

CITIZENS ADVICE REIGATE AND BANSTEAD SICKNESS ABSENCE POLICY AND PROCEDURE

1. Purpose

This policy applies to all permanent and fixed term staff employed by Citizens Advice Reigate and Banstead.

The intention of this policy is to provide a fair, consistent and clearly structured framework for managing sickness absence. Failure to comply with this procedure could result in the non-payment of sick pay, or in serious circumstances, the consideration of disciplinary action being taken.

It is a condition of our employment that you attend work on a regular and consistent basis.

2. Responsibilities

You have a responsibility to:

- fully co-operate with regards to the reporting and return to work procedures - this will include providing an approximate expectation of return to work (if known).
- to keep your line manager updated about your illness/injury, if you are unable to give an expected return to work date
- to provide a fit/medical note to your line manager if you surpass 7 days of sickness absence
- complete a self certificate form if you return to work within 7 days
- complete a return to work form when returning after 7 days.

Your Manager has a responsibility to:

- communicate with you to discuss your sickness/injury absence and to help and support you to return to work as soon as possible
- ensure you are treated consistently, sympathetically and with dignity
- support and encourage you to integrate back to work after a period of illness
- make reasonable adjustments as appropriate
- ensure that if required, Occupational Health is used to help identify support and provide advice to help you return and remain in the workplace
- ensure that all return to work meetings are carried out
- monitor your absence levels

3. Notification of Sickness Absence

It is your responsibility to telephone your line manager if you are unable to attend work. You should call to report this no later than 10am on the first day and then on each subsequent working day thereafter if you are unsure how long your absence may last.

If your absence is likely to be longer than 7 days, you should make contact at least once a week or agree an alternative arrangement with your manager.

Notification of being late or other issues in attendance must also be reported as soon as possible to your line manager on the day they occur, otherwise this can be deemed as misconduct.

4. Medical Certificates

4.1 Self- Certification

Following an absence of seven calendar days or less you are required to sign, complete and submit a Self-Certification Form to your line manager upon your return to work.

4.2 Fit notes

You are required to provide a Medical Certificate ("Fit Note") if your absence lasts for more than seven calendar days. This may be obtained from your GP or a hospital should you be admitted into hospital.

Your fit note may state "may be fit for work" subject to some adjustments. In this event your line manager will try to support you with the suggested adjustments where possible. If this is not possible you would treat the note as if you were not fit for work.

5. Sickness Absence Pay

It is your responsibility to ensure that a valid medical /self certification form is submitted to your line manager. If these are not submitted in a timely manner you may not receive any payment.

Your right to sick pay is determined according to the terms and conditions of your Contract of Employment. Where statutory sick pay is the only entitlement (SSP), this is payable for a maximum of 28 weeks in respect of any one period of sickness absence. You can obtain further information by visiting the Government website on this link:

<https://www.gov.uk/statutory-sick-pay>.

6. Annual Leave

You will continue to accrue annual leave whilst absent due to sickness. On return from long term sickness absence you and your line manager should discuss appropriate arrangements for taking leave owed.

If you fall ill during annual leave and follow the sickness reporting procedure as normal, then upon presenting a Fit Note from your GP, your annual leave may be reinstated to be used on another occasion. You will however be required to meet the costs of obtaining any such medical evidence.

7. Return to Work

Upon returning to work you must report to your manager at the start of your day to complete a Return to Work interview (or arrange one as soon as possible). A self certificate or a Doctor's Fit Note will be required depending on the length of absence if it is not already submitted. The objective of this interview is to ensure you are fit to return to work and to confirm whether any reasonable adjustments required. This will be an informal, brief discussion however should your absence have hit a trigger point (Section 10.2 below) you may be subsequently invited to a further more formal meeting.

8. Obtaining medical information

In order to effectively manage any absence/injury issues Citizens Advice Reigate and Banstead may need to obtain medical information on your health either through requesting a report from your GP/consultant or referring you to an occupational health specialist. This is done to ensure that reasonable adjustments if required are put into place. Should you decline to give consent to medical information being obtained, any decisions about your ongoing employment be taken on the basis of the information available to your manager. Any request will be put across in a form completed by management and consented by you.

9. Reasonable Adjustments

In accordance with relevant legislation, Citizens Advice Reigate and Banstead has a legal duty to consider reasonable adjustments to accommodate you in your current role if they are suffering from ill health or are disabled (as defined by the Equality Act 2010) to help you remain in work. Adjustments must be reasonable and it would not be reasonable to create a job where an individual is unable to carry out their current role even with support in place.

10. Absence periods

10.1 Short Term Absence

Short term absence is absence which is less than seven days in duration and is normally due to one-off periods of ill health. The way in which it is managed is through trigger points which are part of the informal and formal procedure.

10.1.2 Trigger points

Trigger points are used to determine whether the level of sickness absence is progressed to formal procedures set out below:

- the trigger for formal action in relation to short-term absence is generally reached where an employee has had 12 days or four spells of short-term absence during any 12 month period, or where a clear pattern of absence is apparent, such as the same day each week.
- continuous absence of four weeks or more is classed as long-term absence.

Management will again discuss ways to improve the absence levels in regular meetings.

10.1.3 Informal Monitoring up to 3 months

In cases of frequent short-term absence your line manager will arrange an informal meeting with you in order to try to establish the underlying reason for the absence. Review dates will be set. If, by the review date, the required improvement is achieved no further action will be taken although general monitoring up to 3 months will continue.

10.1.4 Formal Process

If by the review date attendance levels continue to be a cause for concern a sickness absence meeting will be convened under the three stages of the formal process.

Stage 1:

This is where you are absent due to sickness or unauthorised absence for **5 days** or **3 separate** spells within a rolling **6 month period** or where a clear pattern of absence is apparent, such as the same day each week.

You will be requested to attend an Absence Review meeting, with your manager. At the meeting you will be given the opportunity to offer any additional explanation for your attendance record.

At this stage it may be appropriate for Citizens Advice Reigate and Banstead to obtain medical information if appropriate, for example if the employee believes there is an underlying health condition which is leading to the high level of absence. Please note that all medical records relating to an employee will be maintained in strict confidence.

If, following the meeting, no disability or underlying medical condition is established, a letter will be sent to you detailing the improvement in attendance required and specifying the review period. The letter will also state that a sanction of first warning of 6 months will be given and placed on file for a monitoring period of 6 months.

Stage 2:

The employee will be required to agree steps to improve their attendance. An Absence Review Form will be completed at this meeting and signed by the employee and the interviewer and placed on the employee's personnel file for a sanction period of 12 months monitoring.

If, following the meeting, no disability or underlying medical condition is established, a letter will be sent to you detailing the improvement in attendance required and specifying the review period. The letter will also state that a sanction of a final written warning of 12 months will be given and placed on file for a monitoring period of 12 months.

Stage 3: Final formal Absence/attendance meeting

As part of the Absence procedure, if no improvement has been made following the 12 month review, the issue in question is considered highly serious and a potential dismissal without notice may be given following the hearing. This falls under the Disciplinary Policy and Procedure.

Absences will normally be discounted where they were incurred by disabled people or from an Assault on Duty, where in the view of the company, they directly connect to the disability or assault.

10.2 Long term absence

10.2.1 Long term absence is absence that lasts more than four weeks or is related to a recognised disability.

Where absence lasts more than four weeks your line manager or another member of the management team may contact you to arrange an informal meeting to gain an update on your health and to understand what further support can be offered to help your return to work. An occupational health referral may also be discussed.

Where absence persists or you are having regular absence due to a recognised disability Citizens Advice Reigate and Banstead will meet regularly with you (usually monthly). Where such absence or health issues persist beyond 8 weeks, meetings will be held formally and notes taken. It is important you are aware that if such absence remains at unacceptably high levels despite adjustments and every effort to support you, or your doctor suggests you will be unable to return to work indefinitely, dismissal may be a potential outcome. That said all other options would be explored before arriving at such a decision.

At all formal meetings, you have the right to be accompanied at this meeting by either a work colleague or a trade union representative. Your companion may present matters on your behalf, sum up your case and respond to any views expressed. However, you will be expected to answer questions put to you directly.

If it becomes apparent following a period of long term sickness that you are incapable of fulfilling your job role due to sickness and where all possible solutions have been considered about returning to work in some form but you are still unable to return in the future, then Citizens Advice Reigate and Banstead will follow the formal process under long term sickness.

You will be invited to a Formal Final Absence Review Hearing, with at least 10 working days notice, stating the proposed date, time and location, together with the reason for the meeting.

Should you not be well enough to attend, consideration will be given to possible alternatives such as holding the meeting at or near your home, allowing you to make written representations or allowing you to send a representative to attend in your place.

The invitation letter will refer to your right to be accompanied by a work colleague or trade union representative. The meeting will normally consist of yourself, your representative (if you wish to have a representative), the line manager and the bureau manager or a member of the trustee board. The potential outcome of this meeting could be dismissal.

At this meeting, consideration will be given to:

- the nature of the illness
- the extent of previous absences

- recommendations received from the employee's GP and / or the occupational health specialist*
- the likely date of return to work
- your views
- the effect of your absence on Citizens Advice Reigate and Banstead
- reasonable adjustments
- the possibility of redeployment.

**No decision to dismiss you on the ground of capability will be made without obtaining up-to-date medical information.*

- It may be appropriate to discuss any additional support that may be required, to arrange to obtain further medical advice or to set a further review period.
- Citizens Advice Reigate and Banstead must endeavour, where possible, to make reasonable adjustments, whether on a temporary or a permanent basis, to allow staff with long-term illness or a disability to return to work.
- A decision might be made depending on the circumstances to extend the review period of the second stage i.e. if an operation has been scheduled that will help with getting the employee back to work.
- However if, following the Formal Absence Review Meeting for Long Term Sickness, the outcome is a decision to dismiss due to capability on the grounds of ill health, you will be given notice of dismissal in writing and advised of your right to appeal.

11. Appeal

You may appeal any formal outcome within 5 working days of receipt of outcome letter. For further information, please refer to the Disciplinary Policy for this information. An appeal meeting will most likely be arranged within 15 working days.

12. Other types of conditions

12.1 Stress Leave

In order to support you and review your workload it is important that if you feel that your absence is due to stress you contact your manager immediately who will support you and complete a stress risk assessment with you. It is important that Citizens Advice Reigate and Banstead have as much information as possible in order to be able to deal with the situation effectively.

12.2 Alcohol or drug dependency conditions

All employees are responsible for ensuring, that they:

- do not consume alcohol/illegal substances during working hours and
- are not in possession of any illegal substance while on duty

Any employee found to be in possession of such items may be subject to disciplinary action.

If you are suffering from dependency on alcohol or an illegal substance it is important that you inform your manager immediately. Your manager will keep accurate and confidential records of the situation and explore with you whether it is appropriate you remain in your role/the workplace. The concentration will be on support and recovery, which may mean a referral to Occupational Health.

Should you fail to seek or complete treatment for alcohol or drug dependency further action may be taken under the sickness absence procedure as to your capability to carry out your role.

Acts of misconduct whilst at work which are the result of being under the influence of drinking or drug taking may also be dealt with under Citizens Advice Reigate and Banstead 's disciplinary procedure.

14. Time off for Medical Appointments

Please refer to the Leave/Special Leave Policy for further information

15. Further information

You should refer to your Contract of Employment, and/or contact your line manager at Citizens Advice Reigate and Banstead.