



## Management of sickness absence

### Policy and Procedure

Notice to employees using a paper copy of this policy  
The company Policies folder on the shared drive holds the most recent version of this document and all employees must ensure that they are using the most recent guidance.

## Document Control

<b>Document Name</b>	Management of Sickness
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## Version Control

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V1.0	Dec 2017	Karen Hodgkinson	New policy written and implemented
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## Policy Statement

We are committed to the maintaining the health, well-being and attendance of all our employees. We value the contributions our employees make to the success of our business. So when an employee is unable to work for any reason, we miss that contribution. This absence policy explains

- what we expect from managers and employees when handling absence
- how we will work to maintain absence levels below 4 episodes a year
- how we will maintain workplace relations by working in partnership with our employees and their workforce representatives.

## Key principles

Libertatem Healthcare Groups policy is based on the following principles:-

- 1) As a responsible employer we undertake to provide payments to employees who are unable to attend work due to sickness (See Appendix 1 for details on company sick pay).
- 2) Regular, punctual attendance is an implied term of every employee's contract of employment – we ask each employee to take responsibility for achieving and maintaining good attendance.
- 3) We will support employees who have genuine grounds for absence for whatever reason. This support includes:-
  - 'special leave' for necessary absences not caused by sickness
  - a flexible approach to taking annual leave
- 4) We will consider any advice given by the employees GP on the 'Statement of Fitness for Work'. If the GP advises that the employee 'may be fit for work' we will discuss with the employee how we can help the get back to work, for example- on flexible hours or reduced duties.
- 5) We will seek the advice of an occupational health advisor, where appropriate, to
  - a. help identify nature of employees illness
  - b. advise the employee and manager on the best way to improve the employee's health and well-being.
- 6) The companies disciplinary procedures will be used if an explanation for absence is not forthcoming or is not thought to be satisfactory
- 7) We respect the confidentiality of all information relating to an employee's sickness. This policy will be implemented in line with all data protection legislation and The Access to Medical Records Act 1988.

## Notification of absence

If an employee is going to be absent from work they should speak to a member of the Libertatem Healthcare Group operations team within an hour of their normal start time. They should provide

- a clear indication of the nature of the illness and
- a likely return date.

The operations manager will check with the employee if there is any information they need to be aware of in relation to their current work due to be undertaken.

If the employee does not contact an operations manager by the required time the manager will attempt to make contact with the employee at home.

An employee may not always feel able to discuss their medical problems with their manager. Managers will be sensitive to individual concerns and make alternative

arrangements where appropriate. For example, an employee may prefer to discuss health problems with a person of the same sex.

### **Evidence of incapacity**

Employees can use the company's self-certification arrangements for the first seven days of their absence (Appendix 2). Thereafter a 'Statement of Fitness for Work' is required to cover every subsequent day.

If absence is likely to be protracted, i.e. more than 4 weeks continuously, there is a shared responsibility for the company and the employee to maintain contact at agreed intervals.

### **'May be fit for Some Work'**

If the GP advises on the Statement of Fitness for Work that an employee 'may be fit for work' we will discuss with the employee ways of helping them get back to work. This may mean talking about a phased return to work or amended duties.

If it is not possible to provide the support an employee needs to return to work- for example, by making the necessary workplace adjustments- or an employee feels unable to return then the statement will be used in the same way as if the GP advised that the employee was 'not fit for work'

### **Return to work discussions**

Managers will discuss absences with employees when they return to work to establish:

- the reason for and cause of absence
- anything the manager or company can do to help
- that the employee is fit to return to work

If the employee's GP has advised that they 'may be fit for work' then the return to work discussion can be used to agree in detail how their return to work may work best in practice.

### **Absence due to disability or pregnancy**

Absences relating to the disability of an employee or to pregnancy will be kept separate from sickness absence records we refer employees to our Equality Policy.

### **Medical and Dental Appointments**

Requests for time off to attend such appointments will be dealt with sympathetically, however, it is expected that you attend medical or dental appointments in your own time where possible. Where this is not possible, appointments should be arranged to minimise any absence from work, for example, at the beginning or end of your normal working day. If you are undergoing a period of medical treatment involving regular appointments, reasonable time off will be given.

Medical and dental appointments that take up more than 70% of your normal working day (5 hours for full time staff and pro rata for part time staff) will be recorded as sick leave. Medical appointments related to a disability or underlying health condition will not normally be recorded as sick leave.

You may be asked to provide your appointment card or evidence of medical or dental appointments.

Appointments related to pregnancy or maternity are dealt with under the maternity policy and such leave is paid.

### **A more formal review may be triggered by:**

- frequent short term absence (more than 4 episodes in a rolling 12 month period)
- a long term absence (greater than 4 weeks)

This review will look at any further action required to improve the employee's attendance and well-being

### **Short Term Sickness**

If your attendance, due to short term or intermittent absence, becomes a matter of concern, for example, persistent short term absences or a pattern such as Monday/Friday absences before/after Bank Holidays, your manager will discuss this with you informally with a view to resolving issues and improving attendance. Poor attendance and reliability issues may have a negative impact upon colleagues, workloads and team effectiveness.

The following procedure aims to provide a consistent approach to managing short term absence initially through informal interventions and where attendance does not improve or attendance targets are not met and concerns continue, through a formal process.

If attendance has not improved and there is no underlying medical condition, poor attendance may become a disciplinary matter.

### **Informal Stage : Initial sickness review meeting**

You will be required to attend an initial sickness review meeting with your manager if you have:

- 4 periods of absence within a 12 month period or;
- a pattern of absence that is of concern (e.g. Mondays / Fridays or absence following bank holidays).

### **Purpose of meeting**

The initial sickness review meeting should aim to:

- identify any contributing issues and how these may be resolved;
- establish whether there is an underlying medical condition or disability (this may involve seeking further medical advice);
- consider what other support may be needed; and
- encourage a member of staff to improve their attendance at work through agreed attendance targets.

### **Potential outcomes**

You may be asked to attend an appointment with an OH physician and your manager will agree attendance improvement targets for a monitoring period of between 1 and 3 months.

Adjustments or other support may be agreed such as changes to working patterns or additional management support.

Your manager will take a written note of this meeting and you may be advised that if attendance does not improve, this may become a disciplinary matter. You will be given a copy of this note.

### **Formal Stage: Formal sickness review meeting**

A formal review meeting will be held with you if your attendance remains of concern.

You have the right to be accompanied by a trade union representative or work colleague. If your companion is unable to attend the meeting within this timescale, you should notify the leading manager of this and a further appointment will be made within the following 5 working day period. In exceptional cases Libertatem Healthcare Group may extend these timescales depending upon the individual circumstances of the case.

Reasons for a formal meeting may be that:

- attendance targets have not been met; or
- there has been no sustained improvement; or
- self-certificated sickness absence has exceeded 4 episodes in a 12 month rolling period; or
- the pattern of absence is a cause of concern.

You will be given at least 5 working days written notice to attend a meeting under this policy.

### **Purpose of meeting**

At this meeting, your manager will:

- review your attendance;
- discuss how this may be improved;
- review the improvement targets;
- discuss any management support or other needs.

### **Potential Outcomes**

You may be asked to attend an OH appointment if a referral has not yet been made.

Your manager will continue to monitor your attendance and set improvement targets.

If your manager is concerned about your level of attendance you may be advised that your absence will be considered a disciplinary issue and managed under the disciplinary procedure. Your manager will write to you inviting you to attend a disciplinary meeting to consider your attendance and will give you a copy of your attendance record and other relevant supporting documentation.

### **Long Term Sickness**

Long term sickness absence is defined as 4 weeks continuous absence, with due regard to the Equality Act 2010 and the Code of Practice on Disability in Employment, where the reasons for absence are related to an underlying medical condition or disability.

Managing long term sickness issues involves holding a monthly sickness review meeting with the member of staff to:

- keep in touch;
- discuss and review the length and reasons for absence;
- establish a return to work date; and
- facilitate a return to work/improve attendance levels.

### **Procedure for Managing Long Term Sickness**

During long term sickness absence, it is important for managers to keep in touch with the member of staff and provide appropriate support and interventions to facilitate a return to work and retain them in employment where this is practicable.

#### **Long Term Sickness Review Meeting**

After four weeks continuous absence within a rolling 12 month period your manager will write to you and arrange a sickness review meeting.

The purpose of the meeting will be to discuss your sickness absence and identify any support we may be able to provide which may facilitate your return to work. This may include seeking medical advice, arranging a phased return, changing your work pattern, hours or making other reasonable adjustments. You may be asked to attend a meeting with our OH provider. You will be given a copy of any medical reports received and the implications will be discussed with you.

#### **Follow up Sickness Review Meetings (monthly)**

After 8 weeks continuous absence or intermittent absence amounting to 40 working days (280 hours pro rata for part time staff), your manager will write to you to give you notice to attend a further sickness review meeting.

The purpose of follow up review meetings, which should be held monthly, is to:

- discuss your health;
- consider any medical advice received;
- review any actions which have been discussed;
- consider any further support including reasonable adjustments where appropriate that we are able to offer to improve attendance or facilitate a return;
- identify a possible return to work date; and
- where appropriate, consider whether employment may be at risk.

However, if you are off on long term sick leave and it becomes evident at any stage that a return to work is unlikely or that you will be unable to fulfil your role effectively for health reasons, you may be invited to attend a formal hearing and a potential outcome may be that employment is ended due to reasons of ill health. Before any decision is taken about your employment situation, we will seek medical advice and consider other action short of dismissal. Your manager will advise you if your employment may be at risk and will carry out a capability review before further action is taken.

#### **Notice of Meetings**

You will be given at least 5 working days written notice to attend a meeting. You have the right to be accompanied by a trade union representative or work colleague from within the College to all meetings. If your companion is unable to attend the meeting



within this timescale, you should notify us of this and a further appointment will be made within the following 5 working day period.

In exceptional cases Libertatem Healthcare Group may extend these timescales depending upon the individual circumstances of the case.

## **Appendix 1**

### **Company sick pay**

The company will pay the following occupational sick pay in accordance with the requirements stated within this policy and payment includes any entitlement to SSP. Benefits will be paid pro rata for part time staff.

During the probation period

- statutory sick pay only

On completion of probation period

- 2 weeks full pay 2 weeks half pay

Following 6 months employment

- 4 weeks full pay

### **Statutory Sick Pay**

Statutory sick pay is paid in accordance with Statutory Sick Pay (SSP) regulations.

SSP is paid for the first 28 weeks of sickness absence. It is not payable for the first 3 days of absence unless the absence is linked to a previous absence period. A linked period of absence is where any absence occurs within 8 weeks of a previous absence period.

If you do not qualify for occupational sick pay, for example, because you have failed to follow the procedures outlined within this policy, you may still qualify for SSP. The statutory qualifying criteria and further information is held on the following website: [www.dwp.gov.uk](http://www.dwp.gov.uk)

## Appendix 2

### Self- Certificate of Sickness Form (this can be completed in word document or by using the electronic form on the LHG dashboard)

This form must be completed for any sickness absence to account for up to seven calendar days at the start of your sickness absence period. Absence lasting eight calendar days or more require you to submit a Fitness to Work form from a medical professional to account for your sickness absence from the eighth calendar day onwards

<b>Name:</b>	
<b><u>About Your Sickness</u></b>	
<b>Date you became unfit to work:</b>	
<b>Date you were fit for work:</b>	
<b>Reason for absence:</b>	
<b>Notification made to:</b>	
<b>Date:</b>	
<b>Time:</b>	
<b>Have you consulted your GP or visited hospital?</b>	<b>YES/NO</b>
<b>Have you been prescribed medication?</b>	<b>YES/NO</b>
<b>Were you issued with a Fitness to Work Certificate?</b>	<b>YES/ NO</b>
<b>Was the absence a result of an accident at work or as a result of industrial disease?</b>	<b>YES/NO</b>
<b>If Yes please give details:-</b>	
<b>Have you reported the accident?</b>	<b>YES/NO</b>
<b>Please provide further details</b>	
<b>Was the absence as a result of an accident outside work?</b>	<b>YES?NO</b>
<b>I declare that the information given is correct. I understand that giving false information could result in the loss of sick pay benefits and/or disciplinary action and/or action by the Department of Work and Pensions</b>	
<b>Employee signature</b>	
<b>Date:</b>	

Please forward this form to your line manager as soon as possible on your return to work. The information will be used when undertaking your return to work interview.