

# Sickness and Absence

## 1. Background

The purpose of this policy is to set down the procedures and employee rights concerning sickness absence. This policy does not form part of any employee's contract of employment, and it may be amended at any time. ATD may also vary the procedures set out in this policy, including any time limits, as appropriate in any case.

## 2. Objectives

Abbeyfield The Dales Ltd (ATD) is committed to providing services that enhance the quality of life for older people and developing services that will meet the needs of future generations. This commitment is based on the Mission and Values of ATD. ATD will also comply with all relevant and current legislation.

This policy will effectively:

- Ensure there are clear rules and guidance for the consistent management of sickness absence.
- Minimise the impact that high levels of sickness absence can have.
- Minimise the financial costs associated with high levels of sickness.

ATD recognises that our employees are our most valuable resource and that the health and welfare of all employees is essential in achieving our purpose and maintaining our core values. ATD is committed to producing a supportive working environment which is conducive to the welfare and wellbeing of all employees, and which enables them to develop towards their full potential. We aim to promote a positive attitude to good attendance and to raise awareness of the effects of sickness absence on colleagues and on service delivery.

We recognise that employees will occasionally be unable to attend work due to illness or injury. This policy provides a fair, consistent and supportive framework for managing sickness absence, while ensuring continuity of care and services for residents.

This policy aims to:

- Provide clear guidance on reporting and managing sickness absence
- Support managers to respond consistently and appropriately
- Promote employee wellbeing and timely return to work
- Ensure compliance with employment law, including Statutory Sick Pay (SSP)

It is acknowledged that sickness is a part of life and ATD's approach to sickness is to support employees to maintain health and wellbeing and when they are sick to get well and be able to return to work as soon as possible. This support is proactive and led by management. ATD provides support to each employee who is absent from work, due to a certified illness that has rendered the employee temporarily unfit to work, so that they may return to work within a reasonable time to carry out their normal duties to the required standard.

## 3. Scope

This policy applies to all ATD staff.

## 4. Policy

### 4.1. Principles

Abbeyfield The Dales will:

- Take a supportive and compassionate approach to employee health.
- Manage absence fairly, consistently and without discrimination.
- Comply with all relevant legislation, including the Equality Act 2010.
- Consider reasonable adjustments where appropriate.
- Balance employee wellbeing with the needs of residents and service delivery.

Employees are expected to:

- Attend work when fit to do so.
- Follow absence reporting procedures.
- Maintain appropriate communication during absence.
- Engage with support and return-to-work processes.

### 4.2. Types of Sickness & Absence

Sickness absence may include:

- **Short-term absence** - intermittent or occasional absences lasting less than 4 weeks.
- **Long-term absence** - continuous absence of 4 weeks or more, or recurring absence linked to an underlying condition.
- **Planned medical absence** - absence relating to planned treatment or medical procedures.

### 4.3. Recording & Medical Certification

Employees must report sickness absence in accordance with the organisation's procedure.

This includes:

- Notifying their line manager as soon as possible before their first day of absence
- Providing appropriate certification:
  - Self-certification for the first 7 days of absence.
  - A fit note (MED3) or equivalent medical evidence for absences beyond 7 days.

Abbeyfield The Dales may accept alternative forms of medical evidence where appropriate (e.g. from other healthcare professionals), provided this is applied consistently.

Failure to follow reporting requirements may result in absence being treated as unauthorised.

### 4.4. Policy Definition

Excessive sickness impacts upon ATD operational effectiveness, incurs significant costs and shifts the burden of work onto others. Where management considers that absences can no longer be sustained, or the employee consistently fails to comply with or abuses this policy, then ATD will act to manage and implement appropriate sanctions. This may include disciplinary action including dismissal; we will follow the procedure identified in section 10 of this policy and procedure.

Abbeyfield the Dales reserves the right, in disciplinary and capability issues, to consider your duration of service and modify the procedure accordingly. If you are on short service, you may not get any official warnings before dismissal, but you will have the right to a hearing and the chance to appeal.

### 4.5. Attendance Commitment

ATD sickness absence is based on an employer and employee attendance commitment. The commitment should be read in total.

The following table details the attendance commitment:

<b>ATD Employer Attendance Commitment</b>	<b>Employee Commitment</b>
Safe and secure working environment	Inform your line manager (in person) on first day of absence
Compassionate approach to those who are ill or injured/unable to attend work	Provide medical documentation (self-certification, fit notes)
	Provide regular updates on condition and progress to line management
Sickness absence review meetings to ensure employees do not lose contact with work colleagues or the organisation	Attend sickness review meetings as required
	Attendance at sickness absence stage meetings
Compassionate but robust management of sickness absence	Attend medical appointments
	Be proactive and cooperative in seeking return to work as soon as medically fit to do so
Occupational health intervention where appropriate/necessary	Ensure ATD has up to date personal contact details
Regular contact from line manager during periods of absence	Engage with Occupational Health (OH) providing consent for OH to contact

#### **4.5.1. Non-Compliance with Attendance Commitment**

Where an employee fails to adhere to this policy ATD reserves the right to withhold support and in cases where non-compliance is identified, an Attendance Commitment Non-Compliance meeting will be held with the Manager and the Employee.

In cases where non-compliance is a result of serious or wilful non-compliance this may lead to disciplinary action which could result in dismissal.

#### **4.6. Confidentiality**

All individuals involved in the process of sickness absence management are required to maintain confidentiality of the information in their possession; be it medical or personal.

Sickness matters should always be treated in strictest confidence.

Where Occupational Health discloses confidential information, they will only release information for a specific purpose and will advise the individual what is to be disclosed to whom and the purpose of the disclosure.

#### **4.7. Disability**

Under the Equality Act 2010 a person is classed as disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. A long-term effect is one that has lasted or is likely to last 12 months or more. The term “day-to-day” is intended to include activities which are normal for most people, rather than activities which are normal for a particular group of people, or for any work-based role.

ATD is aware that sickness absence may arise from and/or be affected by a disability. At meetings to discuss sickness absence, as set out in this policy, particular consideration will be given to whether there are reasonable adjustments that could be made to the sickness management process, the requirements of a job or other aspects of working arrangements, that will provide support at work and /or assist a return to work.

If an employee considers that they are affected by a disability or a medical condition which affects their ability to undertake their work, they should inform their line manager.

## 4.8. Roles & Responsibilities

ATD has a responsibility to provide a safe and healthy working environment and to ensure any sick pay provisions are used appropriately. Accordingly, those with managerial responsibilities and supervisory roles are responsible for ensuring that ATD Sickness Absence policy and procedures are followed.

A summary of responsibilities is outlined as follows:

### 4.8.1. All Employees

Individuals are appointed on the basis that they will maintain a level of attendance which will enable them to carry out their duties. However, there are occasions when an individual is unable to attend work due to sickness absence and in these instances, employees shall have the following responsibilities:

- Employees must attend work when fit to do so.
- Employees must ensure ATD has up to date personal contact details and respond appropriately when contacted by management.
- Employees must alert their manager to any problems or issues which may impact on their attendance, health or performance of their normal duties so that ATD can offer suitable support.
- If an employee is taken ill or injured while at work, they must inform their line manager and be given permission to leave work before going home.
- If the employee cannot attend work, because they are ill or injured, they should contact their immediate line manager before they are due to start work and speak to them directly to confirm the reason for their absence and when they expect to be able to return to work, provide contact details and deal with any outstanding or urgent work that requires attention.
- Employees must give as much notice as possible when they know they will be unable to work because of sickness. Wherever possible, employees should contact their manager (or nominated role in their team) a minimum of 6 hours prior to their shift commencing so that alternative cover arrangements can be made in good time.
- **Text messages are not an acceptable method of communicating an absence or keeping in contact.** The employee themselves must contact their manager, except in exceptional circumstances where this is not possible.
- If the employee is unable to speak directly to the manager because she/he is not on shift at the time of the call, the employee must phone back when the manager is at work to speak to them directly.
- Employees must provide regular updates on their condition to their line manager. They must therefore contact their immediate line manager and speak with them directly to provide an update on their recovery and when they expect to return to work:
  - on each day of their absence during the first week;
  - once a week during their sickness absence in weeks 2-4
  - 2 days before they are due to return to work when their absence did not exceed 3 weeks or 1 week before they are due to return to work when their absence did exceed 3 weeks to agree arrangements for the return to work.

- Employees must contact their manager the day before they plan to return to work to confirm that they are well enough to return. This is to enable the manager to cancel any cover arrangements already in place.
- If the employee fails to do this and arrives for their shift when alternative cover is already in place, the manager will address this with the employee because of not following procedure.
- Employees must complete the Self Certification Form for all absences of 7 days or less.
- Employees must provide a GP's certificate for all absences of 8 days or more. Employees are required to submit a GP's certificate covering the period of absence going forward. Backdated, retrospective certificates will not be accepted unless there are some exceptional circumstances. The GP certificate should be given to the employee's line manager as soon as it is issued.
- Where an employee fails to submit a suitable GP's certificate, the period of absence may be regarded as unauthorised, and payment of sick pay and salary will not be made. Disciplinary action for unauthorised absence may also be taken.
- If a GP provides a certificate stating that the employee "may be fit for work", he/she should inform their line manager immediately so that they can discuss with the employee any additional measures that may be needed to facilitate the return to work, taking account of the doctor's advice. If appropriate measures cannot be taken, the employee will remain on sick leave and a date will be set to review the situation.
- Where ATD is concerned about the reason for absence, or frequent short-term absence, the employee's line manager may require a medical certificate for each absence regardless of duration.
- Employees must engage in discussions and meetings with line managers where requested.
- Employees must provide consent to see OH or specialist ATD appointments, for advice on any health conditions impacting on your ability to carry out your duties.
- In the event of long-term sickness, employees must agree with the line manager methods of keeping in regular contact and adhere to these arrangements.
- Employees must arrange doctor, dental, hospital and any other related appointments in their own time and make all reasonable efforts to minimise disruption to work commitments.
- Employees should expect to be contacted during their absence by their line manager who may want to enquire after the employee's health and be advised, if possible, as to the expected return date.

#### **4.8.2. The Manager's Responsibilities**

Every line manager is responsible for maintaining acceptable levels of attendance at work and ensuring that reasons for sickness absence are understood in each case and investigated where necessary. Managers should therefore:

- Ensure all staff are aware of their responsibilities regarding attendance and sickness absence reporting procedures.
- Ensure staff have the appropriate contact details and telephone numbers to report their absence.
- Monitor and review absence levels of their staff each month to identify potential problem areas.
- Update the sickness absence tracker for each member of staff with sickness absence data.

- Treat any information about an employee's absence in strict confidence discussing it only with appropriate member of the Senior Leadership Team (SLT) and payroll.
- Take action to identify the causes of absence and what steps could reasonably be taken to manage and reduce absence to acceptable levels.
- Meet staff for a Return-to-Work Interview as soon as possible following their return from each period of absence to discuss the reasons for their absence and take follow on action as appropriate. The Return-to-Work form must be used.
- In the event of long-term sickness absence, agree with the employee methods of maintaining regular contact. This could be to agree with the employee to phone once a week/fortnight or make home visits each month to discuss their recovery, whether Abbeyfield could do anything more to support their recovery and any developments in the prognosis for a return to work.
- Take all reasonable steps to ensure that employees work in a healthy and safe environment including taking necessary action to alleviate bullying, harassment and stress within the workplace.
- Seek advice and guidance from SLT, including providing information for a referral to Occupational Health or appropriate specialist, to be made where appropriate.
- Ensure that any sickness absence that is notified to them is recorded and send all GP certificates (the original copy) and Self Certifications to Payroll at head office so that employee's sick pay can be administered correctly.
- Ensure arrangements are made, where necessary, to cover work of the absent employee and to inform colleagues (while maintaining confidentiality).
- In the event where it is thought that the employee is taking sickness absence when they are not unwell, refer the matter to be dealt with under the Disciplinary Policy.

For more detailed guidelines for managers to assist them in all aspects of managing sickness this is available from SLT / HR Adviser.

#### **4.8.3. Head of Department Responsibilities**

- Conduct/chair an Attendance Commitment Non-Compliance meeting.
- Overall responsibility for attendance levels within the unit/department.
- Support line managers in management of poor attendance and sickness absence matters.

#### **4.8.4. The Role of Human Resources (HR)**

HR services within ATD may be that of internal resources or those of an external agency contracted to work with ATD. The role of HR is to provide advice and guidance to managers on the following:

- Policy and procedure
- Professional HR advice for the correct management of sickness absence and ill health cases in line with this policy and employment legislation.
- The legal aspects of absences and rights and responsibilities conferred from disability discrimination legislation.
- Act as a liaison with Occupational Health and provide support and guidance on advice received from any Occupational Health or other medical professionals.

### **4.9. Medical Appointments**

Employees must make every effort to ensure personal medical appointments are attended outside of normal or scheduled working hours. ATD is aware that this is not always possible,

and, in such circumstances, individuals are to consult with their line manager regards attendance at appointments as these should be made at a time where minimal disruption to work will occur.

Managers will grant approval when a request for leave to attend a medical appointment is made in advance, except in the case of an emergency. Duty hours may be modified by the manager to accommodate the appointment where it is considered appropriate and necessary. Safe systems of work and staffing levels must always be maintained when managers are considering authorising leave of absence to attend medical appointments.

Employees must be able to produce appropriate evidence of appointments upon request by their line manager. Where appointments are arranged for an employee to see OH or other medical service advisor the employee must attend the appointment.

The employee is to inform their line manager of the appointment time and obtain authorisation to attend if this is during their duty time. If the employee is unable to attend the appointment due to exceptional circumstances, where possible, these must be discussed prior to the appointment date.

#### **4.10. Certificates, Suspension & Sickness**

Conditions of service in respect of sickness are unaffected by the fact that an employee is suspended from duty. An individual who becomes ill during a period of suspension must comply with the sickness absence reporting procedure. Any period of sickness absence must be supported by a relevant fit note or self-certification.

##### **4.10.1. Certificate of Sickness**

Employees must ensure that sickness absence is certified appropriately. If an employee does not provide a self-certification or a fit note then it may influence action under any related procedure e.g. disciplinary, capability.

##### **4.10.2. Self-Certification**

For absences of 7 calendar days or less (including weekends) employees must complete a self-certification form on the first day they return to work at Appendix 1.

##### **4.10.3. Medical Certification**

If the absence exceeds a continuous 7 calendar day period, a fit note will be required from the GP. Fit notes should be continuous which employees should forward to their line manager as soon as the GP provides one.

In some circumstances ATD may require the employee to provide a fit note for absences from work due to sickness regardless of the duration. In these circumstances where a medical practitioner requires payment for issuing a certificate the employee will be reimbursed the cost of obtaining the fit note on production of.

#### **4.11. Part Day Sickness / Absence**

An employee becoming ill during the normal working day who wishes to leave work early must inform their line manager of the need to leave their duties. Employees who leave work will only be paid for the hours they have worked. The sickness will be recorded on the Annual Leave Tracker with a note stating the number of hours not worked for that shift.

#### **4.12. Sick Pay**

##### **4.12.1. Statutory Sick Pay (SSP)**

From 1 April 2026:

- SSP is payable from the first day of sickness absence (there are no waiting days).

- The lower earnings limit has been removed, meaning all eligible employees, regardless of earnings level, may qualify.
- SSP is payable at the statutory rate (or applicable percentage of earnings, if lower).
- SSP is payable for up to 28 weeks in a period of incapacity.
- SSP is paid through payroll and subject to tax and National Insurance deductions.

To qualify for SSP, employees must:

- Be employed under a contract of employment.
- Be unable to work due to illness.

Employees will not qualify for SSP where statutory exclusions apply (for example, where entitlement has been exhausted or where other statutory payments apply).

Abbeyfield The Dales will ensure SSP is administered in line with current legislation and HMRC guidance.

#### **4.12.2. Contractual Sick Pay**

Abbeyfield the Dales offers contractual (enhanced) sick pay in addition to SSP. Where applicable:

- Contractual sick pay arrangements will be set out in employment contracts or local terms and conditions.
- These arrangements may provide for higher levels of pay or different qualifying conditions.
- Contractual sick pay is a contractual benefit where specified, but otherwise discretionary.

#### **4.12.3. Exceptional Circumstances**

Exceptional circumstances are limited to any condition or accident that a staff member may have that is either life threatening or life changing, and which requires a period of assessment or treatment.

At its discretion, and in exceptional cases the company reserves the right to enhance the sick pay entitlement; a member of ATD's Senior Management Team will approve each case as appropriate. Any pay offered above that outlined in this policy is not obligatory and should not invite further expectation of the same. In most instances inflation above what is outlined in this policy will be as a one-off gesture of goodwill in times of exception.

The limit of any inflated company sick pay will be up to 4 weeks at full pay and 4 weeks at half pay; thereafter sick pay will revert to Statutory Sick Pay. This additional paid absence will enable the individual to have more time to adjust to their situation and plan their future.

When applying discretion, ATD will keep track of the exceptions to ensuring there is parity on exceptions and when inflated pay is given.

ATD may withhold payments of sick pay if advised by Occupational Health or other relevant medical practitioners that an employee is fit to return to work, and they do not do so. This may also result in further investigation and action including disciplinary.

### **4.13. Absence Due to an Accident at Work**

Where an employee is involved in an accident, near miss incident or dangerous occurrence whilst on duty which results in injury or ill health it must be reported using ATD

accident/incident reporting procedures. Ordinarily, sickness absence that occurs due to an incident or injury at work which has not been reported appropriately will not be counted towards sickness absence thresholds.

#### **4.14. Sickness During Annual Leave**

Sickness absence immediately preceding or following annual leave must be appropriately certified. Sickness absence that extends into a period of annual leave that is to be recorded as sickness absence must have certification by means of a fit note irrespective of the number of days' absence.

The employee must notify ATD on the first day of absence using the reporting procedures laid down in this policy. If the employee wishes to travel on holiday during a period of sickness absence a fit note must be provided to confirm the employee is not fit for work during the period in question and that the holiday will not have a detrimental effect on the employee's rate of recovery. Holidays must be authorised by the SLT in advance.

Payment of accrued untaken annual leave can only be taken on termination of employment, (or in exceptional circumstances as agreed by the Chief Executive (CE)) where the employee has not been able to take leave during the notice period.

#### **4.15. Medical Appointments and Treatments/Hospital Admissions**

##### **4.15.1. Planned Sickness / Absence**

Employees must inform their manager as soon as possible and as far in advance as possible of any planned sickness absence such as hospital stays and surgical procedures that are medically required for a diagnosed illness.

On discharge where further absence is instructed, appropriate certification must be submitted to the line manager to cover the entire period of absence.

All pre-planned hospital admissions will be recorded as sickness absence and will be viewed on a case-by-case basis for absence management. Such absences on their own will not usually result in formal action.

Employees must arrange doctor, dental, hospital and any other related appointments in their own time where possible and make all reasonable efforts to minimise disruption to work commitments. Employees must speak to their manager to discuss whether the time off is to be taken as annual leave, unpaid leave or time off in lieu.

Employees should expect to be contacted during their absence by their line manager and/or HR who may want to enquire after the employee's health and be advised, if possible, as to the expected return date.

##### **4.15.2. Non-Medical Surgery**

Cosmetic surgery and any hospital stay that are not required for a medically diagnosed condition must be taken as annual leave. Annual leave must be requested in accordance with the Authorised Leave Policy.

##### **4.15.3. In Vitro Fertilisation (IVF)**

Time off for In Vitro Fertilisation will be considered as sick leave.

##### **4.15.4. Routine appointments for staff with a disability requiring regular treatment/review of their condition**

Under the Equality Act 2010 provision is made for staff with a disability that may require time off for routine hospital or treatment appointments. These are considered reasonable adjustments and staff should give their manager a copy of their appointment card or letter.

#### **4.15.5. Time off for staff undergoing gender reassignment**

Staff undergoing gender reassignment may require time off to achieve the change without unnecessarily compromising their physical and mental health. The time off will vary according to the individual. The employee should try to make appointments outside office hours, but this may not always be possible. It would be reasonable to allow some time off as special circumstances leave. Reasonable absence for gender reassignment should not normally be considered for purposes of formal action relating to attendance.

#### **4.15.6. Diarrhoea and Vomiting (D&V) Reporting**

Diarrhoea and vomiting (D&V) is not a notifiable disease. However, some diseases with symptoms of D&V are notifiable, such as, Salmonella and Dysentery. Recurrent absences due to D&V will require a confirmed diagnosis from the employee's GP.

Where Norovirus is confirmed, the affected employee should remain off work for 48 hours after the last instance of diarrhoea and/or vomiting which is in line with our Infection Control Policy.

#### **4.15.7. Unplanned Hospital Admission**

Where an employee is admitted to hospital, they should submit admission and discharge certificates as evidence of incapacity to their line manager. If an employee is unable to return to work in being discharged from hospital the employee must submit appropriate certification confirming their hospital admission. A visit to A&E department or any other hospital department does not constitute a hospital admission.

### **4.16. Unauthorised Absence (AWOL)**

Cases of unauthorised absence will be dealt with under ATD Disciplinary Policy. Absence that has not been notified in accordance with the sickness absence reporting procedures laid down in this policy will be treated as unauthorised absence.

Unauthorised absence is applicable where an employee:

- Fails to comply with the sickness absence reporting procedure.
- Fails to attend work.
- Fails to return from holiday.
- Is absent from work for any other reason without permission.
- Takes annual leave when the request for annual leave has not been authorised.

#### **4.16.1. Absent without Authorisation**

Where an employee has not attended work when they are meant to, and cannot be contacted, are deemed to be absent without authorisation and the following procedure will be applied after initial attempts to contact the employee have failed.

##### **4.16.1.1. Day 1**

The Manager should attempt to call the Employee via all contact telephone numbers available making a record of the time called and details of any voicemail messages left.

The Manager should attempt to contact the employee's next of kin to find out if the employee has been involved in any incident that would prevent them making contact.

If the manager has cause for concern regarding the employees' safety and cannot contact them by any means, they should go to their home address to check they are ok.

#### **4.16.1.2. Day 2**

If no contact has been made, the Manager will try to make telephone contact with the employee and keep notes as stated above.

A letter is to be sent asking the employee to make contact urgently also advising that unless they provide a medical certificate for their absence by the date specified in the letter their pay will be suspended. The letter also states that being AWOL may be considered as an act of gross misconduct which may result in dismissal.

#### **4.16.1.3. Day 3**

The Manager should again make efforts to make contact by telephone and any other methods available to contact the employee keeping notes as stated above.

#### **4.16.1.4. Day 4**

The Manager will again try to make telephone contact with the employee, maintaining notes as above.

A further letter will be sent to the employee by Recorded Delivery or delivered by hand (where practical) advising the employee of the precise dates of their unauthorised absence and explaining the actions taken to try to contact the employee.

The letter will invite the employee to a Disciplinary Hearing (giving 5 days' notice of the meeting and advising that they may be accompanied by a work or Trade Union representative). The letter will also state that if they don't attend the hearing, the hearing will continue in their absence, and that any decision will be notified to them in writing.

The Hearing should be attended by a manager with the right to dismiss. Where the employee has the right to the disciplinary process – please follow the Disciplinary Policy.

### **4.16.2. Dismissal**

Where an employee chooses not to attend the hearing or provide explanation for their absence, the hearing will continue in the employee's absence and a letter will be sent to the employee to summarily dismiss on the grounds of Gross Misconduct. The Dismissal Letter should be sent by Recorded Delivery and by standard mail.

The date of dismissal is the date the decision to dismiss was taken and is summary which means no notice is given or paid.

The Manager should inform Payroll of the leaver ensuring IT and other departments are also informed.

### **4.16.3. Right of Appeal**

Follow section 4.18.

#### **4.16.4. Other Factors**

If an employee gets in touch or returns to work during this process the Line Manager must meet with the employee to discuss. If there is no satisfactory reason for the absence the Manager must contact HR to discuss whether instigating a Disciplinary Procedure is appropriate.

Payroll must be contacted on the day the employee returns to work to remove the suspension of pay.

#### **4.17. Occupational Health and Medical appointments**

Occupational Health gives advice to employees and Managers alike, often assisting the employee to understand and manage their illness so that it minimises the impact on their life. Occupational Health advise as to whether there are any underlying health causes and what reasonable adjustments Abbeyfield can take to assist the employee attending work.

Attendance at an Occupational Health appointment is a reasonable management request, and an employee is obliged to attend an appointment if requested to do so.

If an employee repeatedly avoids attending Occupational Health a management decision will be taken based on information available about the employee's absence at the time.

ATD may, at any time during an employee's absence require them to attend medical examinations or request medical reports from medical professional to support the employees return to work. If an employee is absent due to sickness or if there are concern about the employees' health in the workplace ATD will ask you to do the following:

- Consent to attend a medical examination by a medical practitioner (nominated and paid for by Abbeyfield)
- Allow us to request a copy of any report resulting from any medical practitioner as described above, discuss the report with the doctor and disclose the contents of the report to our medical practitioner (in relation only to the current absence in question)
- Allow ATD to request a report from our GP and/ or medical specialist
- Attend medical Occupational Health appointments, participating any rehabilitation programmes, if appropriate.

Employees must engage in discussions and meetings with line managers where requested. An employee who fails to attend an appointment or acts in a way that prevents Abbeyfield from managing their absence or health issues may become subject to the Disciplinary Policy.

##### **4.17.1. Reasonable Adjustments/Redeployment – Changes to job role, reasonable adjustments, and redeployment**

Where advised by Occupational Health, where medical conditions fall under the remit of the Equality Act 2010 or where ATD reasonably feels it is necessary, adjustments may be made to an individual's job role to ensure they are able to return to work or continue working without making any medical condition worse. This may concern number of hours worked, location and type of task undertaken.

ATD will consider the impact of proposed changes on service delivery in deciding whether these adjustments are reasonable, achievable, and sustainable.

Redeployment into a suitable alternative role will always be considered as an alternative to a dismissal on the grounds of ill health. Redeployment will be dependent on the individual's abilities, skills, location, and suitable roles which are vacant at that time.

#### **4.18. Reporting Accidents at Work**

If an employee has an accident at work, this must be reported to the line manager as soon as possible and no later than the end of the day on which the accident happened.

An accident report form must be completed and where there is a needle stick or puncture injury advice should be sought immediately.

If an employee is absent for 7 or more days after the day of the accident or unable to perform their normal duties (but is present at work) for this period a RIDDOR Report must be completed and submitted under the Reporting of Incidents, Diseases and Dangerous Occurrences Regulations 2013. The above is not the only reportable incident. To obtain further information about reportable incidents must be viewed here: <http://www.hse.gov.uk/riddor/reportable-incidents.htm>.

#### **4.19. Employees within Probation Period**

Line managers will closely monitor the attendance of all new employees within their probationary periods. Where the sickness absence level is unacceptable or a pattern emerges or where actions are regarded to be non-compliant with procedures regarding sickness absence, consideration may be given to terminate employment.

#### **4.20. Monitoring and Record Keeping**

In dealing with sickness absence ATD expects a consistent approach across all service areas. SLT members should ensure oversight of sickness absence policy and appropriate line management decisions considering individual circumstances and requirements. Advice and support should be sought from HR as appropriate and necessary.

All individuals involved in the process of sickness management are required to complete appropriate documentation in relation to the nature and length of absences however they should maintain confidentiality of the information in their possession be it in relation to both personal and medical matters.

#### **4.21. Right to be Accompanied**

Employees will have the right to be accompanied at all formal stages of this policy by a work colleague or Trade Union representative not acting in any legal capacity.

A companion may make representations, ask questions, and sum up the position, but will not be allowed to answer questions on the employee's behalf.

#### **4.22. Right to Appeal**

The employee should submit their appeal in writing within 10 days of receiving the letter confirming the dismissal stating the full grounds of appeal. The grounds on which an appeal will be heard are:

- New evidence has come to light which was not available at the time of the absence meeting
- The attendance management procedure was not followed
- The level of sanction was not reasonable i.e., the severity of the sanction was not consistent with the reasons of the absence
- The decision taken by the Manager conducting the absence meeting was not supported by the evidence presented.

During the appeal meeting the employee will have the right to be accompanied.

Appeals will be heard by a manager or Senior Leader within 20 days of receiving the appeal in writing from the employee.

Following an appeal, the original decision may be confirmed, revoked, or replaced with a different decision. The final decision will be confirmed in writing and there will be 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.

#### **4.23. Termination of Employment**

In some circumstances, ATD may consider an employee incapable of fulfilling their terms and conditions of employment and ATD reserves the right to terminate employment on the grounds of ill health capacity.

### **5. Finance, Value for Money & Social Value**

N/A

### **6. Supported Appendices**

Procedures (See Section 10).

Sickness Absence – Self Certification & Return to Work Forms (Separate documents)

### **7. Linked Policies**

Disciplinary (S008P)

### **8. Legislation/Regulation**

N/A

### **9. Review**

Every 3 years, subject to any regulatory or legislative updates.

### **10. Procedure/Guidance**

#### **10.1. Managing Short Term Sickness Absence**

All meetings related to sickness absence will usually be conducted by the employee's line manager or a delegated representative.

Where in exceptional circumstances the first line manager is not suitable or appropriate to lead the meeting the second line manager will appoint a suitable manager to facilitate the meeting. Abbeyfield the Dales reserves the right, in disciplinary and capability issues, to consider your duration of service and modify the procedure accordingly. If a member of staff is on short service, they may not get an official warning before dismissal, but will have the right to a hearing and the chance to appeal.

Where an employee's absence from work is causing concern, we will identify the severity and action to take in accordance with the Bradford Factor calculation, and defined as:

*Number of spells x itself x the total number of days (part or full) Full or part days will be counted as 1 day's absence. This will be calculated over a 52-week rolling period.*

**The Trigger:** 50 points or more in any 52-week rolling period. The actions that are proposed at each trigger score range are as follows:

<b>0-49</b>	No action required
<b>50-124</b>	Consider issuing a verbal warning
<b>125-399</b>	Consider issuing a written warning
<b>400-649</b>	Consider issuing a final written warning

### 10.1.1. Informal Meeting

Attendance of all employees will be reviewed by Line Managers monthly. A meeting will be arranged with the employee to discuss the reasons for their absences.

During the meeting, it will be discussed whether anything can be done to help the employee maintain better attendance levels and to agree standards to be maintained for the future.

- The return-to-work forms completed following a discussion between the employee and manager after each instance of absence can be used to facilitate this meeting.
- The employee will be invited in writing to this informal meeting, giving a minimum of 2 working days' notice of the meeting date with a copy of this policy enclosed.
- The meeting will be held with the employee's Line Manager.
- During this meeting, there must be an action plan discussed and agreed to reduce the employees' absence levels.
- As this stage of the process is informal, there is no right to be accompanied by a representative.

Failure to attend the meeting without good reason may be treated as misconduct and result in a decision being made in your absence based on the facts/information available.

It may be necessary to manage absence formally at formal stage 1 of the short-term absence process if an employee's absence levels continue to be a cause for concern or if the employee has been unable to reach and sustain the required improvement.

During this meeting, there must be an action plan and timescales discussed and agreed to reduce the employees' absence levels. Where there is no improvement within the required timescales or absence continues to be of concern the employee may be referred to the formal stage 1 process. There is no right of appeal at this stage of the process.

A record of this meeting will remain on file for 24 months. During this meeting, it may be appropriate to refer the employee to Occupational Health or obtain consent from the employee to obtain a Private Medical Report from their GP.

### 10.1.2. Stage 1 - Formal

Where an employee's attendance levels continue to be of concern as per examples given above in the informal process; due to them continuing to hit or exceed the trigger points as calculated, the employee will be invited in writing to a formal meeting to discuss their absence giving a minimum of 2 working days' notice of the meeting date with a copy of this policy enclosed.

The meeting will be held with the employee's Line Manager. The employee has the right to be accompanied at the meeting by a trade union representative or work colleague.

The employee must take all reasonable steps to attend the meeting. Failure to attend the meeting without good reason may be treated as misconduct which may result in a decision being made in your absence based on the facts/information available.

During the meeting, the following matters may be discussed:

- the reasons for absence.
- the likelihood of further short-term absences.
- whether medical advice is required.

- what can the employee do to improve their health and/or attendance:
- what action can be taken, and support given which would result in acceptable levels of attendance being maintained.
- Agreeing an action plan with clear time scales.
- the employee's ability to remain in their job in view of both of their capabilities and the business' needs. This will include consideration of whether any reasonable adjustments could be made or whether the employee could be redeployed into a suitable alternative position within the company.
- Occupational Health Report/Private Medical Report.

During this meeting, there must be an action plan and timescales discussed and agreed to reduce the employees' absence levels. The outcome of this meeting could result in a first written warning. If a written warning is issued this will remain on file for 9 months

The manager will confirm what standards are expected of the employee going forward. The Manager will inform the employee that their attendance levels will continue to be monitored and for how long.

The employee will be advised that where attendance does not improve to the agreed action plan and to agreed acceptable levels within the specified/agreed period, it may be necessary to proceed to the next stage which may result in a final written warning.

The content and outcome of the meeting will be confirmed in writing which will be held on file for a rolling 12 months. The employee will have the right of appeal against the decision made.

### **10.1.3. Stage 2 - Formal**

Where an employee's attendance levels continue to be of concern; where they continue to hit or exceed the trigger points. The employee will be invited in writing to this formal meeting to discuss their absence giving a minimum of 2 working days' notice of the meeting date with a copy of this policy enclosed.

The meeting will be held with the employee's Line Manager and the employee will have the right to be accompanied at this meeting by a trade union representative or a work colleague.

Failure to attend the meeting without good reason may be treated as misconduct which may result in a decision made in your absence based on the facts/information available.

During the meeting, the following matters may be discussed:

- the reasons for absence.
- the likelihood of further short-term absences.
- whether medical advice is required.
- what can the employee do to improve their health and/or attendance:
- what action can be taken, and support given which would result in acceptable levels of attendance being maintained.
- Agreeing an action plan with clear time scales.
- the employee's ability to remain in their job in view of both of their capabilities and the business' needs. This will include consideration of whether any reasonable adaptations could be made or whether the employee could be redeployed into a suitable alternative position within the company.

From the meeting an action plan with timescales must be discussed and agreed to reduce the employees' absence levels. The outcome of this meeting could result in a first written warning. If a written warning is issued this will remain on file for 9 months.

The manager will confirm verbally and in writing the standards expected of the employee going forward, and that attendance levels will continue to be monitored and for how long.

The employee will be advised that where attendance does not improve to the agreed action plan, it may be necessary to proceed to the next stage which may result in the termination of the employees' contract due to unsatisfactory levels of attendance.

The content and outcome of the meeting will be confirmed in writing which will be held on file for a rolling 12 months. The employee has the right of appeal against the decision.

#### **10.1.4. Stage 3 - Formal**

The meeting at Stage 3 is the final meeting to take place under this procedure if the employee's unacceptable level of absence continues.

Where an employee's attendance levels continue to be of concern due to them continuing to hit or exceed the trigger points. The employee will be invited in writing to this formal meeting to discuss their absence.

The meeting will normally be conducted by a senior manager or member of the Senior Leadership Team. The employee will be given a minimum of 2 working days' notice of the meeting date with a copy of this policy enclosed.

The employee must take all reasonable steps to attend the meeting. Failure to attend the meeting without good reason may be treated as misconduct which may result in a decision being made in your absence based on the facts/information available.

At the meeting, the following matters must be discussed:

- What has happened up to this point and whether the agreed standards have been met.
- Consider further issues the employee wishes to raise.
- The likelihood of further short-term absences.
- Consider whether the employee is likely to reach ATD required standards of attendance in the future; and
- The possible termination of the employee's employment on the grounds of unsatisfactory attendance.

The employee (and their representative) will have a fair opportunity to present their case before a final decision is made.

Dependent on the individual circumstances, the meeting under Stage 3 of the attendance management policy may result in the employee's dismissal on the grounds of unsatisfactory levels of attendance.

The outcome of the meeting will be confirmed in writing and the employee will be given the right of appeal against the decision.

## **10.2. Managing Long Term Sickness Absence**

Long term absence is defined as any absence which continues for 4 weeks or more. Managers must contact the HR consultant for advice before each stage of the long-term sick process.

Where it is clear from the outset that employees will be absent for 4 weeks or more (for example if they have a broken limb or require an operation) the manager will agree with the employee when the manager has contact with the employee, how regular this will be and agree a date in principle when the employee expects to return to work. All employees are expected to attend update meetings when invited and must ensure your line manager is notified of any changes to your address and contact details promptly and in writing so that contact can be made throughout this procedure.

Where absence develops into a long-term absence, the following procedures will be implemented.

### **10.2.1. Stage 1 – Informal**

An informal meeting will be arranged with the employee by their line manager to discuss:

- The reasons for absence and what action may be taken to facilitate a return to work. This may include obtaining medical advice from the employee's GP and/ or making a referral to Occupational Health considering adaptations which could be made to the employee's current role.
- How the condition may affect the employee's ability to return to work, within particular timescales.
- If further assistance can be provided to aid the employee's return to work, including reviewing skills and experience to help identify any suitable vacancies.
- Decide on a further meeting if needed and agree a date and time.
- Consider if the employee is disabled under the Equality Act 2010 and whether any reasonable adjustments are required.
- Clarify whether anything can be done to support the employee's return to good health.
- This meeting is informal; there is no right to be accompanied by a representative.

### **10.2.2. Stage 2 - Formal**

Where an employee has been absent for a further 4 weeks (eight weeks in total) or where information is received prior to this which provides more detail about when an employee may be able to return to work, a meeting will be arranged.

This will be a formal meeting and as such the employee will be invited to the meeting in writing which they must attend having been given a minimum of 2 working days' notice of the meeting date with a copy of this policy enclosed.

The meeting will normally be conducted by the employee's line manager. The employee must take all reasonable steps to attend the meeting.

Depending on the circumstances, the meeting under Stage 2 may result in the employee's dismissal on the grounds of ill health capability.

The aim of the meeting will be to discuss the following:

- Whether further medical advice should be sought on how the condition may affect return to work and within set timescales.
- Confirm a return-to-work date based upon medical advice.
- Agree any action needed to assist the employee to improve their health, recovery, and return to work, including reviewing vacancies to identify potential alternative roles suitable for the employee's skills and experience, and considering relevant support for the role.
- Consider whether further medical advice should be sought.
- Clarify whether anything can be done to support the employee's return to good health.
- Consider ability to work in view of capabilities and business needs and consider any reasonable adjustments to the employee's role.
- The employee's ability to return to/remain in their job in view of both of their capabilities and the business needs. Reasonable adjustments and redeployment will be considered where possible.
- Where the employee can return from long-term sickness, whether to their job or a redeployed job, agreeing a return-to-work programme

- Consider if the employee is disabled under the Equality Act 2010 and whether any reasonable adjustments are required.
- The possible termination of the employee's employment where there is no expected date of return or where it is not reasonable for the company to sustain the expected period of further absence.
- Action that will be taken and a time scale for review and/or further meetings under the sickness absence procedure if necessary.
- How long the absence is likely to last.

The content and outcome of the meeting will be confirmed in writing and the employee will be given a right of appeal against the decision taken. Stage 2 meetings will be held every 4 weeks. The number of stage 2 meetings held is dependent on the employees' condition, circumstances, and professional medical advice.

### **10.2.3. Stage 3 - Formal**

This is the final meeting which will take place in this process. It may be necessary to move to this stage if during stage 2 (of the long-term sick absence process) we are not able to establish when or whether the employee may be able to return to work in the foreseeable future, either to their original role (with or without reasonable adjustments) or an alternative role.

The employees continued employment with ATD will need to be considered and their employment may be at risk of termination on the grounds of ill health capability.

Employees will be invited in writing to attend a meeting under Stage 3 of this policy which they must attend and will be given a minimum of 2 days' notice of the meeting with a copy of this policy enclosed.

The meeting will normally be conducted by the employee's line manager. The employee must take all reasonable steps to attend the meeting.

At the meeting, the following matters may be discussed:

- What has happened up to this point, meetings and discussions about the employee's absence.
- Consider whether the employees' situation has changed since the last meeting.
- Consider the likelihood of a return to work in the future.
- The reasons for the continuing absence.
- How long the absence is likely to last.
- The possible termination of the employee's employment where there is no expected date of return or where it is not reasonable for the company to sustain the expected period of further absence.
- Consider if the employee is disabled under the Equality Act 2010 and whether any reasonable adjustments are required.
- Any further matters to be discussed.

The employee (and their representative) will have a fair opportunity to present their case before a final decision is made.

The outcome of the meeting will be confirmed in writing and the employee given a right of appeal against the decision made.

## **10.3. Right to Appeal**

Where any formal decision has been taken under the absence policy, employees have a right to appeal. See section 4.17.

# Self Certification Form

To be completed on an employees return to work from sickness/absence.

## Employee Details

Surname	Forename	Role	Location/Dept

## Absence Period Details

First date of sickness/absence from work. (dd/mm/yyyy)

Last date of sickness/absence from work. (dd/mm/yyyy)

Were you absent for 7 or more days in total?

Yes

No



Please indicate the amount of 'Contracted Hours' you were due to work in each day below.

WEEK 1	Mon	Tue	Wed	Thu	Fri	Sat	Sun
Date							
Contracted Hours							
<b>TOTAL HOURS</b>				<b>TOTAL DAYS</b>			

## Reason for Sickness/Absence (Tick the appropriate box)

Cold/Flu	<input type="checkbox"/>	Digestive (Sickness/Diarrhoea)	<input type="checkbox"/>
Headache/Migraine	<input type="checkbox"/>	Infection (Chest/Viral)	<input type="checkbox"/>
Muscular/Skeletal	<input type="checkbox"/>	Dental	<input type="checkbox"/>
Stress/Depression/Anxiety	<input type="checkbox"/>	Work related injury	<input type="checkbox"/>
Other (please specify)	<input type="text"/>		

## What actions did you take to aid recovery?

I understand that the information I have provided on this form will be used by Abbeyfield to calculate my entitlement to sickness benefits. I understand that if it is found that I have provided false or misleading information the matter may be taken up under the Society's disciplinary procedure.

SIGNED

DATE

**THE NEXT PAGE SHOULD BE COMPLETED WITH YOUR LINE MANAGER**



## Return to Work Interview Form

To be completed by all line managers during a return to work interview with all employees returning from any sickness absence.

Employee Name	Employee Role	Line Manager	Location/Dept

Dates of sickness/absence:	From	To

1. What was the reason for the employee's sickness absence?

2. Has the employee suffered from this type of illness in the last 12 months? If so, please give details

3. Has the employee been absent on a separate occasion in the last 3 months? If yes, for what reasons?  
(If yes, refer to the Managing Sickness Absence policy for further guidance)

4. Is there anything which may affect recovery or the likelihood of this illness occurring again?

5. Is there anything further that can be done to support the employee? E.g. referral to Occupational Health, review of duties.

Signed (Employee):

Date:

Signed (Line Manager):

Date:

Signed (SMT):

Date:

Signed (CE):

Date:

**On completion please send this form with any appropriate 'Fit-Notes' to Finance, Grove House.**