

Sickness Absence Policy

1. Introduction

- 1.1 This policy is designed to assist Sacriston Youth Project ('the Charity') to effectively manage sickness-related absence. The Charity recognises the importance of ensuring that employees are supported through any periods of sickness absence and their subsequent return to work. Through the effective management of sickness, the Charity will be better positioned to identify any issues affecting employee morale, any other underlying problems that employees may be facing, together with any potentially unsafe work practices.
- 1.2 The short and long-term review processes of this Policy operate in parallel. This means that employee sickness absences will be managed under one or other process. An employee's sickness absence cannot be managed under the short term and long-term sickness absence management processes at the same time.
- 1.3 This policy applies to all employees with the exception of during a probationary period. The Charity reserves the right not to follow full procedure for employees with less than two years' service.
- 1.4 The policy is not contractual and may therefore be subject to change.

2. Objectives

- 2.1 The overall objective of this policy is to strike a balance between the business needs of the Charity and the need for employees to be given time to recover from sickness or injury.
- 2.2 The Charity aims to:
 - a) Encourage workforce wellness and develop a culture of healthy attendance;
 - b) To ensure sickness absence is managed fairly and consistently across the Charity;
 - c) To ensure employees whose sickness absence becomes unsatisfactory are dealt with in a timely, fair and appropriate way; and
 - d) To comply with relevant legislation.

3. Notification of Sickness

- 3.1. If an employee is unable to come to work for reasons of sickness or injury, they must inform the Charity by contacting their Line Manager at least before the time they would normally be due to start work on the first day of absence. **For the avoidance of doubt by 9:00 am.**
- 3.2. Employees should speak to their manager personally i.e. calls on the employee's behalf from a friend/partner/parent and texting or emailing the manager will only be acceptable in

exceptional circumstances.

- 3.3. The employee should indicate the reason for their sickness absence, its likely duration and when the illness started. In the event that the duration can not be predicted, or the employee has predicted a shorter absence, the Line Manager will make a daily contact call.
- 3.4. In the event the employee's absence continues for a number of days or weeks, the Line Manager will maintain regular contact with weekly calls to keep the employee connected to the business, to receive an update on the injury or illness, together with the date when the employee expects to be able to return to work. In such cases the employee should specify how the Charity can contact them if necessary, providing the main number on which they can be contacted.
- 3.5. When an employee notifies their absence from work they are responsible for changing voice mail messages and calendars and for ensuring that a handover has been undertaken in relation to their work. If they are unable to do this, the employee's Line Manager may access the employee's voicemail or calendar to ensure contacts are aware of alternative Charity resource details. The Charity may also remove access to work systems during periods of sickness absence.

4. Certification of Sickness

- 4.1. All periods of absence through sickness must be certified by the Charity's sickness self-certification form. The completed form should indicate actual days of sickness, even if they include days when the employee would not normally have worked (e.g. weekends and public holidays).
- 4.2. For sickness absences of up to 7 calendar days, the self-certification form should be completed by the employee upon their return to work and handed to their Line Manager.
- 4.3. For sickness absence of more than 7 calendar days, the employee must also provide a 'fit note'. This will provide the Charity with more information about the employee's condition, and let the Line Manager know whether their GP or medical practitioner considers that they are not 'fit for work', or 'may be fit for work taking account of the following advice'. Subsequent 'fit notes' must be produced as necessary to cover the total duration of the period of absence.

5. Maintaining contact during Sickness and Absence

- 5.1. Employees are required to cooperate with all reasonable attempts to remain in contact during periods of sickness absence.
- 5.2. For long term absences and absences that progress beyond 10 working days, one of the following options meeting options will be arranged:
 - a) home visit;
 - b) meeting at the Charity office space,
 - c) or some other suitable venue

Any home visits will be by prior agreement and consent. At these meetings employees may be accompanied to such meetings by a work colleague, family member or a recognised trade union representative.

6. **Return to Work Interviews**

- 6.1. All employees will have a return to work interview with their manager following any period of sickness absence.
- 6.2. The purpose of the return to work interview is to:
 - a) ensure the employee's fitness to return to work;
 - b) agree any necessary actions required to facilitate the employee's sustained return to work;
 - c) ensure the proper certificates (e.g. Fit Note) have been completed / obtained in respect of the entire period of absence; and
 - d) discuss any problems that may exist.

7. **Statutory Sick Pay ("SSP")**

- 7.1. In order to be eligible for SSP, employees must be ill for four days or longer (this can include weekends and bank holidays), and must have average weekly earnings equal to or more than the lower earnings limit.
Please see relevant government websites such as HMRC and Gov.uk for details of the current lower earnings limit.
- 7.2. Employees must use the Charity's sickness self-certification form to provide the Charity with details of their illness.
- 7.3. The present weekly SSP rate can be found on relevant government websites such as HMRC and Gov.uk.
- 7.4. In the event of a disability related absence or critical illness, the Charity may consider some form of occupational payment. This will be at the discretion of the Line Manager and will be reviewed on a month by month basis, not exceeding six months.
- 7.5. The Charity will record all details of SSP payments made to employees in line with legal requirements.
- 7.6. Where the Charity is not required to pay SSP or SSP comes to an end, the Line Manager will provide the employee with Form SSP1 to support the employee's claim for Employment and Support Allowance.

8. **Sickness which occurs whilst the Employee is on holiday**

- 8.1. Where an employee is incapacitated through sickness or injury during any period of pre-booked holiday (whether in whole or in part), the correct notification and certification must be followed before an employee is allowed to transfer to sick leave and take replacement holiday at a later date. This policy is subject to the following conditions, which will be strictly applied:
 - 8.1.1. The total period of incapacity must be fully certificated by a qualified medical practitioner where it exceeds 7 days;
 - 8.1.2. The employee must contact their Line Manager (in person and by telephone if possible) as soon as they know that there will be a period of incapacity during the holiday; and
 - 8.1.3. The employee must confirm in writing to their manager no later than 5 days after returning to work how much of the holiday period was affected by sickness or injury

and the amount of leave that the employee wishes to take at another time.

- 8.2. Any requests for replacement holiday must be made in accordance with the Charity's Leave policy and the employee should try to take the replacement holiday in the holiday year in which it was accrued. Where this is not possible, the Charity will allow the employee to carry forward the leave into the next holiday year in accordance with the Leave policy. The Charity may require the employee to take all or part of their replacement holiday on particular days to be specified by the Line Manager.

9. **Pandemic Flu**

- 9.1. In the event of a flu pandemic, in line with local and national guides, the Management team will initiate specific measures to ensure continuity of service to customers, minimisation of the spread of infection and continued support for employees.

10. **Domestic/Personal Difficulties**

- 10.1. If it is found that the absence is due to domestic/personal difficulties, then these will be treated with sensitivity and appropriate guidance and advice will be offered. Similarly, if it is felt that the employee would benefit from private counselling this will be offered. The Line Manager will do all it reasonably can to help staff sustain attendance at work.

11. **Addictive Behaviours**

- 11.1. Employees who drink excessively or take illegal drugs are more likely to work inefficiently, exhibit behavioural problems, be absent from work, have work-related accidents and endanger their work colleagues. Employers are under a duty to ensure the health, safety and welfare of all their employees and this means that alcohol and drug abuse problems cannot be ignored.
- 11.2. If it is found that an employee's absence is due to addictive behaviours such as drug or alcohol abuse, the Charity will offer appropriate guidance and access to help and advice, however, it should be noted that addiction to or dependency on alcohol or drugs is specifically excluded from the scope of the Equality Act 2010, unless the addiction was originally as a result of medically prescribed drugs or other medical treatment. Should an employee's addictive behaviours affect their ability to undertake their role, action will be taken via the Capability Procedure.

12. **Medical Advice**

12.1. **Occupational Health**

12.1.1. At various stages of managing an employee's sickness absence, their Line Manager may wish to seek advice on the employee's fitness for work from occupational health advisers. Occupational health referrals may be in order to:

- a) seek a medical report on the employee;
- b) establish when the employee might be able to return to work;
- c) ask for guidance on the employee's condition and any reasonable adjustments that may facilitate a sustained return to work, e.g. if there is a possibility that the employee has a disability;

d) seek a medical report from the employees GP and / or consultant.

12.1.2. The Charity will treat personal data collected during the absence management process in accordance with its policy on processing special categories of personal data.

12.2. **Access to Medical Reports**

12.2.1. When 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.

12.2.2. The employee has the right to access the report before the Charity sees it. If the employee wishes to see the report, they should inform their Line Manager of this, so that they can inform the medical practitioner. The employee will then have 21 days from the date of making the application for the report to contact the medical practitioner to see the report.

12.2.3. When requesting a report, the Charity 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 Charity will provide the medical practitioner with:

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

12.2.4. The Charity will ask the medical practitioner to identify:

- a) the nature of the employee's illness or injury;
- b) when the employee is likely to be fully fit to resume their normal duties;
- c) if the employee is unfit to resume their normal duties, what alternative duties they might be fit to undertake;
- d) when the employee is likely to be fit to undertake any alternative duties;
- e) what reasonable adjustments could be made to facilitate a return to work; and
- f) the likelihood of recurrence of the illness or injury once the employee has returned to work.

12.2.5. Where the employee refuses permission for the Charity to contact their medical practitioner, their Line Manager 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.

12.2.6. The Access to Medical Reports Act 1988 does not apply where the Charity is seeking a medical report from a medical practitioner who has not been responsible for the employee's clinical care, e.g., its own chosen specialist or occupational health adviser.

12.2.7. Where the employee objects to the processing of their personal data when the Charity is seeking to obtain a medical report to which the Access to Medical Reports Act 1988 does not apply, the Charity 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.

13. **Frequent Sickness Absence Review Process**

13.1. Frequent sickness absence is defined as when an employee is frequently absent from work for relatively short periods of unconnected illnesses.

13.2. **Frequent Sickness Absence Informal Meeting**

An Informal Meeting will be arranged between the employee and the Line Manager in the event of an employee being absent from work for either:

- 7 working days within a 12-month rolling period, OR
- 5 separate occasions within a 12-month rolling period.

13.3. The purpose of the meeting will be to:

- a) discuss the reasons for the absences;
- b) identify any underlying cause for the absences;
- c) discuss with the employee the need for/benefit of an Occupational Health referral;
- d) discuss what support can be offered to the employee to help improve their attendance; and
- e) set a review period for monitoring of attendance for 12 months.

13.4. The employee will be formally warned about the consequences of further sickness absence i.e. that the employee would move to the next stage of the procedure if trigger points were reached in the review period.

13.5. Employees may be accompanied to the meeting by a work colleague or a recognised trade union representative.

13.6. An employee will be entitled to appeal against any formal action under the formal sickness absence review process. The purpose of the appeal process is to review the fairness of the original decision in all the circumstances.

14. **Frequent Sickness Absence Stage 1 Meeting**

14.1. A **Stage 1** sickness absence meeting will be arranged between the employee and the Line Manager if, during the review period, the following trigger points have been reached:

- 5 working days absence; OR
- 3 separate incidents of absence.

14.2. The Stage 1 sickness absence meeting will be held as soon as the trigger points are reached.

14.3. Employees may be accompanied to the meeting by a work colleague or a recognised trade union representative.

14.4. The content of the meeting will be as for the Informal sickness absence meeting.

14.5. The trigger points will be explained, and a review period of 12 months established.

14.6. The employee will be formally warned about the consequences of further sickness absence i.e. that the employee would move to the next stage of the process if the trigger points were reached.

14.7. A warning will be issued to the employee in the meeting and then confirmed in writing. The Line Manager must clearly explain that, if the employee fails to improve his or her absence, this will trigger a Stage 2 sickness absence meeting. A failure on the employee's part to

improve attendance at this stage will ultimately lead to dismissal.

- 14.8. An employee will be entitled to appeal against any formal action under the formal sickness absence review process. The purpose of the appeal process is to review the fairness of the original decision in all the circumstances.

15. **Frequent Sickness Absence Stage 2 Meeting**

- 15.1. A **Stage 2** sickness absence meeting will be arranged between the employee and the Line Manager if, during the review period, the following trigger points have been reached:
- 3 working day absences; OR
 - 2 separate instances of absence.
- 15.2. The Stage 2 sickness absence meeting will be held as soon as the trigger points are reached.
- 15.3. Arrangements for the hearing and any subsequent appeal will be in accordance with the Charity's Disciplinary Procedure.
- 15.4. The meeting will be conducted by a Manager and a member of the Trustees. The manager who conducted the earlier formal meetings will not be a member of the meeting panel.
- 15.5. Employees may be accompanied to the meeting by a work colleague or a recognised trade union representative (if applicable).
- 15.6. The meeting panel will have the authority to dismiss an employee on the grounds of capability due to ill health or poor attendance.

16. **Part Time Employees**

- 16.1. In respect of trigger points specified in the Frequent Sickness Absence Review Process, the number of days of sickness specified for full time employees will be reduced pro rata to the number of hours worked for part time employees. However, the number of instances will be the same as those specified for full time employees.

17. **Long-Term Sickness Absence**

- 17.1. The Charity will treat as long-term sickness absence any absence lasting 15 working days or more.

17.2. **Long-Term Sickness Absence Contact Meeting**

17.2.1. A Long-term Sickness Absence Contact Meeting is organised when an employee has been absent for 15 working days, or as soon as it is confirmed that they will be absent for at least 15 working days (e.g. a fit note has signed them off for that period).

17.2.2. The purpose of the Long-term Sickness Absence Contact Meeting will be to:

- a) Discuss the reason for the absence and the occupational health/medical report (if applicable);
- b) Keep the employee connected to the business;
- c) Establish a likely return to work date;
- d) Identify any work-related issues that may be associated with the sickness absences and how they can be effectively addressed;
- e) Discuss whether any support can be offered to enable the employee to return to work; and
- f) At the meeting, the following options may be considered:
 - i. reasonable adjustments
 - ii. phased return to work
 - iii. paced return to work

iv. redeployment.

17.2.3. Employees may be accompanied to the meeting by a work colleague, family member or a recognised trade union representative.

17.2.4. In exceptional cases of critical illness or injury, contact meetings can be extended at the discretion of the Line Manager, in cases, such absences would normally trigger a Stage 1 Meeting.

18. Long Term Sickness Absence Stage 1 Meeting

18.1. A Long-term Sickness Absence Stage 1 Meeting is organised if an employee continues to remain absent for a further 20 working days.

18.2. The content of the meeting will be as for the Stage 1 sickness absence meeting.

18.3. Employees may be accompanied to the meeting by a work colleague or a recognised trade union representative (if applicable).

18.4. The employee will be warned that if they reach this stage sickness absence meeting and remain unable to return to work or provide a return to work date within a reasonable timescale, a sickness absence hearing will be arranged to consider the employee's continuing employment on the grounds of incapability by reason of ill health.

18.5. This constitutes a second and final stage formal warning and should be confirmed in writing.

18.6. If the employee has returned to work, a review period of 12 months will be established in order to monitor future attendance.

18.7. An employee will be entitled to appeal against any formal action under the formal sickness absence review process. The purpose of the appeal process is to review the fairness of the original decision in all the circumstances.

19. Long Term Sickness Absence Stage 2 Meeting

19.1. A Long-term Sickness Absence Stage 2 Meeting is organised if an employee continues to remain absent for a further 20 working days.

19.2. The content of the meeting will be as for the Stage 1 sickness absence meeting. A member of the HR Team may be present at this and subsequent stages of the process.

19.3. Employees may be accompanied to the meeting by a work colleague or a recognised trade union representative.

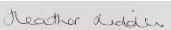
19.4. At this stage of the process, if the employee remains unable to return to work and there is no return to work foreseeable within a reasonable timescale, a sickness absence meeting will be arranged to consider terminating the employee's employment on the grounds of incapability on account of ill health.

19.5. After the meeting, the senior manager will set out in writing the outcome of the stage 2 meeting. The outcome of the meeting could be:

- a) a decision for the employee to remain on sick leave until they have recovered (usually this will apply where an approximate return date can be identified);
- b) the issuing of a warning stating that the employee's continued absence is unsatisfactory;
- c) an offer to make adjustments to the employee's work;
- d) redeployment with the employee's agreement, including demotion; or

- e) a decision to dismiss the employee.
 - 19.6. If the employee has returned to work, a review period of 12 months will be established in order to monitor future attendance.
 - 19.7. An employee will be entitled to appeal against any formal action under the formal sickness absence review process. The purpose of the appeal process is to review the fairness of the original decision in all the circumstances.
 - 20. **Data Protection**
 - 20.1. The Charity will monitor and record levels of absence and reasons for absence.
 - 20.2. All information gathered through absence monitoring under this Policy will be held and treated in confidence and will be collected, held, and processed lawfully and in accordance with the Charity's Data Protection Policy.
 - 20.3. Where the Charity is relying on its legitimate interests as the legal ground for processing an employee's data, they can object to the processing.
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This policy has been approved & authorised by:

Name: Heather Liddle
Position: Trustee – Sacriston Youth Project
Date: April 2021
Signature: 

Date of Review	Reviewed By	Changes Made	Date of Next Review
April 2021	Jo Cameron - Trustee		April 2022