

# Healthwatch Cambridgeshire and Peterborough Absence Policy and Procedures

## **Purpose of the procedure**

Healthwatch Cambridgeshire and Peterborough are committed to promoting health, safety and well-being for all staff. In return, we expect that everyone shares this responsibility, positively promoting their own health and safety and fulfilling their contractual responsibilities relating to their attendance at work.

It is recognised that from time to time staff may require to be absent from work due to illness. The length of time lost by employees through illness must however be monitored to ensure that each member of staff is able to do their job, effectively and without putting themselves or others at risk. It is not the intention of Healthwatch Cambridgeshire and Peterborough to penalise employees who are genuinely sick, however it must be recognised that an employee who is medically unfit to carry out his/her contractual duties may not be able to continue in that employment.

Employees who become aware that they have an illness problem are encouraged to inform their supervisor / manager at the earliest opportunity. All such information will be confidential and dealt with as compassionately as possible.

Healthwatch Cambridgeshire and Peterborough will consider episodes of sickness absence on an individual basis and ensure the provision of appropriate support, advice and reasonable adjustments where appropriate. However, it is recognised that in some cases, patterns / levels of absence will fall below acceptable standards and formal management action will be required.

This policy sets out what you should do when absent from work due to sickness and for other reasons such as caring responsibilities. The policy is broken down into these sections:

1. Responsibilities
2. Reporting general sickness
3. Sick pay
4. Sickness absence
5. Appeal procedure
6. Other forms of absence
  - a) Maternity leave/Paternity leave/Parental leave
  - b) Dependant leave
  - c) Compassionate leave
  - d) Other unpaid leave
  - e) Unauthorised absence
  - f) Time off for medical appointments.

## **1) Responsibilities**

It is your responsibility to:

- follow the procedures below in reporting periods of sickness
- maintain communication with your manager.

It is your manager's responsibility to:

- accurately keep absence records. Your record will be placed in your personnel file for six years (this is a legal requirement)
- keep in touch with you when you are off because of ill-health (so appropriate advice and support may be offered)
- follow the actions outlined in these procedures
- monitor everyone's absence to see if patterns form that might cause concern
- treat everyone fairly and compassionately.

## 2) Reporting sickness

If you can't come to work because you are ill, please follow these arrangements:

Step 1. On the first morning of absence you must contact your manager (or other senior team member if your manager is absent) within one hour of your normal start time (or if this is impossible due to the nature of the illness, as soon as possible), giving a brief reason for your absence and an indication of how long you are likely to be absent. Your manager will then log these details on your sickness monitoring form. These procedures also apply should you leave work (or stop working, if you work at home) due to illness during the working day.

Step 2. For absences up to 7 days (including non-working days), you will need to complete a self-certification form (Statement of Sickness) and give it to your manager. The form is available from HMRC website <http://www.hmrc.gov.uk/forms/sc2.pdf> and is provided in the Team Handbook, Appendix 2.

Step 3. Following 7 days absence (including non-working days), you will need to provide a doctor's 'fit note' which will state whether you are either 'not fit for work' or 'may be fit for work' and cover all the days that you were absent. The 'fit note' must be received by your manager within 7 days who will take a copy and return the original to you.

Step 4. When you return to work you should sign your sickness record form, as should your manager.

Step 5. You may be asked to come to a 'return to work' meeting with your manager or you may request such a meeting yourself. This meeting is carried out sympathetically and in private, and is a two way process. It is your chance to raise any problems or concerns you may have about your absence and for your manager to do the same. Together, you may be able to find ways to help you minimise absences in the future. Your manager may ask you to see an occupational health advisor as a result of this meeting. (If you are unable to discuss your reasons for your absence with your manager, then you can ask to see the CEO or the Healthwatch Cambridgeshire and Peterborough Chair).

### 3) Sick pay

With appropriate medical documentation, Healthwatch Cambridgeshire and Peterborough will pay the following rates of sick pay, in any rolling 12 month period, depending on how long you've been employed:

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| Within the first three months of employment                    | Healthwatch Cambridgeshire and Peterborough will pay as normal for the first working week's absence, then revert to statutory sick pay (SSP*) |
| During the first two years of service (but after three months) | One month's full net pay then 2 months half pay, then reverting to SSP  |
| After two years service  | Two months' full net pay and 4 months' half pay, then reverting to SSP  |

*Please note that where this policy refers to one working week it means one of your usual working weeks so if you usually work 14 hours per week it means a 14 hour week rather than a 37 hour week.*

\*With some exceptions, all staff are entitled to statutory sick pay (SSP) after four or more days calendar sick leave. Employers are obliged to pay SSP by law, for a maximum of 28 weeks. If you are not fit for work at the end of this period, Healthwatch Cambridgeshire and Peterborough will provide you with form ESA1 to claim Employment and Support Allowance (ESA). The current rate of SSP can be found at [http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/illorinjured/DG\\_10018786](http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/illorinjured/DG_10018786)

### 4) Sickness absence

#### 4.1 How sickness proceedings are triggered

Healthwatch Cambridgeshire and Peterborough will begin sickness proceedings if you have:

- 3 separate absences in any 3 month period, or
- 5 separate absences or a total of two working weeks' absence in any 12 month period
- any pattern or type of absence that causes your manager concern.

These absences may or may not be due to an underlying medical condition or disability.

#### 4.2 Stage one

We will arrange to meet you to discuss your absence. Such a meeting will normally involve you, your manager and someone you choose to come with you (a work

colleague or union representative). If you are unable to agree to a meeting this stage can be done in writing. The meeting may cover all or some of the following:

- review of your sickness record
- the reasons for your absence and the medical evidence
- any relevant work related, personal or domestic problems
- the effect your absence has on Healthwatch Cambridgeshire and Peterborough's work and your colleagues
- an assessment of the length of time needed to improve your attendance
- any support or adaptations you need from Healthwatch Cambridgeshire and Peterborough that may help your attendance in the future
- consider offering alternative employment or reduced hours (if possible) if this would enable you to return to work or to attend work more frequently
- seek your permission to contact your doctor or another professional for further information. If you refuse to be referred to a medical specialist then Healthwatch Cambridgeshire and Peterborough will be obliged to make any subsequent decisions without the benefit of such advice
- seek your permission to arrange and pay for a medical examination with a doctor or occupational health specialist. If you refuse to be referred to a medical specialist then Healthwatch Cambridgeshire and Peterborough will be obliged to make any subsequent decisions without the benefit of such advice
- agree an acceptable level of attendance over a specified period of time and set a target for improved attendance.
- inform you that long-term or recurring short-term absence may put your employment at risk bearing in mind the needs of Healthwatch Cambridgeshire and Peterborough
- set a date to review your absence level
- Issue a 'First Notice of Concern'.

If you are unable to attend this meeting due to illness, we will make every effort to arrange an alternative meeting not later than two weeks after the original date and at a time and venue to suit you. You may send someone to represent you but if you are unable to do this or to attend a second meeting, we will hold a meeting in your absence.

### **4.3 First period for action and monitoring**

Any agreed changes will be made, further information may be sought and a review period will be set (which will not usually be less than one month or longer than three months).

### **4.4 Stage two**

If your attendance continues to be unacceptable or if other evidence (such as information from your doctor or from a medical) raises cause for concern, a second meeting will be arranged with you, your manager. You will have the right to be

accompanied by a work colleague or a trade union representative at this stage if you wish. The meeting will do some or all of the following:

- any of the actions listed under stage one may be done for the first time or repeated at this stage
- consider your absences since the first meeting
- consider information gathered since the first meeting
- review any adaptations made and consider whether further support, adaptations or changes would be helpful
- issue a 'Final Notice of Concern' stating that a failure to improve your attendance to the required level will put your employment at risk. If it is not possible or reasonable to balance your absences with the needs of the organisation, it is likely to be necessary to terminate your employment with Healthwatch Cambridgeshire and Peterborough.

If you are unable to attend this meeting due to illness, we will make every effort to arrange an alternative meeting not later than two weeks after the original date and at a time and venue to suit you. You may send someone to represent you but if you are unable to do this or to attend a second meeting, we will hold a meeting in your absence.

#### **4.5 Second period for action and monitoring**

Any agreed changes will be made, further information will be sought and a review period will be set (which will not usually be less than one month or longer than twelve months).

#### **4.6 Stage three**

If your attendance continues to be unacceptable or if other evidence (such as information from your doctor or from a medical) raises cause for concern, a third meeting will be arranged with you.

The panel will include either the Chief Executive or a Director and will hold a meeting at which you will have the opportunity to put your case. You may choose someone to accompany you. If the panel decides to terminate your employment, you will be informed in writing, given your contractual notice and informed of your right to appeal to the Healthwatch Cambridgeshire and Peterborough Board. The panel does have the discretion to impose a further monitoring period, gather further information or make further adaptations but this will be exceptional at this stage and it is likely that, in the absence of significant new information, your employment will be terminated.

If you are unable to attend this meeting due to illness, we will make every effort to arrange an alternative meeting not later than two weeks after the original date and at a time and venue to suit you. You may send someone to represent you but if you are unable to do this or to attend a second meeting, we will hold a meeting in your absence.

## 4.7 Appeal

You may appeal the final decision as outlined below.

### 5) Appeal procedure

If you wish to appeal any of the decisions made, please put your case in writing to the Chair of the Healthwatch Cambridgeshire and Peterborough Board within ten days of the decision being made. You will need to enclose copies of all the documentation you feel supports your challenge. The Chair (or a Director if the Chair is unavailable) will respond to you within 7 days inviting you to attend a meeting, at which you may bring a colleague or external representative.

### 6) Other forms of absence

#### a) Maternity leave/Paternity leave/Parental leave

Healthwatch Cambridgeshire and Peterborough will provide the statutory entitlements required by current legislation. For information and guidance on these entitlements, see the DirectGov website:

<http://www.direct.gov.uk/en/Parents/Moneyandworkentitlements/WorkAndFamilies/index.htm>

#### b) Dependant leave

You are able to take reasonable unpaid time off work to deal with *unexpected* (although not necessarily sudden or an emergency) events involving your dependants. Flexible working arrangements may be considered for longer circumstances, please talk to your manager. A 'dependant' is defined as a:

- Spouse or civil partner
- Child
- Parent
- Person who co-habits with you, but is not your tenant, lodger or boarder.
- Anyone else who reasonably relies on you such as a neighbour for whom no one else can make arrangements.

#### c) Compassionate leave

Your manager will give sympathetic consideration to any hardship or difficulty which might arise and you have to ask for absence for work on compassionate grounds. Such difficulties might include bereavement, religious holidays or illness of a dependant relative or close friend. Each request for compassionate leave will be considered individually and may be with or without pay, or on reduced pay.

#### **d) Other unpaid leave**

Healthwatch Cambridgeshire and Peterborough may in certain circumstances, consider requests for special unpaid leave, however you are expected to use your paid annual leave first. Any further time off for special reasons will only be granted at the absolute discretion of Healthwatch Cambridgeshire and Peterborough, and you have no contractual or statutory right to be paid for this leave. You should approach your manager in the first instance, and provided that your absence will not have a detrimental effect on the service, the request will be referred to the Chief Executive for a decision. Only one such request may be approved within a period of three years. Please be aware that extended periods of unpaid absence may affect your continuity of employment.

#### **e) Unauthorised Absence**

If you fail to report for work without prior agreement or without notifying Healthwatch Cambridgeshire and Peterborough of the reason, this constitutes unauthorised absence. Unauthorised absence also includes failing to return to work on time from annual or other leave without reasonable excuse and annual leave that has not been approved in advance by your line manager.

Unauthorised absence without good cause is a serious disciplinary matter and will be dealt with in accordance with Healthwatch Cambridgeshire and Peterborough's Disciplinary Procedure. Depending on the circumstances of the case, it may amount to gross misconduct, rendering you liable to summary dismissal.

#### **f) Time off for medical appointments**

Requests for time off should be addressed to your line manager and as much notice given as possible. Medical appointments should be made outside working hours wherever possible; if this is not possible, employees should make up the time or take it as holiday. Exceptions to this are when an appointment is due to a long term health condition or an illness that has or could result in sickness absence.

**Approved by Healthwatch Cambridgeshire Board of Directors**

Date: 18<sup>th</sup> July 2018

**Responsible Officer**

Chief Executive Officer of Healthwatch Cambridgeshire and Peterborough