

# 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
  - g) Leave for public and other duties
  - h) Jury Service.

## 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 ([using the template, Appendix 1 in this policy](#)) 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). See Appendix 2 for guidance on ‘return to work meetings’.

### 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:

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). This stage can be done in writing if you are unable to agree to a meeting. 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
- 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 usually be between one and 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 and 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 usually be between one and 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 if you have to ask for absence from 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.

### **g) Leave for public and other duties**

You will be allowed such time off work to be taken for public and other duties as set out in the Employment Protection Act for the time being in force. Payment for time off for public duties will be in accordance with this Act. You are required to claim attendance allowances, loss of earnings and expenses as may be possible in the circumstances, from the organisation for whom you are performing the public duty.

If you are standing as a candidate for election to a Local Authority Council or for Parliament, reasonable time off will be allowed to you but details should be agreed in advance with the CEO.

### **h) Jury service**

Where requested to attend court as a juror, employees will be granted time off to attend. However, where, in Healthwatch Cambridgeshire and Peterborough view, the release of an employee for jury service raises major staffing or operational problems, assistance will be provided to the employee in order to appeal to the court to rearrange or cancel the dates of service.

Employees being asked to attend for jury service must notify their line manager immediately. Where jury service lasts for less than half a day the employee must return to work for the remainder of the day, wherever practicable. Employees should keep their line manager regularly informed about how long they are likely to be away from work.

On confirmation of a period of jury service, the employee will receive a 'Certificate of Loss of Earnings or Benefit' form from the Court Service. This form should be given to the CEO immediately, who will complete it and return it to the employee. The employee must then take the completed form with them on their first day of jury service. During attendance at the court, employees should claim from the court, any compensation for loss of earnings. Healthwatch Cambridgeshire and Peterborough will then pay the difference between such entitlements and normal average earnings for a maximum of 2 working weeks (based on your normal working hours).

Upon return to work the employee must submit a completed Attendance Payments for Public Duties form (Appendix 4), together with evidence of the actual payments claimed and received (i.e. the Remittance Advice) from the court. Payroll will then make the appropriate adjustments to pay; pension contributions will not be affected.

Employees will also be entitled to claim any travel or subsistence expenses that they may have incurred from the court



**Approved by Healthwatch Cambridgeshire and Peterborough Board of Directors**  
Date: November 2020

**For Review**  
Date: October 2023

**Responsible Officer**  
Chief Executive Officer of Healthwatch Cambridgeshire and Peterborough

**Record of verbal contact during prolonged sick leave**

Name of Staff member...

Date of Contact	Contact	Substance of discussion	Any Action

Key

- TP                     They Phoned
- WP                     We Phoned
- VTT                    Visit to them
- VTO                    Visit to office

**Return to Work - Guidance Notes**

When conducting a return to work interview the line manager will cover the points listed below. The discussion will be recorded using the template 'return to work form' (see Appendix 3).

- Firstly, welcome the employee back, check they are well enough to resume full duties, focus on their value to our business and make sure to update them on any changes
- If they have a 'fit note' discuss the details. If it says 'may be fit for some work', you need to discuss a new working arrangement i.e. if it says the employee must avoid lifting, we need to adjust their duties until they are feeling better
- Try to gain a better understanding of the problem. It may be that the employee is, for example, run-down or stressed by overwork. If the problem is at home discuss any ideas for overcoming problems so that work is not affected.
- After prolonged absences consider agreeing a phased return to work, this must be recorded on the return to work form, agreed with the employee and the line manager and reviewed at the end of the agreed period.

**APPENDIX 3**

**Strictly Confidential**

**Return to Work Form**

**Part 1: Self-Certification** *(to be completed by employee)*

Name:	Job Title:
1 <sup>st</sup> Day of Absence:	Date Returned to Work:
Number of working days absent:	Are you: full time / part time * *Delete as appropriate
State briefly why you were unfit for work (specify nature of illness or injury. Words like "illness" or "unwell" are not enough)	
I reported my absence to: _____ on (date): _____	

Signed (employee): .....

Date: .....

**Part 2: Return To Work Discussion** *(to be completed by manager)*

Manager's Name:	Date of Return / Date of Discussion:	
Has the necessary medical certification been presented? (e.g., where required, a fit note/s)		Yes/No
Summary of discussion:		
Any other comments or issues raised, and any further action agreed:		

Signed (employee): .....

Date: .....

Signed (manager): .....

Date: .....

## ATTENDANCE PAYMENTS FOR PUBLIC DUTIES

Name:

I confirm that I attended:

Jury service

Witness

Other public duty  (Please specify)

I have received a total of £      in payment (excluding any travel and subsistence expenses) and agree that this amount can be deducted from my next salary payment.

I understand that this adjustment is made so that so that I do not suffer any financial loss due to my attendance at this public duty.

Dates of attendance: from:

to

Signed (Employee) Date

Signed (Line manager)

Date