

Healthwatch Hillingdon

Sickness and Absence Policy & Procedure

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CONTENTS

1.	Policy	3
2.	Scope	3
3.	Procedure	4
3.1	Reporting Sickness Absence	4
3.2	Payment	5
4	Sickness Absence Definitions	5
4.1	Short term absence	6
4.2	Long term absence	6
4.3	Elective Procedures and Treatments	6
4.4	Fertility treatment	7
5	Recording Sickness Absence	8
6	Return to Work Discussion	8
7	Monitoring of Sickness Absence	9
8	Investigating Sickness Absence	10
	APPENDIX 1 - RETURN TO WORK DISCUSSION FORM	12

1. Policy

- 1.1 Healthwatch Hillingdon (HWH) aims to encourage all of its employees to maximise their attendance at work, firstly through effective counselling, medical welfare measures and subsequently through disciplinary/capability procedures so as to ensure the efficiency of service provision.
- 1.2 Whilst HWH understands that there will inevitably be some periods of absence amongst employees, it must also pay due regard to its service provision. If an employee is frequently and persistently absent from work, it can damage efficiency and service and place an additional burden of work on the employee's colleagues.
- 1.3 By implementing this policy, HWH aims to strike a balance between the pursuit of service provision and the genuine needs of employee to take occasional periods of time off because of sickness.
- 1.4 The procedure has been produced to promote equality and uniformity throughout HWH in respect of dealing with the issues of sickness absence.
- 1.5 This policy outlines the responsibilities of both the employee and the Line Manager in the sickness absence process. The procedure is designed to enable employees to conform to their contracts of employment in relation to attendance, notification and certification of absence. The aim is to promote the attitudes of individuals and group awareness within the workforce regarding attendance at work.
- 1.6 The Line Manager is expected to demonstrate that they care about attendance and must be proactive about recognising good attendance, demonstrate concern for all forms of absence and the welfare of the employee. The Line Manager must take ownership of unacceptable absence levels in a fair and consistent manner.
- 1.7 This policy is for the mutual benefit of both management and employees, providing individuals with support presented in specific sickness absence procedures and giving individual employees an opportunity to present his/her case against any action taken and allowing right of appeal. It enables effective monitoring to address health and safety issues and the effects of sickness absence on the service.
- 1.8 The procedure features adherence to the reporting procedure and the return to work interview with the Line Manager. The reporting procedure enables the organisation to monitor absences and identify problems as well as ensuring the proper functioning of the organisation. The return to work interview enables the organisation to ensure that employees are fit for

work, to offer any assistance that may be appropriate and to support employees with any outstanding problems he/she may have.

2 Scope

2.1 This policy applies to all employees of HWH.

3 Procedure

3.1 Reporting Sickness Absence

3.1.1 If an employee is unable to attend work because of illness or injury he/she must inform his/her Line Manager by 9:00 am on the first day of absence, informing them of the reason of the absence and its likely duration

3.1.2 If an employee is not able to return by the 4th day of absence and the start of a new working week he/she should contact his/her Line Manager again and inform them of his/her progress.

3.1.3 For all sickness absence the employee should create a sickness request form on the leave and sickness database. For absences of up to 7 days including weekends and public holidays, this is the only record needed for the period of absence.

3.1.4 For sickness absence exceeding 7 continuous days, the employee must submit a Medical Certificate from his/her General Practitioner and send it to the Business Support Administrator (BMO) as soon as possible.

3.1.5 Further certificates must be submitted covering all absence until the employee returns to work. It is the employees responsibility to ensure that all days of sickness absence are covered by the appropriate certification otherwise these days will be treated as unauthorised absence.

3.1.6 Employees who are absent for 3 or more weeks, must produce a final certificate stating his/her fitness to return to work from his/her General Practitioner. The final certificate must be sent to the BMO.

3.1.7 Employees should submit medical certificates to the BMO even when he/she is required to submit them to the D.S.S.

3.1.8 Failure to notify HWH on the first day of absence or failure to submit a create sickness absence form on the HR Information System or to supply Medical Certificates when required or providing false information could result in sick pay being withheld and/or disciplinary action being taken.

3.1.9 Employees who become sick during, prior or after pre booked holiday, will need to obtain a doctors note confirming their illness to be allowed to take the holiday at a later date. Failure to submit a doctor’s note will result in the loss of leave.

3.1.10 Employees who are absent from work due to sickness on long term basis will continue to accrue annual leave, any bank holidays and concessionary days that may fall during the holiday year that they have worked. Employees are not entitled to accrue annual leave, bank holidays and concessionary days during the following leave year(s) when they have not worked.

3.2 Payment

3.2.1 HWH pays sickness benefits that are linked to continuous service. The benefits payable are as follows;

Length of Service	Sick pay benefit
During the first six months of your employment with HWH you will only be entitled to paid statutory sick pay	None. Statutory sick pay
Between 6 months and under 1 year’s service	4 weeks full pay and then 8 weeks half pay
Between 1 and 2 years service	8 weeks full pay and then 8 weeks half pay
Between 2 and 3 years service	12 weeks full pay and 12 weeks half pay
Between 3 and 4 years service	16 weeks full pay and then 16 weeks half pay
Between 4 and 5 years service	20 weeks full pay and then 20 weeks half pay
Over 5 years service	24 weeks full pay and then 24 weeks half pay

In all cases sick pay benefits will satisfy Statutory Sick Pay (SSP) entitlements made in line with current legislation.

3.2.2 As soon as it becomes clear that an employee will exhaust his/her sickness-pay benefit whether full or half pay, the BMO will inform the employee in writing. If the employee returns to work before his/her half pay entitlement

commences, should he/she go off sick again during the 12 month period of commencement of the previous absence or absences, he/she will automatically receive half pay sickness benefit. The BMO will notify Line Managers when an employee exhausts either their full or half pay sickness absence benefit.

3.2.3 It is important that sickness absence issues are not ignored and that the Line Manager is pro-active and supportive before employees exhaust sick pay benefits.

3.2.4 Line Managers are required to inform the BMO of an employee's sickness absence in order for the employee's sick pay entitlements to be monitored.

4 Sickness Absence Definitions

4.1 Short term absence

These types of absences are;

- a. those attributable mainly to minor ailments which prevent employees from giving satisfactory service and are less than 8 days duration, including weekends and
- b. where an employee has been medically examined and has been advised to refrain from attending work because of illness or injury. The duration of this type of absence is from 8 to 30 days, including weekends.

4.2 Long term absence

These types of absences are;

- a. when an employee has been absent from work through illness or injury for more than 30 days, including weekends
- b. a series of related short term absences which may be indicating a persistent or underlying medical condition.

4.3 Elective Procedures and Treatments

Elective surgery/treatment is surgery/treatment that is not considered to be medically necessary and therefore statutory sick pay cannot be claimed for time off for elective procedures. This may include cosmetic surgery, which is concerned with the enhancement of appearance through surgical and medical techniques (e.g. face lifts, laser eye treatment, etc). This does not include an employee undergoing gender reassignment surgery, as an employee undergoing such surgery

is specifically protected by the Sex Discrimination (Gender Reassignment) Regulations 1999.

As HWH cannot reclaim statutory sick pay for these procedures and treatments time off for elective procedures and treatments will be unpaid, with the exception of fertility treatment

Any leave granted, will be subject to the availability of staff to cover the employee's period of absence.

An employee must inform their Line Manager as soon as reasonably practicable when a plan to undergo elective surgery has been confirmed, and a medical statement from a qualified medical practitioner must be provided to show that the elective surgery has been approved and the likely duration of recovery.

The Line Manager and employee must agree and arrange the elective surgery at a suitable time and date that will cause minimum amount of disruption to the organisation and team. The employee is required to create a leave request for such an absence on the HR Information System.

Where the outcome of the surgery is unexpected and an employee suffers an injury, unpaid leave will be converted into contractual sick pay in line with the terms of HWH contractual sick pay scheme following receipt of the relevant sickness certification.

Where an employee returns to work following an unexpected outcome of elective surgery, the Line Manager will conduct a return to work discussion.

4.4 Fertility treatment

Although HWH cannot claim statutory sick pay when an employee takes time off to attend fertility treatment, as long as the employee negotiates the time off with their Line Manager as for other elective treatment outlined above, and creates a sickness record with the reason for absence as 'elective', then HWH will pay contractual sick pay for the absence.

Where the outcome of the fertility treatment is unexpected and an employee is ill following the treatment, the employee will record further sickness absence under one of the other usual reasons so that statutory sick pay may be claimed for the further absence.

Where an employee returns to work following time off for of fertility treatment, the Line Manager will conduct a return to work discussion.

5 Recording Sickness Absence

It is the responsibility of all employees to accurately record all periods of sickness absence in a timely manner on the leave and sickness database.

On return to work following a period of sickness absence (regardless of the duration or reason for the sickness absence) the employee must create a self certification record on the leave and sickness database.

All periods of sickness absence must also be recorded on the timesheets database.

Consistent failure to accurately record periods of sickness absence in a timely manner will be investigated in line with HWH Disciplinary Policy and Procedure.

6 Return to Work Discussion

6.1 It is the responsibility of the Line Manager to meet with the employee on their return to work following a period of sickness absence.

6.2 The return to work discussion should take place at the Line Manager's earliest opportunity, preferable on the day the employee has returned to work. If the Line Manager is unavailable within the week of the employee's return to work, the return to work discussion should be completed by the CEO or Board HR Lead.

6.3 The leave and sickness database will remind managers approving sickness records to book a return to work discussion date which then goes into the Line Manager's calendar which will show when the employee receives the approved sickness record. Line Managers are not able to complete an approval of a sickness record without booking a return to work interview.

6.4 The purpose of the return to work discussion is to demonstrate employer interest in the health and welfare of its employees and to ascertain the following;

- a. that the employee is now well enough to return to work, can operate at full capacity or whether they require some assistance.
- b. the reason for absence and to show that the absence has been recorded.
- c. that the employee has complied with the notification and certification of absence requirements.
- d. that the employee is made aware of any changes that have occurred during the period of absence.

6.5 Line Managers must complete the return to work discussion form during the return to work interview (Appendix 1). The completed form must be returned to the BMO.

7. Monitoring of Sickness Absence

7.1 In circumstances where there is an unacceptable level or pattern of short term persistent absence then this may warrant an investigation (see 8 below).

7.2 Short term sickness absence triggers

- 10 days or more during a 12 month period
- Frequent odd days i.e. sickness taken after holidays or regular absences on Mondays or Fridays.

The Line Manager has the responsibility to monitor this sickness absence and this can be done through the return to work discussions and information obtained from the HR Information System.

Line Managers should investigate the causes/reasons for this absence and to check if there is any underlying health problem that is preventing the individual from attending work on a regular basis. If there is an underlying health problem then refer to occupational health and look to instigate capability procedure, if no underlying health problem then there may be the need to instigate disciplinary procedure.

7.3 Long term sickness absence triggers

- Absence that is up to 30 days.

In circumstances of long term sickness absence, it is responsibility of the Line Manager to monitor sickness absence and to maintain regular contact with employees to enable them to remain informed of the employee's progress and to determine the likely duration of the absence.

The Line Manager also has the responsibility to contact the individual to arrange a home visit to discuss the individual's absence and what assistance may be required to ensure that the individual can return to work.

Employees who are absent from work on a long term basis will be visited at home during his/her absence by a BMO representative and/or their Line Manager, to discuss his/her sickness. The employee will be contacted in advance either by telephone or letter to arrange a suitable date and time for both parties

After the home visit if the absence is to last longer than 4 weeks then a referral to occupational health may be necessary to ascertain what support the individual may need and likely return to work.

After the occupational health report, the Line Manager should then arrange a further meeting with the individual to discuss the report and also how the organisation can support the individual in returning to work.

Line Managers should be aware that it might be at this point the capability process may need to be instigated.

It is advisable that the Line Manager seeks HR support and guidance from Board HR Lead throughout these processes.

8 Investigating Sickness Absence

- 8.1 Before any formal action is taken as a result/consequence of unacceptable attendance, employees will be interviewed by his/her Line Manager to discuss the reasons for absence. If necessary, the meeting will assess the extent to which support is required, look at ways of how to reduce the impact, establish milestones for improving attendance and agree intervals for review of attendance.
- 8.2 At the review meeting the Line Manager will discuss with the employee the extent to which progress has been made and agree the next stage, which may include setting a further review meeting in light of improved attendance. If it appears that there is an underlying medical cause for the employees absence, the organisation may seek permission from the employee, in line with the Data Protection Policy and Procedure (HWH007), to obtain a medical report from his/her doctor or alternatively to be referred to an Occupational Health doctor for a report.
- 8.3 On receipt of the report, a further meeting will be arranged to discuss its contents and implications with the employee. Where it is established that the employee has a disability that is covered under the “Disability Discrimination Act 1995”, the Line Manager will discuss with the employee, any necessary reasonable adjustments to support the employee to attend work on a more regular basis.
- 8.4 Line Managers of employees with no underlying medical condition who fail to make the necessary improvement, will need to obtain necessary advice from the Board HR Lead who will review the employees medical records. Line Managers will then need to look at alternative options available to establish a future plan of action with the employee.

- 8.5 At each stage of the processes, it is the Line Manager's responsibility to assist the employee in returning to work having established the appropriate level of support that may be necessary.
- 8.6 However, where it is apparent that the employee is unable to return to work then the Line Manager must consider alternatives, for example ill health retirement (this would need to be agreed with the Board HR Lead and sanctioned by the HWH Board).
- 8.7 If an employee has not maintained any of the required improvements set at previous meetings, then the Line Manager must, in conjunction with the CEO, take appropriate action to keep the Board HR Lead advised of the situation. If this results in an employee's dismissal, which must be approved by the Board HR Lead, the employee has the right to appeal in line with company disciplinary procedure. Any termination will be in accordance with contractual notice period entitlements.
- 8.8 If an employee's employment is terminated after a 12 month period of sickness absence, the employee is not entitled to payment of holiday pay

APPENDIX 1 - RETURN TO WORK DISCUSSION FORM

It is the responsibility of both the Line Manager and employee to meet on his/her return to work following his/her sickness absence. A discussion should take place at the Line Manager's earliest opportunity. However, if the Line Manager is unavailable within the week of the employee's return to work then the return to work discussion should be completed by the CEO or Board HR Lead.

The purpose of the return to work discussion is to illustrate the interest the employer has in the health and welfare of its employees and to ascertain the following;

- that the employee is now well enough to return to work, can operate at full capacity or whether they require some assistance.
 - the reason for absence and illustrate the absence has been noted.
 - that the employee has complied with the notification and certification of absence requirements.
 - that the employee is made aware of any changes that have occurred during the period of absence.
-

Name:

DATES OF ABSENCE

From: To:

Number of Days Absence (to include weekends)

Was the employee on (pre booked) annual leave during the sickness absence?

Yes/No (please delete as appropriate).

Was the employee due to go on (pre booked) annual leave during their sickness absence?

Yes/No (please delete as appropriate).

REASON FOR ABSENCE

.....
.....
.....

For office use only

Number of Days Absence since 1st April:

Number of Absences during since 1st April:

N.B not including current absence

COMMENTS OF EMPLOYEE:

.....
.....
.....

COMMENTS OF MANAGER:

.....
.....
.....

FURTHER ACTION TO BE TAKEN (where appropriate please tick)

Improvement Plan

Medical Referral

Signature of Employee: Date:

Signature of Line Manager: Date:

CHECKLIST

Have you recorded this sickness absence on the HR database? Y/N

Have you provided a medical certificate (in the event of the absence exceeding 7 continuous days)? Y/N

PLEASE RETURN THIS FORM TO THE BUSINESS SUPPORT ADMINISTRATOR