

# SICKNESS ABSENCE

<b>VERSION No</b>	3	
<b>REVIEWED BY</b>	Mariana Philipova	
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## Policy Statement

*The policy statement acknowledges that there are various forms of sickness absence and that each case needs to be treated on its facts. The need to report sickness absence, investigate the cause of absence and identify means of assisting return to work is explained. Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment). This organisation works to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. In addition, where needed and reasonably practicable, measures will be taken to assist those who have been absent by reason of sickness to return to work. This policy does not form part of any employee's contract of employment and it may be amended at any time. We may also vary the procedures set out in this policy, including any time limits, as appropriate in any case. This policy covers all employees at all levels and grades, including senior managers, officers, directors, employees, trainees, home care workers, part-time and fixed-term employees and agency staff. As an organisation we are aware that sickness absence may result from a disability. At each stage of the sickness absence meetings procedure particular consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide support at work and/or assist a return to work. If an employee considers that they are affected by a disability or any medical condition which affects their ability to undertake their work, they should inform their manager.*

## The Policy

This policy is intended to set out the values, principles and guidance underpinning this organisation's approach to Sickness Absence.

## Sickness Absence Reporting Procedure

-  If taken ill or injured while at work the employee should report or be taken to the RGN in charge and if necessary be given permission to leave work.
-  A member of the staff who cannot attend work because they are ill or injured should telephone the RGN in charge or the admin assistant as soon as possible or at least two hours before their shift is to begin. The following details should be provided:
  -  The nature of the illness or injury.
  -  The expected length of time of absence from work.
  -  Contact details.

Managers should ensure that:

-  Any sickness absence that is notified to them is recorded in the staff file.
-  Arrangements are made, where necessary, to cover work and to inform colleagues and clients, while maintaining confidentiality.
-  Employees should expect to be contacted during their absence by the manager or deputy who will want to enquire after their health and be advised, if possible, as to their expected return date.

## Evidence of Incapacity - Medical Evidence

-  For sickness absence of up to three calendar days is a self-certified absence
-  For absence of more than a week a certificate from the employee's doctor (a "Statement of Fitness for Work") stating that they are not fit for work and the reason(s) why, must be obtained. This

should be forwarded to the manager or the admin staff as soon as possible. If the absence continues, further medical certificates must be provided to cover the whole period of absence.

 If the doctor provides a certificate stating that the employee "may be fit for work" the manager must be informed immediately. The organisation will discuss any additional measures that may be needed to facilitate the return to work of the employee, taking account of any doctor's advice. This may take place at a return to work interview. If measures cannot be taken, the employee will remain on sick leave and the organisation will set a date to review the situation.

 Where the organisation is concerned about the reason for absence, or frequent short-term absence, they may require a medical certificate for each absence regardless of duration. In such circumstances, any costs incurred in obtaining such medical certificates for absences of a week or less will be covered by the employee.

### **Unauthorised Absence**

Cases of unauthorised absence will be dealt with under our Disciplinary Procedure.

Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence. If an employee does not report for work and has not telephoned their manager to explain the reason for their absence, their manager will try to contact them, by telephone and in writing if necessary. This must not be treated as a substitute for reporting sickness absence.

### **Sickness Pay**

If the employee is absent from work they are entitled to: Statutory Sick Pay (SSP) provided the relevant requirements are satisfied. Qualifying days for SSP purposes are DAY 1 to DAY 3.

### **Keeping in Contact During Sickness Absence**

 If an employee is absent on sick leave they will be contacted from time to time by their manager in order to discuss their wellbeing, expected length of continued absence from work and any work that requires attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.

 If an employee has any concerns while absent on sick leave, whether about the reason for their absence or their ability to return to work, they are free to contact their manager between 9am and 5 pm.

### **Medical Examinations**

 We may, at any time in operating this policy, ask an employee's consent to a medical examination by a doctor nominated by us.

 The employee will be asked for consent that any report produced in connection with any such examination may be disclosed to us and that we may discuss the contents of the report with our advisers and the relevant doctor.

### **Return to Work Interviews**

 If an employee has been absent on sick leave for any period of time, including a series of one day and part day absences, we will arrange for them to have a return-to-work interview with their manager.

 A return-to-work interview enables us to confirm the details of an employee's absence. It also gives them the opportunity to raise any concerns or questions they may have, and to bring any relevant matters to our attention.

 Where their doctor has provided a certificate stating that they "may be fit for work" we will usually hold a return-to-work interview to discuss any additional measures that may be needed to facilitate the return to work, taking account of the doctor's advice. (<http://fitforwork.org/>)

### **Referrals to Fit for Work assessment**

For details on when referrals to the Fit for Work assessment can be made in our area please visit: [www.gov.uk/government/collections/fit-for-work-guidance](http://www.gov.uk/government/collections/fit-for-work-guidance)

### **Sickness Absence Meetings**

We may apply this procedure whenever we consider it necessary, including, for example, if the employee:

- 👉 Has been absent due to illness on three occasions.
- 👉 Has discussed matters at a return to work interview that require investigation; and/or
- 👉 Has been absent for more than 10 days irrespective if it is the first period of sickness absence.

Unless it is impractical to do so, we will give 7days' written notice of the date, time and place of a sickness absence meeting. We will put any concerns about the sickness absence and the basis for those concerns in writing or otherwise advise why the meeting is being called. A reasonable opportunity for the employee to consider this information before a meeting will be provided. The meeting will be conducted by their manager where ever possible and may be attended by any other member of the management staff. The employee may bring a companion with them to the meeting.

The employee must take all reasonable steps to attend a meeting. Failure to do so without good reason may be treated as misconduct. If either the employee or their companion is unable to attend at the time specified they should immediately inform their manager who will seek to agree an alternative time.

A meeting may be adjourned if the manager is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. Reasonable opportunity to consider any new information obtained before the meeting is reconvened will be given.

Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given in writing within 5 days of a sickness absence meeting (unless this time scale is not practicable, in which case it will be provided as soon as is practicable). *If, at any time, the manager considers that the employee has taken or is taking sickness absence when they are not unwell, they may refer matters to be dealt with under the organisations Disciplinary Procedure.*

### **Right to be accompanied at meetings**

- 👉 The employee may bring a companion to any meeting or appeal meeting under this procedure.
- 👉 The companion may be either a representative or a fellow employee. Their identity must be confirmed to the manager conducting the meeting, in good time before it takes place.

**Stage 1: First Sickness Absence Meeting:** The purposes of a first sickness absence meeting may include:

- 👉 Discussing the reasons for absence.
- 👉 Where the employee is on long-term sickness absence, determining how long the absence is likely to last.
- 👉 Where the employee has been absent on a number of occasions, determining the likelihood of further absences.
- 👉 Considering whether medical advice is required.
- 👉 Considering what, if any, measures might improve the health and/or attendance of the employee.
- 👉 Agreeing a way forward, action that will be taken and a time-scale for review and/or a further meeting under the sickness absence procedure.

### **Stage 2 Further Absence Sickness Meetings**

- 👉 Depending on the matters discussed at the first stage of the sickness absence procedure, a further meeting or meetings may be necessary. Arrangements for meeting will follow the procedure already set out.
- 👉 The purposes of further meeting(s) may include:
- 👉 Discussing the reasons for and impact of the ongoing absence(s).
- 👉 Where the employee is on long-term sickness absence, discussing how long the absence is likely to last.
- 👉 Where there has been absence on a number of occasions, discussing the likelihood of further absences.

- ☞ If it has not been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required.
- ☞ Considering the employees ability to return to/remain in their job in view both of their capabilities and the organisations business needs and any adjustments that can reasonably be made to the job to enable a return to work.
- ☞ Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying.
- ☞ Where the employee is able to return from long-term sick leave, whether to their job or a redeployed job if possible, agreeing a return to work programme.
- ☞ If it is considered that they are unlikely to be able to return to work from long-term absence, whether there are any benefits for which they should be considered.
- ☞ Agreeing a way forward, action that will be taken and a time-scale for review and/or a further meeting(s). This may, depending on steps we have already taken, including warnings that they are at risk of dismissal.

### Stage 3 **Final Sickness Absence Meeting**

- ☞ Where the employee has been warned that they are at risk of dismissal, their manager may invite them they to a meeting under the third stage of the sickness absence procedure. Arrangements for this meeting will follow the procedure set out above on the arrangements for and right to be accompanied at sickness absence meetings.
- ☞ The purposes of the meeting will be:
  - ☞ To review the meetings that have taken place and matters discussed.
  - ☞ Where the employee remains on long-term sickness absence to consider whether there have been any changes since the last meeting under stage two of the procedure; either as regards to their possible return to work or opportunities for return or redeployment.
  - ☞ To consider any further matters that the employee may wish to raise.
  - ☞ To consider whether there is a reasonable likelihood of the employee returning to work or achieving the desired level of attendance in a reasonable time.
  - ☞ To consider the possible termination of their employment.
  - ☞ Termination will normally be with full notice or payment in lieu of notice.

### **Appeals**

The employee may appeal against the outcome of any stage of this procedure and a companion may accompany them to an appeal meeting as stated above. An appeal should be made in writing, stating the full grounds of appeal, to their manager within 5 days of days of the date on which the decision was sent to them.

Unless it is not practicable, written notice of an appeal meeting will be given within one week of the meeting. In cases of dismissal the appeal will be held as soon as possible. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.

The employee will be provided with written details of any new information which comes to light before an appeal meeting and also be given a reasonable opportunity to consider this information before the meeting.

Depending on the grounds of appeal, an appeal meeting may be a complete rehearing of the matter or a review of the original decision. Following an appeal, the original decision may be confirmed, revoked or replaced with a different decision. The final decision will be confirmed in writing, if possible within 5 days of days of the appeal meeting. There will be no further right of appeal. 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. The organisation will always ensure they follow up to date employment law and guidance in regards to this policy. <http://www.acas.org.uk/media/pdf/q/k/Managing-attendance-and-employee-turnover-advisory-booklet.pdf>

## **Training Statement**

During initial Induction staff are made aware of the organisations policies and procedures. Regular reviews of training needs are identified via the Supervision and Appraisal systems. This ensures that the needs of the service and its users are met.

### ***Related Policies***

*Appraisal*

*Code of Conduct for Workers*

*Disciplinary*

*Equal Opportunities*

*Supervision*