

Low Farm Therapy Centre

STAFF SICKNESS and ABSENCE POLICY

Written October 2015 by Ruth Lo

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Low Farm Therapy Centre (hereafter known as 'the Centre') recognises the importance of ensuring that employees are supported through any periods of absence and their subsequent return to work. Through an effective Sickness and Absence Policy, the Centre will be better positioned to identify any potentially unsafe work practices, any issues affecting employee morale and any other underlying problems employees may be facing. The Policy is written with reference to the Equality Act, the Health and Safety at Work Act and the Data Protection Act.

SICKNESS

Notification of sickness

If, for whatever reason, you are unable to get to work you are required to inform the team at the earliest opportunity and at the latest by 7.00am (this is currently done through WhatsApp). If you have not had a response confirming that a member of the team is aware, then you should call the centre. When you are unable to contact the team personally someone else should notify the Centre on your behalf.

In the event that your absence continues for a number of days or weeks you are expected to keep in regular contact with the Head of Centre and to provide a contact telephone number that the Centre can contact you on.

Certification of sickness

For sickness absence of more than 7 calendar days, you must provide a medical certificate. This will provide the Centre with more information about your condition, and let us know whether your GP or medical provider considers you fit for work.

In certain circumstances (i.e. in cases of persistent short-term absenteeism or where employees develop trends of certain days they are absent) you may be requested to provide a Statement of Fitness to Work before the expiry of 7 days. The cost of this will be borne by the Centre.

You should not return to work before your Statement of Fitness to Work expires unless your Doctor gives you a further Statement to say that you are fit to do so.

Types of Absence

Persistent short-term absence

Low Farm Therapy Centre considers persistent short term absence to be a series of unconnected short absences from work.

Long-term absence

Low Farm Therapy Centre will acknowledge any absence that is over an extended period of time due to a serious or significant illness as long-term absence.

Procedures

Procedure for short-term absence

If the absence involves frequent and persistent short-term sickness (3 or more occasions within a 12-month rolling period), an interview will be held which will aim to: -

- Identify to you the frequency and reasons for the absences and ensure that you are aware that your sickness record is giving cause for concern.
- Give consideration to your personal problems and possible ways of helping you to resolve them.
- Advise you to seek proper medical attention if there is an underlying medical problem. A medical report could be requested if appropriate.
- Verbally warn you that persistent short-term absences are unacceptable and put your continued employment at risk.
- Identify any work related issues causing you to be absent from work. Consider carrying out a Health and Safety risk assessment, if appropriate, and put in place an action plan to resolve issues.
- Agree a reasonable period of time (i.e. a minimum of a month but taking into account the circumstances) over which your attendance should be assessed.
- Indicate that disciplinary action in accordance with the Centre's disciplinary procedure will be considered if you fail to reach the standard required. The standard or targets must be specified. A letter will be sent to you confirming these facts.

Procedure for long-term absence

If the issues involve longer-term ill health including health issues covered under the Equality Act 2010, this procedure will be followed:

- Your consent will be requested to allow the Centre to contact your Doctor in order to establish the likely length of absence and the long-term effect on capability in relation to job performance and attendance at work. A medical request form must be completed and the Head of Centre will prepare the letter to the Doctor requesting a medical report. You may be asked to see a Doctor or Occupational Health Advisor appointed by the Centre to enable a medical report to be prepared for the Centre (see section entitled – Prevention of access to medical report).
- A meeting will be arranged with you in order to discuss the content of the medical report, your current situation, your likely date of return to work and how we can support you in that return.
- Consideration will be given to offering a shorter working week on a temporary basis if this would enable you to return to work. If appropriate a Health & Safety risk assessment can be carried out.
- If the period of absence extends beyond 8 weeks and you show no sign of return to work, a further medical report will be requested. Should the report state that it is unlikely you will be able to return to your current role in its current form, consideration will be given to the following:

- making reasonable adjustments to the particular job to accommodate your short-term or long-term requirements (with reference to the Equality Act 2010)
- offering alternative employment or a shorter working week or such other adjustments to your job as may be reasonable in the circumstances.

In the event that the above steps are impracticable, inappropriate or unreasonable, the Centre will in some cases advise you that long-term absence due to ill health may put your employment at risk (bearing in mind the needs of the Centre at that time). A date will then be set at which point dismissal will be considered if you are still unable to return to work. The Head of Centre will send a letter to you confirming the facts and the action to be taken. In some cases it may be necessary to have a number of meetings with you before a final decision can be made, depending on the circumstances.

You will be invited to bring either a work colleague or a Trade Union representative to any of the meetings.

You may appeal against the decision to dismiss by using the appeals procedure contained in the Disciplinary Procedure.

During the period of absence the Head of Centre will endeavour to maintain weekly contact with you.

The Centre would like to stress that dismissal will only ever be taken as a last resort. Where, however, the absence is found to be a matter of misconduct, you will be subject to the Centre's Disciplinary Procedure.

Information in Confidence

Any information acquired by the Centre on an employee's health will be treated in confidence and with sensitivity. Any written information will be retained on the employee's personal file in accordance with the Data Protection Act.

The Centre is required to keep records of everybody's sickness, which can be inspected by Government Inspectors. It is important that these records are accurate as errors could affect your sick pay entitlement.

Statutory Sick Pay

The Centre pays Statutory Sick Pay (SSP) in accordance with the Government's Statutory Sick Pay Scheme. To obtain SSP you must follow the notification and certification procedure as described in this Policy.

Under the SSP Scheme the Centre generally pays you SSP when you have been off work for four working days or more (including weekends). There is no SSP entitlement for shorter periods of absence. To receive SSP you must complete a self-certification form. SSP is a legal entitlement and will be paid to you by the Centre for up to 28 weeks. After 28 weeks, any

sickness benefit entitlement is paid directly to you by the Department for Work and Pensions (DWP).

Non-compliance with SSP provisions can lead to criminal prosecution. You must not make a false statement on any form that you submit.

It is essential that all employees who are entitled to state sickness or injury benefit should claim it. It is also important to note that claimants may be required to produce to the DWP their certificate of Pay and Tax Deducted (Form P60) which is issued at the end of the tax year by Payroll. Therefore, the certificate should be retained in case it is required in connection with a claim.

Suspension on Medical Grounds

The Centre reserves the right to suspend you from work on medical grounds in accordance with section 64 of the ERA. If you are suspended you will be offered suitable alternative work, if such work is available. In the event that no such alternative work is available you will be paid during the period of suspension in accordance with the provisions of sections 64 and 65 of the ERA for a period of up to 26 weeks.

Accidents at Work

Absences resulting from accidents at work are treated as illness absence and the Centre's normal rules will apply to such absences.

If you suffer an accident at work this should be recorded in the Accident Book maintained by the Centre.

BEREAVEMENT

If bereavement occurs in your immediate family, the Centre will grant compassionate leave at the Centre's discretion. You should discuss this with the Head of Centre.

If a funeral of a non-family member needs to be attended, this will also normally be allowed, at the discretion of the Centre.

SICKNESS OF DEPENDANTS

Reasonable leave may be granted at the discretion of the Head of Centre where it is necessary for you to be absent to nurse a sick dependant. This will usually be unpaid.

OTHER ABSENCES

1. Public Duties

You may be granted unpaid leave of absence, if appropriate, to undertake public duties (to take part in the activities of public or professional bodies, to stand as a candidate in local or parliamentary elections, etc. or any other duties covered by s 50 of the ERA 1996).

Those employees carrying out public duties have a statutory right to reasonable time off in order to fulfil their duties. However, it is still necessary for requests for time off in these circumstances to be agreed with the Head of Centre.

Anyone considering an involvement in public duties should consult the Head of Centre in advance of making a final commitment to establish the level to which time off may be granted.

Please inform the Head of Centre as far in advance as possible, who will inform you if such leave is to be paid or unpaid. Please fill out a term-time absence form.

2. Jury Service

If you are called for Jury Service, you must let the Head of Centre know as soon as possible and produce the summons. You may be entitled to paid leave for Jury Service less such expenses or allowances paid by the court. You are required to produce evidence of payments received by the Court. If on any day during the period of your Jury Service, you are released early, you must make every effort to attend work on that day. If in doubt, you should telephone the Head of Centre for guidance.

3. Emergency , Maternity, Paternity, Parental and Adoption Leave

The Centre will meet all statutory requirements regarding these.

4. Trade Union

The Centre is legally obliged to allow employees time off to carry out their trade union duties. Any time taken off will be paid unless the carrying out of such duties occurs outside working hours.

5. Any Other Absence

Normally, absence during term time is not permitted. However, in exceptional circumstances it may be possible to arrange an absence at the Centre's discretion, which will usually be unpaid.

MONITORING

The Centre will monitor and record levels of absence and reasons for absence, which does place additional stress on colleagues. Further the Centre will be better positioned to identify unsatisfactory work practices and to distinguish between different types of absence.

All information gathered through absence monitoring under this Policy will be held and treated in confidence.