



# MANAGEMENT OF SICKNESS ABSENCE POLICY

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## Approval

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## Glossary

Term	Description

## 1 PURPOSE

Badger requires all staff to maximise their attendance at work whilst recognising that staff will, from time to time, be unable to come to work due to sickness.

Managers responsible for staff are expected to manage, control and record attendance and absence. Workforce and/or line managers should, as a matter of course, conduct a routine "return-to-work interview" each time an employee returns to work following a period of sickness absence and to address any issues promptly and sensitively.

The purpose of this policy is to ensure a fair and consistent process to manage staff sickness absence, injury or accident.

The policy aims to provide guidance on best practice in the monitoring and control of absence. It also seeks to minimise the number of days lost through sickness absence, injury or accident and to maximise the utilisation of staff within Badger. The Occupational Health Provider will be involved wherever appropriate, as early as possible, and on a regular basis.

If a staff member has more than three weeks absence, or more than three separate episodes of sickness in a rolling six months' period, even if each episode is only one shift, then this will be the trigger for further investigation and possible management. Workforce will identify triggers.

## 2 NOTIFICATION PROCEDURE

If a staff member is unable to attend work, he/she should contact their line manager personally by telephone (texts or emails are unacceptable) to advise that due to sickness they will be absent from work. This notification should be as soon as it becomes apparent that a staff member is sick, and at the latest within two hours prior to the commencement of the shift or session they should have worked, had they been well. Staff should ensure that they know to whom they need to report their absence.

Staff should state the nature of the sickness (self-diagnosis is not necessary but symptoms should be given) and the length of time they anticipate they are likely to be away. Initially, this may be unknown, but it is an employee's responsibility to keep his/her manager regularly advised of the situation relating to sickness throughout the period of absence especially where the absence is longer than originally expected. The employee should also inform the manager of any outstanding work or priority issues which need to be addressed..

It is also the employee's responsibility to keep the manager informed of any changes in their condition. This may involve a confirmed diagnosis by a GP or a referral to a specialist. Should an employee be unable to make contact with their manager due to their medical condition, a relative or friend may give such information.

It may be necessary for a manager to contact an employee at home if this information is not forthcoming to check if an employee requires any guidance or support at that time.

## 3 CERTIFICATION

All employees must complete a Badger 'Return to Work' form for each and every episode of sickness. This certificate should be completed with their manager or Workforce on the first day/shift back at work. The form will be kept on the employee's personal file.

For absences of more than seven consecutive days/shifts staff should obtain a medical certificate (Fit Note – Med3) from their GP to cover the period of sickness. No payment (where applicable) will be made for any day/shift not covered by a certificate.

Staff who report sick either side of a bank holiday or where previous leave requests have been denied may be required to obtain a medical certificate from their GP during the first 7 days of absence. Any reasonable costs incurred will be reimbursed.

Staff whose absence has included a hospital stay must request a medical certificate on discharge to cover their in-patient stay.

If the absence continues beyond the validity of the Doctor's first certificate further certificates must be obtained. Where this evidence or reason for the absence is not provided, the manager will treat the absence as unauthorised unpaid leave. Medical certificates must be sequential as gaps in cover may also lead to non-payment of sickpay.

## 4 PAYMENT

Any payment made for sickness absence will be strictly in line with the employee's terms and conditions of employment as stated in the contract of employment between Badger and the employee on condition that the employee follows the absence reporting procedure and provides appropriate medical certificates.

## 5 STATUTORY SICK PAY (SSP)

SSP is paid to staff who are deemed unable to work due to illness or medical condition and who also satisfy the conditions of payment (meet the NI threshold and have an absence of 4 days or more). SSP will be paid to the employee by Badger for a maximum of 28 weeks (SSP is paid from the 4<sup>th</sup> working day as the first 3 days are known as Waiting Days). SSP will be paid at the appropriate rate to all employees meeting the eligibility criteria for SSP.

To qualify for SSP, an employee must satisfy the national guidelines for SSP. For further information or advice, employees should visit [www.gov.uk/statutory-sick-pay](http://www.gov.uk/statutory-sick-pay) or contact the Badger payroll department

## 6 OCCUPATIONAL MANAGEMENT REFERRAL

A staff member may be referred to Badger's Occupational Health Provider by their manager in consultation with Workforce for health assessment and guidance, depending on the individual's situation.

The purpose of a management referral is to seek professional advice that should assist employees when they are unwell and aid recovery and a return to work or to advise on any reasonable adjustments which need to be put into place to ensure the individual is able to continue in post. This is a service provided by Badger to discharge their duty of care to staff who may need help and support during a period of illness. Where a management referral is recommended, an employee will be expected to attend a meeting with the Badger Occupational Health Provider if requested to so do.

On receipt of the report the line manager will meet with the employee to discuss its recommendations and a return to work if appropriate. Further on-going monitoring may need to be put in place to enable progress to be evaluated.

## 7 RETURNING TO WORK

On returning to work, the employee must inform their manager that they are fit to work. They should be prepared to attend a "return to work" interview with their line manager and/or Workforce to establish why he/she were absent from work and to ensure that they are fit to return. The interview also provides an opportunity for the employee to raise issues of concern in a confidential manner. It may be necessary to attend an appointment with the Occupational Health Provider. This may be at the employee's request, or the recommendation of a manager.

## 8 SICKNESS DUE TO INJURY AT WORK

If an employee is injured at work he/she must record the accident in the accident book.

It will also be necessary to complete an accident form immediately and inform the manager of all details of the accident together with any witnesses to the incident. Any sickness sustained due to injury at work will be paid from the first day/shift of absence.

The manager will arrange a meeting with the employee and the Director of Workforce to discuss the details of the individual's case and any appropriate action to be taken.

## 9 SICKNESS DUE TO INJURY OUTSIDE WORK

If an employee has been involved in an accident outside work from which compensation is likely to be claimed or received, such as motor insurance, the employee will be asked to sign a declaration to the effect that any sick allowance paid by Badger will be repaid on receipt of the compensation.

The payroll department will then reclaim that allowance.

Should an employee sustain any injury outside work due to an accident involving sporting activities, sickness payment may not be made.

## 10 ABSENCE DUE TO COSMETIC SURGERY OR IVF TREATMENT

Absences owing to cosmetic surgery or IVF treatment will where granted not be eligible for sick pay. Staff may wish to request unpaid leave, annual leave or make-up time lost.

## 11 MAINTAINING COMMUNICATION BETWEEN THE MANAGER AND AN EMPLOYEE

A manager has an obligation to an employee to offer support through periods of sickness and therefore must share the responsibility for communication. This contact may be made by telephone, letter, or a visit. The purpose of this contact is to offer help or advice where appropriate, to inform an employee of any changes, either to the service or any staff issues that may have arisen during the absence, or to offer any other assistance that it may be possible to provide.

It may be more appropriate for a line-manager to undertake a home visit should illness or medical reason prevent the employee from meeting on Badger premises.

It is the employee's responsibility to maintain contact with their line manager and inform them of their fitness to return to work. This should be on a daily basis unless agreed otherwise between a manager and/or Workforce and an employee.

## 12 INTERVENTION

### Short Term Absence

The manager should investigate the absence to determine if there is a pattern to the sickness, e.g. certain days of the week, school holidays, sports events or if there are any underlying problems such as personal or domestic issues, or working relationships that are contributing to the problem. Any such situation should already have been established as part of the return to work interviews. However, this may not always be the case and further exploration together may be required. It may also be necessary to offer support relating to personal or domestic issues and in such cases managers should refer to the Special Leave policy. Where there is a medical problem, managers should refer an employee to their GP and/or the Occupational Health Provider using the management referral system.

A management referral will be initiated by the line manager or by the Director of Workforce. Any such referral will be discussed with the staff member and they will be required to sign a Management Referral form.

Failure to agree to sign a management referral or withholding consent for the Occupational Health Provider to have access to their GP or Consultant will result in a management decision being taken based on the best possible information available to them at the time and may result in disciplinary procedures being implemented.

The Workforce department will provide assistance upon request.

### Long Term Absence

As soon as a manager is aware that an employee is going to be away from work for an extended period of time or frequent short-term absences are linked to an underlying health problem or condition the employee should be referred to the Occupational Health Provider. This will enable the Occupational Health Provider to provide any advice or guidance and allow the employee an opportunity to discuss any issues if they so wish.

If the medical evidence suggests that an employee is likely to make a full recovery and should be able to return to the full range of duties that they currently undertake, then each situation will be assessed at that time based on individual circumstances. If a prolonged period of absence is anticipated, an appropriate arrangement will then be decided with the staff member regarding future duties, or possibly a phased return to work programme depending on the situation.

The Occupational Health Consultant will be asked to confirm whether or not the employee is fit to carry out the duties of their existing post and if so when; whether or not the employee is fit to carry out alternative work and if so when; whether or not the employee is unfit to return to work; or whether the prognosis is such that the employee is unlikely to return to work in the foreseeable future.

If the medical report indicates that the employee is permanently unfit or will remain unfit for the foreseeable future to return to work, the employee will be visited by their Line Manager and/or the Director of Workforce, or a meeting will be arranged at a mutually agreed location. The procedure to be followed and the possible outcomes will be explained.

The employee will be informed of the Occupational Health Provider's opinion and if no suitable alternative posts are available of the possible termination of his/her employment on the grounds of incapacity due to ill-health. Prior to the meeting the Director of Workforce will have established the basic facts regarding the employee's contractual position, e.g. period of notice, holiday pay.

If the employee does not agree with the opinion of the Occupational Health provider, then the opportunity of an independent examination by a Consultant chosen jointly may be given to the employee. The advice of the Consultant will be considered as final.

### **13 MEDICAL APPOINTMENTS**

Wherever possible, medical appointments should be made outside normal working hours. Where this cannot be arranged, appointments should disrupt the work schedule as little as possible. Should employees require leave of absence to attend a medical/hospital appointment, satisfactory evidence may be required by management prior to attendance e.g. appointment card or hospital letter. Other than in exceptional circumstances, parttime staff are expected to arrange their time off for medical appointments outside their normal working hours.

### **14 EMPLOYEES WITH DISABILITIES OR DETERIORATING HEALTH PROBLEMS**

Current legislation makes it unlawful to unjustifiably discriminate against an individual because of his or her disability or something arising as a consequence of their disability. This also applies to employees who become disabled during their employment. In such circumstances managers are obliged to make reasonable adjustments to premises, equipment, hours of work, duties and so on. Advice is available from the Human Resources department who will seek the assistance of the local Disability Employment Adviser, Occupational Health Provider and other relevant agencies, where appropriate. However, where an employee's health deteriorates to such an extent that their sickness becomes long term, it will be dealt with under that part of the procedure in a sensitive manner.

### **15 SICKNESS WHILE ON ANNUAL LEAVE**

An employee who falls ill while on annual leave will be regarded as being on sick leave from the date advised by the employee, provided that the employee follows the sickness reporting procedure and this is confirmed by a medical certificate. Only the days that are covered by a medical certificate will be reimbursed in terms of reinstated annual leave days.

#### **Other Absence**

For absence other than sickness, please refer to Badger's Annual Leave or Special Leave policies.