

Absence and Sickness Policy and Procedures

Issued September 2018

Contents

1. Introduction	3
2. Policy statement	3
3. Procedure when absent from work	4
4. Sick pay entitlement	5
5. Conditions	5
6. Repeated absenteeism	7
6.1 Stage 1	7
6.2 Stage 2	7
6.3 Stage 3	8
6.4 Stage 4	8
6.5 Appeals	8

About TalentEd

TalentEd is a registered charity, committed to delivering services which address the following objectives:

1. The advancement of education; and
2. The relief of those in need by reason of financial hardship or other disadvantage

www.talent-ed.uk

Registered Charity Number: 1149130 Company Number: 08182391

02035442090
info@talent-ed.uk
Edspace, Hackney Community College,
Falkirk Street,
London
N1 6HQ

TalentEd

Expert teachers for **bright students**

We do this by supporting high ability students from low income backgrounds to help realise their full academic potential.

www.talent-ed.uk

Registered Charity Number: 1149130 Company Number: 08182391

02035442090

info@talent-ed.uk

Edspace, Hackney Community College,
Falkirk Street,
London
N1 6HQ

1. Introduction

This Policy provides the framework for the management of absenteeism at a governance and operational level within TalentEd as part of our commitment to maintaining high levels of staff engagement and to ensure the continued health and wellbeing of employees.

It is the intention that effective, proactive management of incapacity and absenteeism helps to identify at an early stage any potential impacts of maintaining a positive staff engagement.

2. Policy statement

- The effects of high absence levels are wide ranging and affect everyone in the organisation; employers and employees have an interest in ensuring that a few absent workers do not jeopardise their situation or job satisfaction.
- By working together to establish and maintain ways of monitoring and controlling absence, the charity is not only controlling costs and maximising the social return on investment from charitable funds it is also ensuring the fair and consistent treatment of the whole workforce.
- Employees that need additional management due to sickness absence, generally fall into one of three categories:
 - Those who are incapable of carrying out their duties due to serious, generally prolonged illness where additional support may be required.
 - Those who have infrequent sickness, which is reasonable and may require additional support or consideration
 - Those whose level of sickness absence from work is frequent and persistent – and thus unacceptable;
- This document sets out the policy and procedures for managing sickness absence and complies with the provisions of the Employment Relations Act 1999.
- This Policy sets out our procedures for the monitoring and management of employee sickness absence in a fair and consistent way.
- We recognise that sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and can have a number of

different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment).

- We will seek to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. In addition, where needed and reasonably practicable, measures may be taken to assist those who have been absent by reason of sickness to return to work.
- We are aware that sickness absence may result from a disability. Employees should inform their line manager if they are affected by a disability or medical condition that affects their ability to undertake their work. At each stage of the procedure, consideration will be given to the need for any reasonable adjustments to be made to provide support to an employee with a disability. We may also consider other support and may seek an Occupational Health referral where deemed necessary.
- We may apply the Capability Procedure in place of this procedure where it appears that a person's capability to carry out their role is impaired by health factors.
- Where absence is unauthorised this may be dealt with under the disciplinary procedure.
- This policy does not form part of any employee's contract of employment and it may be amended at any time. We may also vary the procedures set out in this policy, including any time limits, as it deems appropriate in any case.

3. Procedure when absent from work

If you have to be absent from work due to illness you must:

On day 1 of your sickness, or the first working day thereafter notify your Line Manager in person by telephone as early as possible but no later than 9.00 am. Failure to do so may result in loss of pay for days of absence.

By day 7 - Ensure that a Doctor's certificate is sent to your Line Manager.

Immediately upon your return to work, you must hand to your Line Manager **either** a completed self-certification return to work form (Appendix A) countersigned by your line manager (if your absence was less than 5 working days/7 calendar days) **or** (unless previously posted) a Doctor's certificate (if your absence was 7 calendar days or more).

You should also attend and complete a return to work interview undertaken by your Line Manager. Failure to produce either of these documents will result in loss of pay for days of absence.

If you are absent for any other reason a letter of explanation must be sent to your Line Manager by post or in person on the first day of absence. Failure to do so or to provide a satisfactory explanation will result in loss of pay for days of absence.

4. Sick pay entitlement

Sick pay is composed of two parts – SSP and Company sick pay. Where payable, Company sick pay is used to top up SSP i.e. any SSP will be made up to the employee's basic rate of pay.

Payments under the Company Sick Pay Scheme will usually exceed payments under SSP. However, where an employee is not entitled to Company Sick Pay or that entitlement has been exhausted, payments will be made in accordance with SSP regulations.

Company sick pay will be for a maximum of 8 weeks full pay where the employee must be a permanent employee, either full or part time and company procedures have been followed and a doctors' Fit Note provided as required.

5. Conditions

We are required to pay Statutory Sick Pay (SSP) for a maximum total of 28 weeks subject to the conditions laid down by the Department for Work and Pensions.

Sickness pay provisions only apply when an employee is off work as a result of their own sickness and do not cover, for example, absences to care for family members who are sick.

The company reserves the right to investigate the reasons for the absence.

Payments through the Company sick pay scheme will only be paid if the correct notification is given in line with the Company procedure.

The charity may seek to recover SSP where it subsequently becomes apparent payment has been made in error. The charity will notify the reasons for any recovery being sought.

SSP is paid by the Company through the payroll in the normal way. All payments during sickness absence are regarded as normal pay for the purpose of statutory deductions. Tax and NI will therefore be deducted. The Company will recover a proportion of the SSP paid.

Unless your absence is due to illness it will be treated as unpaid leave except in special circumstances and with the prior written agreement of the Director.

If your absence is a result of an accident or other event as a result of which there is a claim against insurers (whether your own or a third party's), the amount of any contractual sick pay paid to you must be repaid from any compensation paid as the result of your claim. If your compensation is reduced because any accident was partly your fault, the amount of the repayment will be reduced by a similar proportion.

We reserve the right to claim direct against the relevant insurers for the cost of any contractual sick pay or other benefit paid to you as a result of absence in these circumstances and you will render such assistance as may be necessary to progress such a claim.

Where your absence is due to sickness and continues for more than two weeks, we reserve the right to ask for a medical report from your Doctor (for which your written consent is required and for which we will pay). In the absence of a medical report, we reserve the right to withhold any sick pay until a medical report is provided. The payment of sick pay for more than ten continuous working days is conditional upon your agreement to undergo medical examination by a Doctor appointed by us, if so requested. In such cases, we will observe all statutory requirements relating to the disclosure of medical reports.

If the incapacity is or appears to be occasioned by actionable negligence, nuisance or breach of any statutory duty on the part of a third party in respect of which damages are or may be recoverable, the Employee shall immediately notify the Board of that fact and of any claim, compromise, settlement or judgement made or awarded in connection with it and all relevant particulars that the Board may reasonably require. The Employee shall if required by the charity, refund the charity any damages or compensation recovered by the Employee's relating to the loss of earnings for the period of Incapacity as the Board may reasonably determine less any costs borne by the Employee's in connection with recovery of such damages or compensation, provided that the amount to be refunded shall not exceed the total amount paid to the Employee by the Company in respect of the period of Incapacity.

Company Sick Pay will not be paid in a case of an accident due to work carried out in another employment; nor in a case in which the absence arises from or is attributable to an employee's own misconduct or actions, unless the Line Manager decides otherwise.

Company Sick Pay should be stopped if the employees' health suffers a detriment due to failure to follow medical advice, or any other activity that could be considered detrimental to the employee's recovery. Employees with a poor attendance record may lose their entitlement to Company sick pay and may be subject to disciplinary action.

Frequent and persistent absences are unacceptable and long-term sickness absence must not be allowed to continue without intervention.

Excessive sickness absence should be handled through the procedure set out below and the company disciplinary procedures.

6. Repeated absenteeism.

6.1 Stage 1

We will apply the following policy when it considers it necessary, to include in circumstances where staff have taken more than 5 separate periods of absence in a 12-month rolling period. Staff should be aware that such levels of absence may, in certain circumstances, be considered high and could be regarded as being unacceptable.

In such circumstances, the employee will be notified of their requirement to attend a sickness absence review meeting. The meeting will give the employee and his/her manager the opportunity to discuss the absence record, to identify the reasons for it, including any underlying issues and to consider appropriate support or measures which might improve the employee's health and/or ensure an earlier return to work. Consideration will also be given as to whether medical advice is required. Clear expectations must be established in the meeting and targets set for improvement over a specific time period.

6.2 Stage 2

If a further meeting is deemed necessary depending on what was discussed at the Stage 1 meeting and/or during any agreed monitoring period absence exceeds the improvement target, this will trigger a second sickness absence review meeting. The meeting will be held with the Line Manager and a witness. The employee will have the right to be

accompanied to the meeting by a workplace colleague or union representative. The manager should explore the reason for the absence and should invite the employee to give his/her views as to the problem and how such issues might be resolved. As before, consideration will also be given as to whether medical advice is required. Following the meeting the Manager may decide to issue the employee with a formal written warning. The employee should be informed that his/her level of attendance will be monitored closely over a further period and any further absences could lead to stage 3 of the policy.

6.3 Stage 3

If, following Stage 2 of the procedure the employee's attendance does not improve, a third sickness absence review meeting should take place. The meeting will be held with the Line Manager and a witness. The employee will have the right to be accompanied at the meeting by a workplace colleague or union representative. The manager should explore the reason for the absences and should invite the employee to give his/her views on the recurring absences. Following the meeting the manager may decide, after taking all factors into account, to issue the employee with a final written warning, stating that if the level of absence continues to be a source of concern then it may lead to the termination of the employee's contract of employment. The employee's level of attendance will be monitored closely over a further period and any further absences could lead to stage 4 of the policy.

6.4 Stage 4

If no significant improvement in attendance has been achieved over a further monitoring period, a fourth sickness absence review meeting should take place. The meeting will be held with the Line Manager and a witness. The employee will have the right to be accompanied to the meeting by a workplace colleague or union representative. The employee should be informed in advance in writing of the purpose of the meeting and warned of the possible outcome of the meeting, for example that it could result in the termination of his/her contract of employment. A decision will be taken following the meeting, after taking all factors into account, as to the appropriate outcome which will be communicated to the employee in writing.

6.5 Appeals

Employees may appeal against any formal warnings issued in accordance with this procedure and may bring a work colleague or trade union representative to any subsequent appeal meeting. The name of the individual to whom any such appeal should be addressed will be set out within the formal warning. Should an Employee wish to

exercise their right to appeal they should do so, in writing, within 14 calendar days of receiving the formal warning and should set out the basis for their appeal.

Appendix A. Private and Confidential

Talent-Ed SELF-CERTIFICATION OF ABSENCE

To be completed by the employee on his/her first day of return to work

Name:		Job Title:					
Department/location:							
Dates of Absence:							
From:				To:			
Total duration of absence: (including non-working days)							
Number of hours worked on each day of absence:	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
Total number of working days absent:							
Absence reported to:		On: (Date & Time)					
Reason(s) for absence (to be completed for all absences)							
s your absence due to a work related accident?						Yes	No
If so, who did you report this to?							
(Please ensure you complete the appropriate Accident Report form)							
Did you consult a Doctor/Hospital during your absence?						Yes	No
If you were prescribed any Medication please give details:							
Any additional notes/ further information:							

I understand that if I provide inaccurate or false information about my absence it may, depending on the circumstances, lead to disciplinary action against me.

Employee Signature: _____ Date: _____

Please note: both sides of this form must be completed

Talent-Ed RETURN TO WORK INTERVIEW (RTW)

To be completed with line manger on first day of return to work

Manager/Supervisor present:	Date of Return to Work Interview:	
Did the employee follow correct absence reporting procedures? If No, please provide details:	Yes	No
Has the manager received the relevant medical certification: : If No, please provide details:	Yes	No
Is current absence a single episode, or repeat of illness?:	Single	Repeat
Is the employee fit to resume normal duties?: If No, how can we support the employee in their role currently and moving forward, phased return or work place adjustments required?	Yes	No
Total number of absences in Last twelve months rolling period:		
<i>(Please note that, in accordance with our Absence Monitoring Policy, if an employee is absent for more than 4 periods in a 52 week rolling year, they will be asked to attend an Absence Monitoring meeting)</i>		
Any additional issues raised/ further action required:		

TalentEd

Expert teachers for **bright students**

Employee Signature: _____

Date: _____

Manager Signature: _____

Date: _____

www.talent-ed.uk

Registered Charity Number: 1149130 Company Number: 08182391

02035442090
info@talent-ed.uk
Edspace, Hackney Community College,
Falkirk Street,
London
N1 6HQ