

Sickness Absence Policy



Trustee Owner	Alan Bowe
Effective date:	1/3/22
Review date:	1/3/25
Related documents	Equality, Diversity and Inclusion policy Performance Management policy

Approval History

Version	Reviewed by	Amendment History	Approved by	Date
1.0	Jane Sullivan	First draft	Alan Bowe	01/03/22
1.1	Katharine Jane	Updated for charity status	Jane Sullivan	18/7/22
1.2	Andrew Counsell	Reviewed – no amends needed	Katharine Jane	11/3/24

Policy Statement

Newton Rigg Ltd is committed to promoting good employment practices and values the support, contribution and commitment of all its employees. All employees are expected to make a full contribution to delivering our services and in order to support this, Newton Rigg Ltd recognises the importance of balancing the health and wellbeing of its employees. We aim to ensure that arrangements are in place for the management of health-related ill health (physical and mental), and other absence from work, in a manner that minimises the impact of ill-health on the employee, service users and the Training provider.

Scope

Paid employees working on behalf of Newton Rigg Ltd.

Purpose

Newton Rigg Ltd will deal fairly and sympathetically with employees who are absent from work because of ill health and aims to assist employees on sick leave with their rehabilitation and eventual return to work.

At the same time, Newton Rigg Ltd must pay due regard to its operational needs: if an employee is persistently or repeatedly absent from work this can damage efficiency and productivity and place an additional burden on their colleagues.

The purpose of this policy is therefore to strike a reasonable balance between the pursuit of Newton Rigg Ltd's operational needs and the genuine need of employees to take time off work because of ill health. The policy describes how short- and long-term sickness absence will be managed, including how employees should report and record sickness absences, what to do when booking medical appointments and the circumstances in which a fit note is required.

It also provides guidance for line managers on how to manage return to work meetings, and chair attendance review meetings if there is a need to discuss absence with an employee. The policy also sets out Newton Rigg Ltd's occupational sick pay arrangements.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

The Sickness Absence Policy and Procedure (the 'Sickness Absence Policy') complies with statutory legislation.

1. Reporting when you are sick

- If you cannot attend work because you are sick or injured you should telephone your line manager as early as possible on the first day of absence and no later than 30 minutes after the time when you are normally expected to start work.
- Only in exceptional circumstances (such as hospitalisation) can you nominate someone else to make contact with your line manager.
- Text or email messages should be followed up, where possible, by a telephone conversation within a reasonable timescale and should be initiated by you.
- Where contact has not been made or maintained, the line manager will attempt to contact you to ensure your wellbeing at the earliest opportunity following your absence. If no contact can be established, then your identified emergency contact will be contacted.

- Failure to report an absence may result in you being placed on unauthorised unpaid leave. This action could result in the Performance Management Policy and Procedure being instigated.
- When reporting in sick you must provide the following:
 - The reason why you are absent
 - When you expect to return to work
 - Are you suffering from vomiting and diarrhoea?
 - Are you suffering from COVID-19 symptoms?
 - Any support the training provider can provide whilst you are absent
 - Details of any outstanding or urgent work that needs to be dealt with and contact details where appropriate
 - A communication schedule and a contact telephone number and address details for the absence period.
- This information will be recorded and stored confidentially on your employee personnel file.
- You and your line manager will agree what information, if any, will be communicated to colleagues in relation to the reason for absence.

2. Keeping in touch

- You are obliged to maintain contact with your line manager during any period of ill-health. Furthermore, in order to ensure the appropriate support is provided to you during periods of ill health managers are responsible for maintaining regular contact with employees, as agreed.
- A reasonable communication schedule must be agreed between you and your line manager. As a guide, it is anticipated in cases of ill health exceeding three days that you will, where this is known, as a minimum, contact your manager on a weekly basis.
- If the length of time is not known at the time of reporting, you are required to contact your line manager daily.
- In all cases of ill-health, communication will be agreed between the line manager and you. The degree of contact will depend on the individual circumstances, reason for absences and following any medical appointments.
- You must advise your line manager of the intended date of return and must report on your fitness to work even if recovery takes place on a rostered day off otherwise that period will be included within the calculation of sick leave.

- Conversely, if you are unable to return to work as expected, you should inform your line manager as soon as you become aware.
- You must not undertake paid employment during confirmed sick leave unless Newton Rigg Ltd has given formal permission that the alternative work requested is reasonable and may assist rehabilitation. Additionally, you must not engage in activities likely to impede your recovery or that are inconsistent with your sickness ill-health status.
- Employees returning to work after sick leave who wish to undertake light duties on Newton Rigg Ltd must discuss this with their line manager to ensure these are commensurate with sustaining your return to work.

3. Evidence of incapacity

- You must complete a self-certification form for sickness absence of up to seven calendar days.
- For absence of more than 7 calendar days you must obtain a certificate from your doctor stating that you are not fit for work, giving the reason. You must also complete a self-certification form to cover the first seven days. If absence continues beyond the expiry of a certificate, a further certificate must be provided.
- If your doctor provides a certificate stating that you "may be fit for work" you must inform your manager immediately. We will hold a discussion with you about how to facilitate your return to work, taking account of your doctor's advice. If appropriate measures cannot be taken, you will remain on sick leave and we will set a date for review.

There is no legal obligation for Newton Rigg Ltd to comply with the recommendations contained within a fit note. However, serious consideration will always be given to them. This will normally be done in consultation with the employee at a return to work discussion. It may also be necessary to seek occupational health advice.

4. Falling unwell during the working day

- If you fall unwell during your working day you must notify your line manager, or appropriate manager, immediately who will authorise you to leave work.
- If you leave without authorisation it will be deemed as taking unauthorised absence.
- Part day sickness will be monitored but will not be recorded as a full day's absence for payroll purposes.

5. Medical appointments

- Hospital, doctors or dentist appointments should be booked outside of normal working hours wherever possible. Where this is not possible appointments should be made as close to the beginning or end of working hours to minimise disruption to the working day.
- You should agree with your manager when time lost for the attendance of medical appointments will be made up or agree to take from annual leave allowance. This applies to all staff irrespective of whether they work full time or part time hours. Arrangements should be made in agreement with the appropriate manager, providing as much notification as possible.
- Paid time off for medical appointments for disability health related conditions will be considered at the discretion of Newton Rigg Ltd.
- Time off for appointments will not be recorded or classified as sickness ill health; however should treatment provided during such appointments prevent an employee from returning to duty such time will be classified as sickness ill-health.

6. Sickness and annual leave

- If you fall ill during a period of annual leave, you must inform your line manager and follow the normal absence reporting arrangements.
- In these circumstances you will be required to produce a medical certificate. On receipt of the medical certificate we may treat the ill health as sick leave and replacement annual leave for days lost may be granted at a time to be agreed with your line manager.
- If you fall sick on a designated public bank holiday you will not be entitled to an additional day.
- In line with regulation 13 and 13A of the Working Time Regulations 1998, an employee on long term sick leave continues to accrue annual leave and should not be prevented from taking this leave due to sickness. If an employee cannot, or does not wish to take annual leave, they must notify their manager and agree together when the accrued annual leave will be taken.
- Following a period of sickness absence and where recommended, a phased return to work of up to four weeks would be considered as a reasonable adjustment. If a phased return of longer than 4 weeks is required an employee with outstanding annual leave entitlement may be expected to take annual leave during any extended phased/graduated return.
- Where annual leave is taken during a period of sick leave, this will continue to be counted towards the record of sickness & ill-health for the purposes of managing the overall sickness & ill-health.

- In the event of an employee being dismissed on the grounds of capability (due to ill health) any untaken annual leave will be paid working back up to 18 months from the contract end date. The payment will be made with their final salary. The annual leave entitlement will be calculated pro-rata on contractual terms.

7. If you are pregnant

- Newton Rigg Ltd must make a special assessment of the risks to pregnant employees and their babies. If there are risks, we must make attempts to protect the employee and baby by:
 - adjusting your working conditions and/or hours of work
 - offering you other suitable work if there is any
 - suspending you from work for as long as necessary
- An employee who is pregnant, or has recently given birth, or who is breastfeeding may have to be suspended from work on maternity grounds if continued attendance might damage their, or the baby's health.
- If an employee is suspended they are entitled to full pay, which includes any enhancements you would have been paid. The suspension should last until the risk to the employee or the baby has been removed.
- If you unreasonably refuse suitable temporary redeployment Newton Rigg Ltd does not have to pay you and HR advice should be sought.

8. Occupational Sick pay

- To support employees during periods of ill health, Newton Rigg Ltd will pay you more than the statutory minimum sick pay, following successful completion of your probationary period as outlined in the table below.
- You will qualify for company sick pay provided you comply with this policy and any further requirements set out in your contract. This is known as Occupational Sick Pay (OSP).
- This does not affect any entitlement you may have to receive SSP for the same periods of sickness absence, although any sick pay you receive from the Training provider shall be inclusive of any SSP due to you.
- Occupational sick pay is paid to all employees (full or part time) on the following basis:

Less than one year's service:	Six weeks' full pay and six weeks' half pay in any 12-month period.
One to two years' service:	13 weeks' full pay and 13 weeks' half pay in any 12-month period.

Two years' service or more:	26 weeks' full pay in any 12-month period.
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- When this entitlement is exhausted, you will not qualify for OSP until you have returned to work and worked for a total of 12 weeks, although this does not affect any entitlement you may have to receive further SSP.
- OSP is paid at our discretion and we may amend or withdraw the scheme at any time.

9. Return-to-work interviews

- After a period of sick leave your line manager will hold a return-to-work interview with you. The purposes may include:
 - welcoming you back to work
 - ensuring you are fit for work and agreeing any actions necessary to facilitate your return.
 - confirming you have submitted the necessary certificates.
 - updating you on anything that may have happened during your absence.
 - raising any other concerns regarding your absence record or your return to work.

10. Managing long-term or persistent absence

- The following paragraphs set out our procedure for dealing with long-term absence (more than 28 calendar days) or where your level or frequency of short-term absence has given us cause for concern.
- The purpose of the procedure is to investigate and discuss the reasons for your absence, whether it is likely to continue or recur, and whether there are any measures that could improve your health and/or attendance.
- We may decide that medical evidence, or further medical evidence, is required before deciding on a course of action.
- Trigger points to prompt an attendance review meeting include:
 - an employee has been absent continuously through ill health for more than two weeks with no indication of a return to work within the following two weeks
 - an employee's absence due to ill health reaches a total of 12 working days during the preceding 12-month period
 - an employee has been absent due to sickness on five separate occasions in a six month period
 - a discernible pattern of absence is giving cause for concern

- there are grounds for suspecting the nature of the work/work environment are causative factors in an employee's health.
- We will notify you in writing of the time, date and place of any meeting, and why it is being held. We will usually give you a week's notice of the meeting.
- Meetings will be conducted by your line manager and a Trustee representative.
- You may bring a companion to any meeting or appeal meeting under this procedure. Your companion may be either a trade union representative or a colleague, who will be allowed reasonable paid time off from duties to act as your companion.
- If you or your companion cannot attend at the time specified you should let us know as soon as possible and we will try, within reason, to agree an alternative time.
- If you have a disability, we will consider whether reasonable adjustments may need to be made to the sickness absence meetings procedure, or to your role or working arrangements.

Informal attendance review meeting

The purposes of an informal attendance review meeting will be to discuss the reasons for your absence, how long it is likely to continue, whether it is likely to recur, whether to obtain a medical report, and whether there are any measures that could improve your health and/or attendance.

In cases of long-term absence, we may seek to agree a return-to-work programme, possibly on a phased basis.

In cases of short-term, intermittent absence, we may set a target for improved attendance within a certain timescale.

If there is no improvement in attendance a formal attendance meeting will be held

First Formal attendance review meeting

The purposes of an attendance review meeting or meetings will be to discuss the reasons for your absence, how long it is likely to continue, whether it is likely to recur, whether to obtain a medical report, and whether there are any measures that could improve your health and/or attendance.

In cases of long-term absence, we may seek to agree a return-to-work programme, possibly on a phased basis.

In cases of short-term, intermittent absence, we may set a target for improved attendance within a certain timescale.

If matters do not improve

If, after a reasonable time, you have not been able to return to work or if your attendance has not improved within the agreed timescale, we will hold a further meeting or meetings. We will seek to establish whether the situation is likely to change and may consider redeployment opportunities at that stage. We may also set a further date for review.

Second Formal Initial attendance review meeting

The purposes of an attendance review meeting or meetings will be to discuss the reasons for your continued absence, how long it is likely to continue, whether it is likely to recur, whether to obtain a medical report, and whether there are any measures that could improve your health and/or attendance.

In cases of long-term absence, we may seek to agree a return-to-work programme, possibly on a phased basis.

In cases of short-term, intermittent absence, we may set a target for improved attendance within a certain timescale.

If matters do not improve

If, after a reasonable time, you have not been able to return to work or if your attendance has not improved within the agreed timescale, we will hold a further meeting or meetings. We will seek to establish whether the situation is likely to change and may consider redeployment opportunities at that stage. If it is considered unlikely that you will return to work or that your attendance will improve within a short time, we may give you an improvement note that you are at risk of dismissal. We may also set a further date for review.

Final attendance review meeting

Where you have been warned that you are at risk of dismissal, and the situation has not changed significantly, we will hold a meeting to consider the possible termination of your employment. Before we make a decision, we will consider any matters you wish to raise and whether there have been any changes since the last meeting.

Appeals

You may appeal against the outcome of any stage of this procedure. If you wish to appeal you should set out your appeal in writing to the Chair of Trustees stating your grounds of appeal, within one week of the date on which the decision was sent or given to you.

If you are appealing against a decision to dismiss you, we will hold an appeal meeting, normally within two weeks of receiving the appeal. This will be dealt with impartially and, where possible, by a Trustee who has not previously been involved in the case.

We will confirm our final decision in writing, usually within one week of the appeal hearing. There is 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.

Further support for staff sickness absences.

There are many insurance policies that can support you to ensure your income is protected during periods of sickness. Such policies can protect your income for periods of time that fall outside our sickness pay policy.

Newton Rigg Ltd cannot recommend any particular policy but a simple Google search can offer quotes to meet your income needs.