

Company Name:	Twenty-Four Seven Recruitment Services Ltd					
Procedure Name:	Sickness Absence Policy (salaried staff)					
Review Date:	V1 undated	V2 29/03/22				
Authorised by:	Amanda Lillis - HR Director					

Policy statement

The Company is committed to promoting the health, safety, and wellbeing of its staff by:

- providing appropriate support to facilitate staff retention and return to work after illness, for example through a phased return, occupational health, flexible working, reasonable adjustments and in some cases redeployment.
- tackling issues which may result in absence due to work related stress or dignity at work issues.
- encouraging attendance, monitoring absence and the cost of sickness absence; and,
- providing coaching and training for managers dealing with sickness absence issues.

The sickness absence policy aims to ensure that absence is managed in a consistent, supportive, and effective way so that operational and service levels are maintained.

Scope

This policy applies to all salaried staff and is in line with ACAS guidance.

Application

In the application of this policy, managers should refer to Human Resources for advice and guidance on the complex issues around sickness and disability.

Disability related sickness absence, and attendance at disability related medical appointments will be recorded but not categorised as sickness absence. Issues relating to attendance and disability or underlying medical conditions will consider our commitment to retaining staff through making reasonable adjustments to jobs, equipment and processes, offering flexible working options and accessing medical advice through occupational health.

Guidance on making reasonable adjustments is available for managers and staff and HR should be involved in dealing with health and disability, staff retention and adjustments.

Medical Health Advice and Support

Occupational Health

The Company may work with an independent occupational health (OH) provider to support and raise awareness of health issues with staff and support health and wellbeing events and initiatives.

OH provide professional advice on health issues at work and provide health assessments to:

- advise on fitness for work with a view to supporting staff to continue at work.
- advise on reasonable adjustments.
- facilitate rehabilitation for staff returning to work following a period of ill health; and
- advise on capability issues.

If we are concerned about your sickness absence, you may be referred to an OH adviser for a medical assessment to seek advice on reducing sickness absence and/or facilitating a return to work where this is possible.

If you are asked to attend an appointment with an OH physician, you will receive a copy of the medical report and we will arrange a follow up meeting to discuss the findings with you.

Staff Sickness Notification and Certification Requirements

Notifying your manager

If you are absent due to sickness on a normal working day, you must notify your manager, or other designated member of staff if your manager is out of the business:

- by telephone as soon as possible and no later than 30 minutes before your normal working hours;
- stating the reason for your absence; and
- the expected duration of your sickness absence where known.

If you are a shift worker or have a different work pattern from normal office hours (9.00 am – 5.00 p.m. Monday to Friday), for example, if you work in the evenings or at weekends, you should notify your manager in good time before your start time where this is possible, so that cover may be arranged.

If we do not hear from you within an hour of your normal start time your manager will endeavour to contact you at home.

If you are unable to call yourself, you may ask someone to make contact on your behalf. However, you must ensure you speak with your manager later the same day or as soon as practicable thereafter.

If you are off for more than 3 consecutive working days, you must contact your manager by the fourth day (or next working day). Your manager may ask that you contact them before this where, for example, cover arrangements may need to be put in place. For longer periods of absence, you should maintain regular contact with your manager, normally weekly (longer by agreement with your manager).

You are responsible for notifying the Company of your sickness absence and providing the appropriate certification statements as required.

We acknowledge that there may be exceptional circumstances which prevent the member of staff from meeting the reporting and certification requirements, for example, in the case of a severe injury / hospitalisation.

Certification for Sickness Absence

Days 1 - 7 of sickness absence

For the first 7 calendar days of continuous sickness absence (i.e., including non-working days), you do not need to obtain a note from your G.P. to cover your absence. When you contact your manager to inform them about your absence and the reasons for this, your manager will record this information. On your first day back at work you must record your absence on your Absence Form (see appendix 1) and email the form to your manager for approval.

If you leave work due to sickness absence before you have completed 2 hours work (pro rata for part time staff), your absence is recorded as a full day's absence.

Sickness absence that exceeds 7 days

For absences that exceed 7 continuous calendar days (including non-working days) you must provide a Med 3 form which is a 'Statement of fitness for work' (Statement). Known as the 'fit note' from your GP.

You are responsible for ensuring your medical Statements reach your manager promptly.

If your G.P. provides advice that you may be fit for work you should notify your manager as soon as practicable.

You should send your Statements to your manager who will arrange for this to be logged electronically and passed to the payroll team for processing. If the Statement is not received in a timely manner, any Company Sick Pay (CSP)/Statutory Sick Pay (SSP) due to you may be delayed.

Statement of Fitness for Work Certificate (Fit Note)

Your G.P. will either give you a Statement confirming that you are unfit for work for a specific period / until a specific date or your G.P. may advise that you are able to return to work and, in these circumstances, your G.P. will suggest options that may help you to return to work.

The purpose of the Statement or 'fit note' is to facilitate a return to work and may be more likely to be used in longer term sickness cases or those with an ongoing medical condition. The suggestions your G.P. may advise include:

- Amended duties – this involves changes to your job and duties, if you are unable to complete all your normal duties, and these may be amended in discussion with your manager.
- Workplace adaptations – this involves changes to your work environment that may relate to, for example, use of equipment, accommodating mobility issues or other changes that may facilitate a return to work. A health and safety risk assessment and occupational health advice may be sought depending upon the nature of the changes suggested.
- A phased return – this allows you, initially, to work a reduced number of hours upon your return to work and increase the hours you work gradually until you return to your normal full-time hours. This arrangement is normally agreed for a short period, normally of up to 4 weeks.
- Altered hours – this may be recommending a different work pattern and using forms of flexible working; for example, allowing a later start time or changing work patterns to accommodate treatment sessions.

In some cases, your G.P. may recommend that occupational health advice is sought.

Returning to work

When completing the Statement of Fitness for Work, your G.P. will say whether you need to be reassessed before you return to work. If your absence continues you will need to ensure that all absence is covered by a Statement.

If you do not need a further assessment, your return date will be your next normal working day after the end of the sickness period stated.

You may return to work, should you feel well enough, before the end of your Statement of Fitness for Work. If you wish to return to work earlier, you should agree a return date with your manager.

Sickness during holidays

If you are sick during holiday absence, your holiday may be reinstated subject to you providing a Statement from your G.P. to cover the period of sickness. Retrospectively dated Statements will not be accepted.

Managing Absence

To manage sickness absence effectively and consistently we will seek to support staff during periods of illness and use the following interventions and procedures to facilitate a return to work, retain staff in employment and improve attendance:

- Return to work discussions and/or interviews
- Keeping in touch during absence
- Monitoring and recording absence
- Carrying out sickness review meetings
- Providing management support
- Seeking medical reports and OH advice
- Managing absence through the procedures detailed below or through the disciplinary procedure where appropriate

Return to Work Discussions

All staff will have a return-to-work discussion with their manager, normally on their first day back at work. If you work outside normal office hours it may not be practicable to have a face-to-face conversation, for example, if you work during the evenings or work remotely. In such cases the conversation may be by telephone/video or email.

The purpose of a return-to-work discussion is to ensure that your manager is aware of issues which affect your attendance at work and your state of health so that the appropriate support and action may be taken. For example, your manager should be made aware of whether:

- you have an underlying medical condition;
- any adjustments are needed if you have a disability;
- you are suffering from stress which may relate to personal issues or to issues at work; or
- there are personal issues outside work which are affecting your attendance.

Return to work discussions and welfare meetings may help to improve attendance and resolve absence issues, as health and other associated problems are discussed openly in a supportive way with a view to addressing issues at an early stage.

Absence is monitored over a 12-month rolling period. So current absence will be calculated from the date of review for the previous 12-month period. If a period or pattern of absence continues beyond 12 months, such previous absence may be considered as part of the ongoing absence review.

The content of return-to-work discussions will vary depending upon the length, type of absence and concerns in relation to your sickness record. It is likely to be a brief conversation about your health and offer of support, however, it may be a more detailed discussion or meeting depending upon the issues. Your manager should:

- acknowledge and welcome you back to work;
- find out the reason and cause of absence if this is not known;
- make sure you are well and fully fit to return to work, taking into account any recommendations from your G.P. where relevant;
- identify whether there is any additional support the Company may provide; and,
- bring you up to date with any changes or news.

A copy of the notes of your return-to-work meeting will be saved on your personnel file.

In some cases, an employee may not feel able to discuss their medical condition with their manager. In these circumstances, the employee may request to speak to another manager about the reasons for their absence via HR.

Sickness information will be held confidentially, and access restricted to authorised personnel within the Company. Under the Data Protection Act, sickness information is considered sensitive data and the Company is committed to ensuring that such data is treated confidentially and not shared more widely than is necessary, in accordance with the Act.

Medical Reports

If we are concerned about your medical condition or its consequences as related to your employment, you may be asked to attend a medical by an appointed OH adviser. Other medical and/or specialist reports may also need to be obtained. The costs of providing these reports will be met by the Company. In some cases your G.P. may also recommend that OH advice is sought.

If you withhold your consent to the Company seeking a medical report or refuse to attend an appointment with an OH adviser, we will have to make decisions about your absence and your health on the information available to us.

Under the Access to Medical Reports Act you have the right to see a medical report provided by your G.P. or medical consultant before it is sent to the Company. Further medical reports may be sought in relation to long term sickness or capability issues.

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 and Company closures, 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, clients, 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 / 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.

Ongoing absence issues will be managed through the long-term sickness and capability process (see section on Health Capability Review & Holding a Capability Hearing below) if it becomes clear that the sickness absence is:

- long term (likely to exceed 20 consecutive working days); and/or

- related to a disability; or
- related to a known underlying medical condition.

Informal Stage (1) : Initial sickness review meeting

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

- more than 10 self-certificated working days sickness within a 12-month period (pro rata for part time staff); or
- 4 periods of absence within a 6-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.

Formal Stage (2): Formal sickness review meeting

A formal review meeting will be held with you if your attendance remains of concern and there is no underlying medical condition.

You have the right to be accompanied by a trade union representative or work colleague from within the Company. If your companion is unable to attend the meeting within this timescale, you should notify HR of this, and a further appointment will be made within the following 5 working day period. In exceptional cases the Company 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 reached 20 working days (pro rata for part time staff) within a 12 month period; or
- the pattern of absence is a cause of concern.

You will be given reasonable 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. Intermittent absence that amounts to 20 working days (140 hours pro rata for part time staff) will also be managed under the long-term sickness and capability process, with due regard to the Equality Act 2010, 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.

Facilitating a Return to Work

For us to provide staff with appropriate support and facilitate a return to work we may need to:

- seek medical advice through our nominated OH physician or from your G.P. or medical consultant about your health to establish when / whether a return to work is likely and how we can reasonably help to facilitate this.
- discuss and make reasonable adjustments for disabled staff that may facilitate a return to work or to retain an individual at work.
- consider whether alternative duties / light work or a phased return to work is beneficial.
- consider redeployment as a potential alternative to ending employment where appropriate.

Keeping in touch

During longer term sickness absence and if your absence is likely to be 4 weeks or longer, it is important that you keep in touch with your manager at agreed regular intervals and let them know of any changes in your health or expected date of return.

Monthly review meetings will normally be held with you and may be arranged at work, at your home, another agreed location or via video call. You have the right to be accompanied to these meetings. In some cases, where there is a known medical reason for absence and there is a known date of return to work, meetings may be held at longer intervals by agreement, with contact mainly by telephone.

Phased returns

If you are recovering from illness and it is considered that a phased return to work would be beneficial, your manager will discuss this with you. A phased return allows you to return to work starting on reduced hours for a short period and building up hours gradually to your normal full-time hours. You will receive normal pay during the hours you are working during this phased return, and CSP/SSP for hours you are not working, which would be for up to a maximum of four weeks.

If you feel you are not able to return to full time work at the end of this phased return period, flexible working arrangements may be considered upon request. So, for example, if you wanted to reduce your normal working hours either permanently or for a temporary period, you would make an application through the flexible working procedure and, if approved, this request would normally result in a contractual change.

Alternative duties

If you are not considered fit to undertake your normal duties, for example in cases of a broken limb, and you are being paid sick pay, you may be requested to undertake other appropriate work. Such requests will only be made in consultation with independent medical advice and where appropriate following a risk assessment.

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.

Sickness Review Meetings

Long Term Sickness Review Meeting

After four weeks continuous absence or intermittent absence that amounts to 20 working days (140 hours pro rata for part time staff) 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 a 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. You may also be asked to attend a meeting with our occupational health adviser if this has not already been arranged.

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 capability 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 reasonable written notice to attend a meeting. You have the right to be accompanied by a trade union representative or work colleague from within the Company to all meetings held under the long-term sickness and capability procedure. If your companion is unable to attend the meeting within this timescale, you should notify HR of this and a further appointment will be made within the following 5 working day period.

In exceptional cases the Company may extend these timescales depending upon the individual circumstances of the case.

Health Capability Review

Undertaking a Capability Review

In some cases of long term continuous or intermittent sickness absence, the Company will need to consider your capability / fitness for work where:

- there is no predicted date of return;
- medical evidence indicates that an individual is permanently unfit for work;
- a return to work may be unlikely within a reasonable timescale;

- there is a high level of intermittent absence;
- the member of staff is not able to fulfil their job role effectively (after appropriate interventions to facilitate their return or improve their attendance).

A capability review will consider whether:

- Further investigation is required, for example, if recovery is taking longer than predicted or there has been a recent deterioration in relation to health or a disability. Further medical advice and relevant specialist reports may be requested to ensure any decision considers up to date medical information.
- Reasonable adjustments have been made where this is appropriate and whether there are any further reasonable adjustments such as changes to the job role.
- A phased return, alternative duties, or flexible working have been discussed and considered where appropriate.
- Redeployment may be appropriate if there are other suitable job opportunities on a permanent or temporary basis that the employee may fulfil.

Your manager will meet with you to discuss and review these options and to listen to your thoughts and feelings about the situation and the options. You have the right to be accompanied to this meeting by a union representative or work-based colleague.

A possible outcome of this meeting is that you will be invited to a capability hearing which will consider your future employment situation with the Company.

Holding a Capability Hearing

The purpose of the capability hearing is to consider your sickness absence and make a decision about your employment situation. Your manager will prepare an absence report detailing the history, including all relevant documentation and medical advice received.

You will be given reasonable written notice of the meeting and copies of the information which will be considered at the hearing in making a decision about your continued employment with the Company.

Your level of sickness absence, which may be intermittent absence or a continuous period of long-term sickness absence, will be considered; the impact this has had on the service and work colleagues, the support, actions or adjustments which have been taken so far; whether redeployment has been discussed where appropriate; and a decision will then be made about your employment situation.

A potential outcome of this meeting is that your employment will be ended with notice.

At the capability hearing you will have the opportunity to state your case and have the right to be accompanied by a trade union representative or a work colleague from within the Company. Your companion may assist you in stating your case but may not answer on your behalf.

This meeting will be held either at the Company or at a mutually agreed location. It is in your best interests to attend such a meeting; however, you may submit a written representation if you are unable to attend in person. If you do not attend the hearing, your case, and any documentation you have submitted may be reviewed and a decision reached in your absence.

The meeting will be held by your manager. You will be notified of the decision as soon as possible and this will be confirmed in writing as soon as reasonably practical. If the decision is taken to end your employment, you have a right of appeal.

Right of Appeal

You should write to Head Resources department stating the grounds for your appeal within 5 working days of receiving the decision of the capability hearing.

Your appeal will be heard by a senior manager, who has not been involved in the case management, together with a representative from HR. The manager will normally be senior to the manager who authorised the dismissal. If you do not wish to attend the appeal, you may submit the grounds for your appeal in writing.

The appeal decision is final and you will be notified of this as soon as reasonably practical.

Company Sick Pay

You may be entitled to Company sick pay (CSP). CSP is at the discretion of the Company and may be subject to change. Entitlement to sick pay is detailed below:

Length of service	Duration of sickness	Sick Pay	Amount of pay
First 12 months	Up to 28 weeks	Statutory Sick Pay	Up to 28 weeks
Over 1 year	Up to 5 weeks	Company Sick pay	First 2 weeks = full basic pay Weeks 3 to 5 = 50% of basic pay
	Over 5 weeks	Statutory sick pay	Up to 23 weeks

Where the circumstances of your incapacity are such that you receive or are awarded any sum by way of compensation or damages in respect of incapacity from a third party, then any payments which we may have made to you because of the absence (including SSP) shall be repaid by you to us up to an amount not exceeding the amount of the compensation or damages paid by the third party and up to, but not exceeding, any amount paid by us.

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 company 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

If you do not qualify for SSP we will provide you with a SSP1 form which you can use to facilitate a claim through the Jobcentre.

Withholding company sick pay

In some cases the Company may take a decision to withhold or suspend company sick pay where:

- the notification of sickness absence procedures and certification requirements are not adhered to;
- recommended treatment is not followed;
- self-certificated absence is persistent / short term and becomes a disciplinary matter;
- sickness absence follows notification of a disciplinary or capability hearing or investigation;
- there is a failure to cooperate with, or abuse of, the absence policy and procedure.

You will be given notice in writing that your company sick pay will be suspended or withheld.

Managers must seek advice from HR before sick pay may be withheld.

We will try to ensure that overpayments do not occur as a result of the benefits under the Scheme ending. Nevertheless, should an overpayment occur you will be expected to reimburse the sums overpaid by deduction from the following months' pay or at an agreed rate.

Company sick pay will cease if you do not adhere to the requirements stated within this policy; when your employment ends or if payments under the Company's sick pay scheme is exhausted, whichever is sooner.

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 60% of your normal working day 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.

Roles and Responsibilities

Employees

As an employee you are responsible for your health and wellbeing and for minimising your absence from work. You are responsible for adhering to the requirements stated within this policy, particularly in terms of sickness notification, providing Statements and keeping in regular contact during longer term absence.

Managers

Managers have a duty of care for the health, safety and welfare of their staff members and should work supportively in conjunction with HR to support staff with genuine sickness absence.

Managers are responsible for managing sickness effectively and ensuring absence is monitored and recorded for their team. The manager is responsible for carrying out return to work discussions and other review meetings, promoting a positive working environment, motivating, and managing their team to maximise attendance.

Senior managers are responsible for ensuring that training is available for staff who are managing sickness absence issues. Senior managers should also ensure that absence issues are treated equitably and consistently within their area of responsibility.

Human Resources

The role of HR is to provide specialist advice and support to managers and staff in dealing with absence issues. HR may attend any meeting held under the formal stages of this policy.

HR will work with managers and staff to facilitate a return to work, including provision of advice, support, and referrals to OH where required.

HR will provide information updates to managers and staff on sickness issues, for example, to advise of changes in legislation and best practice.

Abuse of this Policy

Any abuse of this policy shall amount to a misconduct issue and shall be dealt with under the Company's Disciplinary Procedure.

