**Name of organisation here**

**Sickness Absence Policy and Procedure**

**Approved on:**

**Next Review Date:**

**Introduction**

1. [name of organisation] is committed to the health, safety and wellbeing of its staff and aims to maximise employee attendance at work whilst dealing fairly and sympathetically with those that are unable to attend work due to ill health.
2. While the organisation understands that there will inevitably be some sickness absence among employees, it must also pay due regard to its operational needs. The organisation understands that on occasion, an employee may have a health condition or injury that means they are not fit for work and that the employee’s recovery may be a slow process. If an employee is persistently absent from work, this can affect efficiency and productivity, and place an additional burden on colleagues.
3. By implementing this policy, the organisation aims to strike a reasonable balance between the pursuit of its operational needs and the genuine need of employees to take time off work because of ill health.

**Scope**

1. This policy and procedure applies to all employees of xxxxxx

**Principles**

1. The organisation’s policy is based on the following principles:

* Employees must adhere to the Sickness Absence Policy and Procedure at all times.
* The policy will be applied fairly and consistently but recognises that every employee is an individual and that cases will need to be dealt with on this basis.
* Should an employee be absent from work due to a pregnancy-related illness, these absences will not be counted towards absence triggers but will continue to be monitored. Triggers may also be adjusted for employees with a disability.
* Confidentiality will be maintained in all aspects of absence management.

**Definitions**

1. The following definitions are used in this policy:

* ‘Short-term sickness absence’ means any period of sickness lasting from one to 27 calendar days.
* ‘Long-term sickness absence’ means any period of sickness lasting 28 calendar days or more.
* ‘Disability’ means a physical or mental impairment that has a ‘substantial’ and ‘long-term’ (12 months or more) negative effect on their ability to do normal daily activities.

**Notification of Absence**

1. If an employee is absent from work as a result of ill health or injury, they must telephone to notify xxxxx as early as possible on the first day of absence and no later than xxxx. It is important to note that text messages, emails and social media messages will not suffice as formal notification of an employee’s absence. Only in exceptional circumstances should a family member or friend provide this notification i.e. if the employee is in hospital. **– insert your own wording here if different**
2. If the employee fails to contact xxxx, their absence may be considered as AWOL (Absence Without Leave) which may result in not being paid sick pay. Any unauthorised absence will not be paid.
3. If the employee is absent and fails to contact xxxx within the required timescale, xxxx will need to call them in order to establish a reason for their absence and to make sure that they are okay.

**Keeping in Touch**

1. It is reasonable for the organisation to ask to be kept updated on the employee's situation, therefore they must keep in contact with xxxx each day (during the first week of absence or as otherwise agreed) and as agreed on a regular basis thereafter.
2. If an employee is absent for more than seven calendar days, they must provide a medical certificate from a healthcare professional including doctors, nurses, occupational therapists, pharmacists, and physiotherapists. Any medical certificates provided must cover all relevant absence dates. It may affect sick pay if certificates are not received on time or do not cover relevant absence dates.
3. It is important that the organisation maintains regular contact with an employee both during a short-term and a long-term absence to:

* Monitor the employee’s progress in terms of their return to health;
* Support the employee and actively maintain their engagement with the organisation;
* Provide information to the employee so that they may make informed decisions (for example, in relation to sick pay entitlement);
* Provide practical support from the organisation’s occupational health advisers if necessary; **- this would need to be outsourced from an external provider**
* Encourage a return to work as early as possible when the employee is fit to return;
* Facilitate a phased return to work if required, by making appropriate temporary or permanent adjustments; and
* Ensure that the employee remains informed about events in the workplace.

1. It is the joint responsibility of both the line manager and the employee to maintain contact. Once the employee is on long-term sickness absence (i.e. once the employee has reached 28 days’ continuous absence), **xxx usually the employee’s line manager** should contact the employee to agree the method and frequency of contact.
2. In some circumstances, contact with an employee on long-term sickness can be maintained via home visits or via an online meeting (welfare meetings). Welfare meetings will take place with mutual agreement between the employee and the organisation. Welfare meetings will usually be conducted by [usually the employee’s line manager] and [a senior colleague from the PCC]. If preferred by the employee, a welfare meeting can take place at another agreed location.

**Return to Work Meetings**

1. A Return to Work interview will be conducted to allow the employee to discuss their absence with **xxx usually their line manager**. During this meeting, **xxxx** will complete a Return to Work Form, the purpose of which is:

* To provide an opportunity for the line manager to assess the employee's fitness to return to work and discuss their health and wellbeing;
* To establish if they have consulted a medical practitioner or attended a hospital;
* To discuss any possible underlying problems and a referral for professional or medical advice including Occupational Health **– would need to be outsourced**) where the absence is frequent, has been long term, or has resulted in long-term effects;
* To notify any unreasonable patterns of absence;
* To provide assistance and support in improving the employee's attendance to a satisfactory level, including reasonable adjustments;
* To establish whether or not the absence is as a result of a disability;
* To allow for all necessary details to be completed on the sickness absence form; and
* To provide an opportunity for xxxx to update the employee on any important events that may have occurred during their absence.

**Recording Sickness Absence**

1. *Recording Sickness Absence of 1-7 calendar days inclusive*

A self-certification absence form must be completed on the employee's return. It should be noted that seven calendar days includes those days on which an employee may not normally work e.g. weekends, public holidays, and non-working days. [If applicable, insert note on where employee/line manager should record absence]

[Insert if no company sick pay - If an employee has been absent for more than 3 days, and are eligible for Statutory Sick pay they should complete form SC2 found [here](https://www.tax.service.gov.uk/fill-online/statutory-sick-pay-employer-notification/what-is-your-name) to request payment of Statutory pay pick.]

1. *Recording Sickness Absence of 8 calendar days or more*

A Fit Note signed by a healthcare professional including doctors, nurses, occupational therapists, pharmacists, and physiotherapists is required for any absence of 8 calendar days or more and must be submitted to xxxx. It is the employee’s responsibility to ensure their absence is covered by a current Fit Note. On the employee's return to work, if this is before the end of their Fit Note, the organisation will require the employee to provide a new Fit Note stating that they are now fit for work. Without this, we are unable to let the employee return to work. [If applicable, insert note on where employee/line manager should record absence]

1. *Phased Return*

In some cases, when an employee has been signed off sick for a long period, they will see a healthcare professional at the end of the period and receive another Fit Note stating that they are fit for work if hours or duties are amended. This is known as a ‘phased return', and does not form part of a period of sickness absence, nor need to be logged on My HR Toolkit as the employee is back at work, albeit with some adjustments made. However, any such Fit Notes must still be sent to xxxx.

**Statutory Sick Pay (SSP) – if applicable**

If an employee is eligible, they will be paid SSP for all the days off sick that would normally be worked, except for the first 3, for up to 28 weeks.

An employee can get SSP from the fourth day they’re off sick.

**(Organisation name) Discretionary (Company) Sick Pay – only relevant if you pay enhanced sick pay – or you may pay for a different period of time or at a different rate – this below is an example only – Discretionary sick pay is inclusive of SSP**

The organisation operates a Discretionary Sick Pay (DSP) scheme on a 12-month rolling period as set out below:

|  |  |
| --- | --- |
| **Length of Service** | **Discretionary Sick Pay Entitlement** |
| During the first six months’ service | Two weeks’ full pay |
| Six months’ service or more but less than 12 months | One month’s full pay |
| 12 months’ service or more | Six months’ full pay, three months’ half pay |

1. The PCC may review this in exceptional circumstances.
2. Entitlement will be calculated by determining the amount of sick leave taken in the 12-month period prior to the first day of sickness absence.
3. The PCC reserves the right to withdraw DSP or consider action under the Disciplinary Policy and Procedure if the employee fails to comply with the Sickness Absence Policy.
4. Sick Pay may be suspended for the following reasons:

* Disciplinary action;
* Deliberate conduct which would affect recovery from an illness/extends the period of absence;
* Misconduct including falsification of sickness absence records or the reason for absence;
* Negligence of the employee that has caused them to be absent;
* Absence after taking part in professional, amateur or dangerous sports or activities (including skiing, diving, parachuting, parascending, climbing and abseiling);
* Injury whilst working in employee’s own time for private gain for another employer or on their own account;
* Failure to comply with the Sickness Absence Policy and the notification and evidence requirements; or
* The employee refuses to attend a medical examination at the reasonable request of the organisation.

1. Where DSP has been withheld or suspended, the employee will normally be entitled to Statutory Sick Pay (SSP). However, the PCC can withhold or suspend SSP if it is not satisfied that the employee is ill and/or no evidence of sickness is provided. **– if relevant**
2. There may be instances where an employee may be suspended from the organisation’s sick pay scheme and investigated under the Disciplinary Policy and Procedure if they are seen conducting themselves in any way that is inconsistent with their medical statement. An example of this may be in instances where employees have more than one employment and where they continue to work in their second employment during their absence at the Diocese.
3. Similarly, if an employee is absent from work due to ill health, they must not conduct or be involved in any activity that might jeopardise their full recovery or extend their period of absence. This also includes working elsewhere whilst absent from their duties at xxxx if it is deemed that the work could exacerbate the absence symptoms.
4. Should there be any query or problem regarding any medical statements submitted, this will be discussed with the employee. The matter may be investigated and further action may be taken if necessary.

**Monitoring Attendance**

1. Xxxx (usually the line manager) will review the attendance of their team members on a regular basis. Unexplained/unsatisfactory patterns of absence may be subject to further discussion with their line manager and/or senior staff/the PCC.
2. If the employee is absent on four or more occasions (regardless of whether the absence is self or healthcare professional certificated), in a rolling 12-month period, the PCC may manage this under the Capability or Disciplinary Policy and Procedure, as appropriate.
3. [name of organisation] is fully committed to fulfilling its obligations under the Equality Act 2010 and aims to provide support and assistance to employees with a disability in making any reasonable adjustments following medical advice and guidance.

**Disability-related Absences**

1. Where an employee is absent from work due to an underlying health issue that could amount to disability under the Equality Act 2010, the PCC/or manager? may wish to seek appropriate advice.
2. The organisation is under a duty to make reasonable adjustments for disabled employees. The legal definition of a ‘disability’ is wide and managers should seek appropriate advice if they are unsure. Where the absence is wholly or partly for a disability-related reason, the trigger points referred to in this policy may be modified to take proper account of the employee’s disability, and other adjustments to the procedures set out in this policy may be considered.

**Pregnancy-related Absences**

1. Where an employee is absent from work due to a pregnancy-related illness, their absence will still be recorded but trigger points referred to in this policy will be relaxed. [usually the line manager] will work to support the employee through their period of illness.

**Sickness Absence Review Process**

**Conducting Informal Discussions**

1. In the first instance it may be appropriate for [usually the line manager] to have an informal discussion with the employee. This may arise, for example, where an employee’s pattern of absence gives cause for concern or where matters discussed at a Return to Work discussion require further investigation.
2. Informal discussions should:

* Review the employee’s sickness absence record;
* Highlight any patterns or concerns (for example, if an employee has repeated sickness absences on a Monday, Friday or following a period of annual leave);
* Offer support and advice as required;
* Give the employee the opportunity to inform [usually their line manager] of any health issues or any other factors that have contributed to their absence; and
* Consider any mitigating factors (for example, pregnancy or disability-related absences).

1. If appropriate, an attendance target over a specific period of time will be set. If the employee’s absence levels reduce, the target is met and the desired improvement is made, no further action will be taken. However, if the employee fails to meet the agreed attendance target, it may be appropriate to hold a formal Absence Review Meeting.
2. If, during the informal or formal Sickness Absence Review Process there appears to be an underlying health issue, the manager should offer appropriate support and a referral to Occupational Health considered, in consultation with the employee.

**The 3-Stage Formal Process**

1. The Sickness Absence Review Process has three formal stages, with provision for an appeal at the end.
2. Timescales for each stage will depend on individual circumstances and some sickness absences may be dealt with over a longer or shorter period than others. The point at which a manager decides to move an employee to the next stage of the Sickness Absence Review Process will vary from case to case, with no minimum time scale between stages.

**Conducting Formal Meetings**

1. Line managers should seek to resolve sickness absence issues informally wherever possible. However, if informal action is not considered appropriate or has not succeeded in improving attendance to an acceptable level, the employee will be required to attend a formal Absence Review Meeting with [usually their line manager] and a member of senior staff/member of the PCC.
2. All meetings should be approached in a caring and supportive manner, demonstrating an understanding of what might be a difficult time for the employee.
3. The employee should receive at least two working days' written notice of the formal Absence Review Meeting and be sent a copy of their sickness absence/attendance record, Occupational Health report (where appropriate) and any other relevant documents. The letter inviting the employee to the meeting will outline the purpose of the meeting, the date, time and location and the employee’s right to be accompanied. The employee may be accompanied to formal meetings by either a trade union representative or a work colleague.
4. Formal meetings will be held by [usually the employee’s manager or a more senior manager].
5. The employee must take all reasonable steps to attend meetings. If the employee or their companion are unable to attend at the time specified, the employee should immediately inform the manager holding the meeting who will seek to agree an alternative time. If the employee feels unable to attend for a reason related to their health, they should inform the manager holding the meeting. Consideration can then be given to holding the meeting at a neutral venue or alternative arrangements made where appropriate. Failure to attend a meeting without good reason may be treated as misconduct, or may result in the meeting proceeding in the absence of the employee.
6. During the course of a formal Absence Review Meeting, it may be decided that a further period of monitoring is necessary or additional information is required. In such circumstances, the meeting will be adjourned and reconvened at a later date. When determining an appropriate monitoring period, the manager will discuss with the employee what is considered reasonable in the circumstances, taking into account the nature of the employee’s illness.
7. A decision will be made when the manager leading the meeting is satisfied that both the employee and/or their representative have had sufficient opportunity to state their case and that no further information is required.
8. The outcome of the Absence Review Meeting will be communicated to the employee verbally wherever possible. The employee will also receive written confirmation of the outcome, which will explain the reasons for the decision reached and the right to appeal. This should be provided within 14 calendar days of the meeting (unless this timescale is not practicable, in which case it will be provided as soon as possible).
9. There is a right of appeal against a decision at any formal stage of the Sickness Absence Review Process.
10. If at any time the [usually the employee’s manager] considers, based on reasonable evidence, that the employee has taken or is taking sickness absence when they are not unwell or is not following the required sickness absence reporting procedure, they may refer the matter to be dealt with under the relevant disciplinary procedure.

**Formal Stage 1 Absence Review Meeting**

1. A formal Stage 1 Absence Review Meeting may be held when an employee’s absence due to sickness is of concern and informal action is no longer appropriate or has not succeeded in improving attendance to an acceptable level.
2. The purpose of a Stage 1 Absence Review Meeting will depend on the type of sickness absence being investigated but may include:

* Discussing the reasons for absence and giving the employee the opportunity to explain their absence and any mitigating circumstances;
* Where the employee is on long-term sickness absence, determining how long the absence is likely to last, taking into account any available medical evidence;
* Where the employee has been absent on a number of occasions, determining the likelihood of further absences;
* Considering whether medical advice is required, including a referral to Occupational Health or a report from a GP/Specialist if this has not already been arranged;
* Considering whether the employee has a disability that may necessitate reasonable adjustments being made in the application of the formal process;
* Considering what, if any, measures might improve the employee’s health and/or attendance;
* Agreeing a way forward, any action that will be taken and a timescale for review and/or a further meeting under the Sickness Absence Review Process; and/or
* Consideration of the impact of the absence on the work area and service provision, and arrangements put in place as required.

1. Possible outcomes may include:

* Adjourning the meeting to obtain further medical evidence;
* A return to work programme, possibly with a phased return to work (where the employee has been absent for a long period);
* Issuing a First Improvement Notice setting out the required improvement in attendance (where the employee has been absent on a number of occasions). The employee should be advised that if the requisite improvement is not achieved this may result in further formal action, which may include attending a Stage 2 Absence Review Meeting; and/or
* No further action at this stage.

1. A First Improvement Notice will establish the commencement of a formal absence monitoring period and will set out any required attendance levels, the implications for not meeting those levels, the review process during the monitoring period and the employee’s right of appeal against the decision.
2. A copy of the First Improvement Notice will be retained on the employee's personnel file and will remain active for a specified period (e.g. six months) after which time it will be disregarded.
3. The [usually manager] will monitor the employee’s attendance during the review period. On completion of the review period, the manager will write to the employee to inform them of the outcome that either:

* The employee has met any required attendance levels set and no further action will be taken;
* Progress has been made towards meeting the attendance levels set, but they have not been achieved fully (or other factors have been present e.g. leave) and the review period will be extended or other options considered; or
* The employee has not met the attendance levels set and the matter will be progressed to the second stage of the Absence Review Process.

**Formal Stage 2 Absence Review Meeting**

1. A formal Stage 2 Absence Review Meeting may be held when an employee has been unable to return to work, a return to work programme has been unsuccessful or an employee’s absence levels have continued to be in excess of those set out in the formal absence monitoring period and/or remain a concern.
2. The purpose of a Stage 2 Absence Review Meeting will depend on the type of sickness absence being investigated but may include:

* Discussing the reasons for and impact of the employee’s ongoing absence(s);
* Where the employee is on long-term sickness absence, discussing how long the absence is likely to last;
* Where the employee has been absent 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 employee’s ability to return to/remain in their job in view both of their capabilities and the organisation’s business needs and any adjustments that can reasonably be made to the job to enable the employee to do so;
* Considering whether redeployment support is appropriate and whether any adjustments can reasonably be made to assist with redeploying the employee to a suitable available vacancy;
* Where the employee is able to return from long-term sick leave to their existing job or a redeployed job, agreeing a return to work programme; and/or
* Agreeing a way forward, action that will be taken and a timescale for review and/or a further review meeting(s).

1. Possible outcomes may include:

* Adjourning the meeting to obtain further medical evidence;
* A return to work programme, possibly with a phased return to work (where the employee has been absent for a long period);
* Issuing a Final Improvement Notice setting out the required improvement in attendance (where the employee has been absent on a number of occasions). The employee should be advised that if the requisite improvement is not achieved this may result in further formal action, which may include dismissal;
* Consideration of other options such as redeployment support or retirement on ill-health grounds; and/or
* No further action at this stage.

1. A copy of the Final Improvement Notice will be retained on the employee's personnel file. The Final Improvement Notice will remain active for a specified period (e.g. twelve months) after which time it will be disregarded.

**Formal Stage 3 Absence Review Meeting**

1. A formal Stage 3 Absence Review Meeting may be held when an employee has been unable to return to work, a return to work programme has been unsuccessful or an employee’s absence levels have continued to be in excess of those set out in the formal stage two absence monitoring period and/or remain a concern.
2. The employee must be informed in writing that an outcome of the Stage 3 Absence Review Meeting could be dismissal.
3. The Stage 3 Absence Review Meeting will be conducted by a member of senior staff/a member of the PCC.
4. The purpose of a Stage 3 Absence Review Meeting will depend on the type of sickness absence being investigated but may include:

* A review of the meetings that have taken place and matters discussed with the employee to date;
* A review of the history of the employee’s absence, its effect on the organisation and any action previously taken to address the situation, including any support provided to the employee;
* The consideration of any medical evidence obtained;
* In the case where an employee remains on long-term sickness absence, considering whether there have been any changes since the last meeting under stage two of the procedure, either with regard to a possible return to work, permanently reduced hours or opportunities for return or redeployment support;
* Considering any matters that the employee wishes to raise such as mitigating factors;
* Considering whether there is a reasonable likelihood of the employee returning to work or achieving the desired level of attendance in a reasonable time;
* Considering alternative options or ill-health retirement; and/or
* Considering, after all other options have been considered, the possible termination of employment.

1. Following the meeting, the member of senior staff/PCC may consider one or more of the following options (this list is not exhaustive):

* To extend a Final Improvement Notice and set a further review period (where a substantial improvement in attendance is likely within the review period);
* To consider other options such as redeployment support, ill-health retirement or other appropriate action short of dismissal;
* To dismiss on grounds of capability (ill-health); or
* No further action.

1. The decision will be confirmed in writing within five working days of the meeting. The letter shall also notify the employee of their right to appeal. In the event that the decision is taken to dismiss the employee, the letter will include the reasons for dismissal, the date that their employment will terminate and the right of appeal.

**Ill-Health Retirement**

1. Ill-health retirement should be considered before any decision to dismiss is taken under this policy.
2. The option for ill-health retirement is subject to meeting the eligibility criteria set out by the relevant pension provider and advice should be sought from the Pensions Board and Occupational Health.

**Medical Advice**

**Occupational Health**

1. At various stages of managing the employee's sickness absence, a manager may want to obtain advice on the employee's fitness for work from an Occupational Health Adviser.
2. Examples of when a line manager might refer to OH include (but are not limited) to:

* seeking a medical report on the employee;
* establishing when the employee might be able to return to work;
* asking for guidance on the employee's condition, for example if there is a possibility that the employee is disabled or ambiguity as to the exact nature of the condition; and/or
* if the employee is disabled, discussing any adjustments that could be made to accommodate the employee's disability.

**Medical Practitioner**

1. Where a report from the employee's medical practitioner is necessary, the employee will be fully informed of their rights under the Access to Medical Reports Act 1988 and their permission will be sought for the report to be obtained. The employee's permission will be sought to contact the medical practitioner using a consent form.
2. The employee has the right to access the report before the organisation sees it. If the employee wishes to see the report, they should inform the organisation of this, so that it can inform the medical practitioner. The employee will then have 21 days to contact the medical practitioner to see the report. If the employee does not contact the medical practitioner within this period, the medical practitioner can pass the report on to the organisation.
3. When requesting a report, the organisation will provide the medical practitioner with as much information as possible on the role of the employee and explain why the report is being sought. The organisation will provide the medical practitioner with:

* a copy of the employee's signed form consenting to the request to seek a medical report;
* confirmation that the employee is aware of their rights under the Access to Medical Reports Act 1988; and
* details of the major features of the employee's job.

1. Where the employee refuses permission for the organisation to contact their medical practitioner, the organisation will explain to the employee the reasons behind the request and inform the employee that a decision relating to their employment may be made without the benefit of access to medical reports. The same procedure will be followed where the employee delays in giving their consent.
2. Where the employee feels that the report is misleading or incorrect, they may ask the medical practitioner to amend it. If the medical practitioner does not agree with the employee and does not alter the report, the employee may attach a statement to the report to reflect their views.
3. Alternatively, having seen the report, the employee may request that access to the report be withheld from the organisation. The employee will be informed that a decision relating to employment may be made without the benefit of access to a medical report.