

AGE UK EXETER

Controlled Document

Document Name: Absence (sickness) Policy

Document Version Number: 10

Approved by Board of Trustees on: 10 February 2022

Review Schedule: Every three years

Next review due: February 2025

Owner (Responsibility): Chief Executive Officer

Document Location: www.ageuk.org.uk/exeter/about-us/policiesandguidelines/

Document Description

The Absence Policy outlines procedures to be followed by Age UK Exeter (AUKE) employees when reporting sickness absence, and their return-to-work post sickness.

This policy should be read in conjunction with the Staff Contract and the Absence (non-sickness) Policy

Implementation and Quality Assurance

Implementation is immediate and this policy shall stay in force until any alterations are formally agreed.

The policy will be reviewed every three years by the Board of Trustees, sooner if legislation, best practice, or other circumstances indicate this is necessary.

All aspects of this policy shall be open to review at any time. If you have any comments or suggestions on the content of this policy, please contact the Chief Executive Officer by email at info@ageukexeter.org.uk

Absence (Sickness) Policy

1. About this policy

This policy sets out AUKE's arrangements for sick pay and for reporting and managing sickness absence. By not complying with this reporting procedure an employee's sickness may be deemed unauthorised and go unpaid.

Abuse of sickness absence, including failing to report absence or falsely claiming sick pay will be treated as misconduct under our Disciplinary Procedure.

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

2. Reporting when you are sick

If you cannot attend work because you are sick or injured, you should notify AUKE by phone by 9am (followed by a subsequent phone call to your line manager if not available at that time) on the first working day of absence reporting any work commitments that may need rearranging and giving brief details of illness and anticipated length of absence. Notification by text or email is not acceptable. If your line manager is not available, please notify the Admin, HR, and Finance Manager by telephone.

If the employee believes that their absence may have been caused by something that happened at work, they should inform their line manager or a senior manager of this and arrange for an Accident Report Form to be completed.

Exceptionally, if the employee is unable to telephone in person, they must arrange for someone else to telephone on their behalf. The employee must then make direct contact as soon as possible thereafter.

The line manager should ensure that AUKE's finance department is informed of the sickness so that arrangements are made for the payment of sick pay during the period of absence.

AUKE is committed to promoting employee wellbeing and providing employees with the opportunity and space they need to recover when unwell. As a general rule, if an employee is not well enough to attend their place of work (as defined in their contract of employment) they should not work from home as an alternative. In exceptional circumstances the organisation will use its discretion to consider adjusting this policy which will be on request and considered on a case-by-case basis. AUKE is mindful that sickness absence may result from a disability. In such circumstances, particular consideration will be given to whether there are reasonable adjustments that could be made to aspects of working arrangements that may provide support at work and/or assist a 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 seven days (regardless of whether or not these are working 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. Failure to return the self-certification form may result in you not being paid. 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.

Where the organisation makes the adjustments suggested by the fit note for the employee’s return to work and no agreement can be reached with the employee to return to work, the advice of an occupational health specialist will be sought. If it is the view of an occupational health specialist that appropriate adjustments have been made and still the employee refuses to return to work, a Case Review Hearing will be held.

Where a phased return to work is planned, the organisation will ensure that where the employee’s salary for actual hours worked as part of the phased return is less than they would have received whilst off sick, the organisation will continue to pay the employee up to the appropriate level of occupational sick pay.

4. Statutory sick pay

You may be entitled to Statutory Sick Pay (SSP) if you satisfy the relevant statutory requirements. Qualifying days for SSP are Monday to Friday, or as set out in your employment contract. The rate of SSP is set by the government in April each year. No SSP is payable for the first three consecutive days of absence. It starts on the fourth day of absence and may be payable for up to 28 weeks.

5. Contractual sick pay

If your contract entitles you to contractual sick pay, please see the terms and conditions in your contract.

6. Sickness during periods of holiday

If you are sick or injured during a holiday period and would have been incapable of work, you may choose to treat the period of incapacity as sick leave and reclaim the affected days of holiday. In such instances, you should notify your manager or a member of the senior management team of your incapacity at the earliest opportunity and provide a medical certificate if your sickness lasts more than seven days.

Employees already on sick leave before a pre-arranged period of holiday may choose to cancel any days of holiday that coincide with the period of incapacity and treat them as sick leave.

Dishonest claims or other abuse of this policy will be treated as misconduct under our disciplinary procedure.

7. Return-to-work interviews

After a period of sick leave your manager may hold a return-to-work interview with you. A return-to-work interview will be recorded on a 'Return to Work Meeting Form' and placed on the employee's personnel file. A copy of the form will be given to the employee. In the case of variable hours home support worker staff, the return-to-work interview may be undertaken over the phone.

The purposes of a return-to-work interview may include:

- (a) Ensuring you are fit for work and agreeing any actions necessary to facilitate your return;
- (b) Confirming you have submitted the necessary certificates;
- (c) Updating you on anything that may have happened during your absence;
- (d) Raising any other concerns regarding your absence record or your return to work.

8. Managing long-term or persistent absence

The following paragraphs set out our procedure for dealing with long-term absence or where your level or frequency of short-term absence has given us cause for concern. Absences over **four** working weeks' duration are considered to be long term.

Exceptionally, if the line manager or a senior manager is concerned at the frequency of an employee's absence, or their account of their reasons for absence, the employee may be required to submit doctor's medical certificates, rather than self-certificates, from their first day of absence. Such action would follow a review meeting with the employee and AUKE would bear the cost of any fees charged.

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.

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 or senior manager.

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.

9. Medical examinations

We may ask you to consent to a medical examination by a doctor or occupational health professional or other specialist nominated by us (at our expense).

You will be asked to agree that any medical report produced may be disclosed to us and that we may discuss the contents of the report with the specialist and with our advisers. All medical reports will be kept confidential and held in accordance with our Privacy Standard.

10. Sickness absence meetings

The purposes of a sickness absence 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, 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 a written warning that you are at risk of dismissal. We may also set a further date for review.

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.

11. 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 the Board of Trustees, stating your grounds of appeal, within five working days of receipt of the written notice of termination of employment. In their letter, the employee must state their grounds of appeal.

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 more senior manager 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.

Revision History

Revision date	Summary of Changes	Other Comments
24.10.16	Routine review by Standards Committee. No changes	
10.11.14	Approved by Board of Trustees.	Approved. Next review due September 2016
04.07.16	Routine review by Standards Committee. No changes	Recommended to Board for approval.
12.07.16	Reviewed by Board of Trustees. Time by which staff are required to notify absence on first day changed from 9.30 to 8.30am.	Approved. Next review due July 2018
08.01.18	Routine review by Standards Committee. Section 12 amended to bring into line with our Staff T&C Amended to include reference to other forms of absence.	Recommended to the Board for approval.
13.11.18	Amended to incorporate compassionate and Dependents leave and move information about time off for public duties from the Volunteering Policy for AUK Employees as this is a better fit.	Approved by full Board on 13 November 2018 but further work required.

10.12.21	<p>Reviewed and amended using HR Express template. Minor tweaks made plus:</p> <ul style="list-style-type: none"> • The deadline to report sickness or absence has been changed from 8.30am to 9am to mirror other documents. • Non-sickness absences have now been moved to a separate policy. • The wording around sick pay has been changed for clarity and to simplify inhouse procedures. 	<p>Approved by the Board of Trustees on 10 February 2022.</p> <p>Next review due January 2025.</p>
20.08.24	<p>New statement on contractual sick pay at 5. to outline new procedures.</p>	