will be invoked.

Where an employee's attendance level improves, the individual will be advised and encouraged to maintain the improvement. The Organisation will continue to monitor any further absences and if necessary arrange a review meeting with the employee.

If the sickness absence is caused by an underlying medical reason the Organisation will normally ask the employee for his/her permission to obtain a medical report from his/her doctor, and/or ask the employee to attend a medical assessment with an Organisation appointed doctor. Should an employee refuse to give his/her consent for the medical report and/or to attend a medical assessment, then the Organisation will only be able to take into consideration any information that it has when making a decision as to what, if any, further action should be taken.

Where the medical report and/or medical assessment identifies that the employee is suffering from an underlying medical condition, then the Organisation will discuss with the employee what, if any, reasonable adjustments it can make in order to assist the employee in attending work and carrying out his/her role. If the employee continues to take time off

as a result of his/her medical condition then the long term sickness procedure as detailed below will be followed.

## **LONG TERM SICKNESS ABSENCE**

The long term sickness absence procedure as detailed below is designed to deal with absence due to an underlying medical condition, continuous sickness absence of over one month, or a disability which is causing the employee to be absent.

Where it has been identified that the employee is suffering from an underlying medical condition or has been absent for more than one month, his/her manager will arrange to meet the individual, this may be at the employee's home should he/she be unable to attend the workplace. The manager may be accompanied at this meeting; the individual may also choose to be accompanied at this meeting either by a work colleague or trade union representative. Where the meeting is at the individual's home, he/she may be accompanied by a friend or relative. The purpose of the meeting is to provide support to the employee and to discuss the reason for the individual's ill health, the likely prognosis of his/her medical condition and any likely return to work date. The manager will also discuss with the employee any reasonable adjustments which could be made which might assist the employee to return to work.

At this meeting the manager will also ask the employee (if it has not already been obtained) for his/her permission to obtain a medical report regarding the individual's ill health. The Organisation may decide to refer the employee for a medical assessment with an Organisation appointed medical practitioner. The manager should also advise the employee that if he/she did not want to give his/her permission to obtain a medical report or was not willing to attend a medical assessment that the Organisation would only be able to make a decision on what action that they would take next, based on the information available to them.

Once the assessment has taken place and/or the medical report has been received the manager will arrange another meeting with the employee to further discuss his/her absence and medical condition, this meeting will be confirmed in writing and may take place at the employee's home, if she/he is unable to attend the workplace. The manager

may choose to be accompanied at this meeting and the employee will also be given the right to be accompanied as before. The purpose of this meeting is to provide support to the employee and to identify what if any reasonable adjustments can be made as a result of the medical report and/or assessment in order to facilitate the employee's return to work. Where it is likely that the employee will return to work in the near future, an action plan will be agreed in order to provide the employee with a structured return to work. The employee will be advised that if he/she is unlikely to be able to return to work then his/her future employment may be at risk.

If it is unlikely that the employee is going to return to work in the near future or that the medical assessment and/or reports have identified that the employee is unlikely to return to work in the near future, or if no reasonable adjustments can be made to assist the employee to carry out his/her duties as a result of his/her underlying medical reason, then the Organisation will give full consideration as to whether the employee should be dismissed on the grounds of ill-health. If a decision is taken to dismiss, the employee will be invited in writing, to attend a meeting, this may be held at the individual's home if he/she is unable to attend the workplace. The employee will be given the right to be accompanied at this meeting either by a work colleague or a trade union representative, where the meeting is at the individual's home then he/she may choose instead to be accompanied by a friend or relative. The manager may also choose to be accompanied at this meeting. The letter inviting the employee to attend the meeting will state the purpose of the meeting and that the individual's future employment may be at risk.

If, as a result of the meeting it is decided to terminate the individual's employment as a result of his/her ill health, the Organisation will write to the employee to confirm this. Any such dismissal will be with paid notice. The employee will be given the right to appeal against this decision.

## **APPEAL**

Any appeal against dismissal on the grounds of ill health should be made within five working days from the date of receiving written confirmation of the dismissal and must be made to the manager detailed in the written confirmation. The manager hearing the appeal

will be of an appropriate level to overturn, if necessary the original decision. The Organisation may appoint a third party to hear the appeal. An appeal will usually be made on the following grounds:

- Reasons related to the fairness of the decision
- Procedural irregularities
- New evidence

The employee will be invited to attend an appeal hearing at which he/she may be accompanied either by a work colleague or a trade union representative. The manager hearing the appeal may also be accompanied.

If the original decision to dismiss is upheld the original date of dismissal will still apply. If the decision to dismiss is overturned the employee will be reinstated and his/her service will be treated as continuous.

The appeal decision will be final.

## **MEDICAL REPORTS**

The Organisation may refer employees for a medical assessment with an Organisation appointed medical practitioner or request a doctor's report regarding an employee's ill health and/or medical condition at any point during the individual's employment.

Any requests for medical information relating to employees will be undertaken in accordance with the Access to Medical Reports Act 1988 and with the prior consent of the employee concerned. Any medical information obtained will be kept confidentially and only details relevant to the management of an employee's ill health will be released to the appropriate manager. Employees must be made aware that should they withhold their consent; the Organisation will only be able take reasonable action in relation to the individual's employment based on the information available.

## **THE RIGHT TO BE ACCOMPANIED**

All employees have the right to be accompanied at a disciplinary or formal hearing either by a work colleague or a trade union representative. The Organisation does not have to formally recognise a trade union for the employee to have the right of accompaniment by a trade union official providing that the trade union official has been trained or certified by their union to act as an employee's companion.

The companion has the right to address the hearing but does not have the right to answer questions on behalf of the employee. The employee can ask to postpone the disciplinary/formal or appeal hearing for up to five working days, where his/her companion is unable to attend.

The Organisation reserves the right to refuse a companion where unreasonable expense is incurred or where there is a conflict of interest. An individual can refuse to act as a companion. Any acceptance or refusal of any request to act as a companion will not reflect personally on that individual.