Title of Policy:	**Absence and Sickness**
Section:	**Human Resources**

Purpose

This policy provides employees with an understanding of how Carers Choices wishes to manage employee absence through sickness.

Statement

Carers Choices is reliant upon its employees to provide services to those in need. It follows therefore that absence of any sort will often place some strain on its ability to provide services to Clients, and Carers Choices will seek to ensure that non-attendance, outside of contractual holiday entitlement is at the lowest possible level. It is inevitable, however, that some unplanned absence will occur, and Carers Choices will seek to manage such absence in a reasonable and professional manner. This policy sets out, how Carers Choices will support employees during sickness absence, and what action it will take, if an employee has frequent short-term sickness absences, or a prolonged period of ill health.

Procedure and Guidance

Notification and certification of absence

Should an employee be unable to work, they must inform their manager as soon as reasonably practical, ideally on the first day of absence and within one hour **before** their normal start time, stating the reason and the likely length of absence and indicating, if possible, when s/he expects to return to work. The employee must complete a self-certification form for the first seven calendar days of all sickness absences and give it to their manager.

This form can be completed on the employee's return to work if their absence lasts less than seven calendar days. Otherwise, they must request a copy form and complete and post it to their manager as soon as practically possible. If the employee is absent by the eighth day (including Saturday and Sunday), they must send a fit note, issued by their GP, to their manager. Current fit notes must cover subsequent periods of absence. The employee should also keep in touch with their manager regarding their condition and likely return to work date. If the employee does not follow this procedure, they may be subject to Carers Choices' disciplinary procedure. Furthermore, Statutory Sick Pay (SSP) may be withheld.

Private medical certificates

In some circumstances, Carers Choices may require the employee to provide private fit notes for all absences from work due to sickness, regardless of their duration. Carers Choices will reimburse the employee fully for the cost of obtaining these certificates. Examples of such circumstances include:

- a history of exceptional absenteeism.
- an appearance or disposition such that management are concerned that the employee may not be receiving adequate medical attention.

Return to work

In order to facilitate an employee's speedy return to work requests for temporary adjustments to the employee's working conditions will be considered by Carers Choices and will be accommodated wherever possible and if organisational circumstances permit. Such adjustments will be kept under review, with a return to normal patterns of working as soon as practicable.

A Fit Note issued by a GP may also indicate adjustments which may help with a speedy return. In the case of extended periods of absence, Carers Choices may require that the employee's fitness to return is confirmed by a medical practitioner of Carers Choices choice. Regardless of their length of absence, the employee will be interviewed by their manager on their return to work in order to:

- check on the employee's fitness to return.
- ensure that all the support the employee needs is in place.

- bring the employee up to date on any changes.

Fit notes

An employee's GP might indicate on a fit note that the employee is:

- Not fit for work
- He/she may be fit for work taking account of advice

If this second option is selected the GP will also identify potential amendments that should be made, selecting from:

- Phased return to work
- Amended duties
- Altered hours
- Workplace adaptations

If a fit note is received, Carers Choices will arrange a meeting with the employee. At this meeting, the suggested amendments will be discussed with the aim of facilitating the employee's return to work.

If the suggested amendments are not possible the employee will remain on sick leave. If amendments are possible the employee will return to work, but regular reviews will be carried out to ensure that the amendments are adequate. It should be noted that any amendments are not to be viewed as a permanent change to the contract of employment. Detailed guidance on the issue, purpose and use of fit notes, published by HM Government, is available from your supervisor.

WorkWell and Access to Work referrals

Employees based in England, Wales and Scotland who are absent for four weeks or more as a result of sickness may be referred to the government's 'WorkWell' scheme (replacing the prior Fit for Work service) for an assessment and support.

In order to be eligible, employees must have a reasonable likelihood of making at least a phased return to work. Employees who have previously been referred to the service and received a Return to Work plan within a 12 month period will not be eligible for referral. A referral may be made by Carers Choices or by the employee's GP. The

employee will be contacted by an occupational health professional (referred to as the case manager) to carry out a health assessment and he or she will provide a Return to Work plan containing advice and recommendations to help the employee return to work more quickly.

The plan will be shared with Carers Choices, subject to the employee's consent, and it will be accepted as evidence of sickness absence in place of a GP fit note.

Employees are encouraged to give consent for the referral to take place and for the Return to Work plan to be shared with Carers Choices in order to facilitate a return to work as soon as possible.

Carers Choices will seek to act on the recommendations in the Return to Work plan where appropriate.

Where a need for longer-term support is identified and recommended, Carers Choices will recommend a referral to the government's Access to Work scheme.

Access to Work is a publicly funded employment support grant that helps individuals with a physical or mental health condition or disability to equitably gain or continue to access employment.

Medical examination

Carers Choices reserves the right to require the employee to be examined by a practitioner of its choice in order to seek a medical opinion.

Access to medical reports

In order to gain as much information about the employee's medical condition as possible, Carers Choices may also request the employee's permission to contact his or her GP and ask for a medical report on the employee's condition. The employee may ask to see this report.

Trigger points for short term or frequent absence

Absence triggers are in place in order to help line managers address an employee's absence appropriately and ensure that absence is managed consistently and fairly across Carers Choices. The absence triggers for employees who have completed their probationary period are:

- The fifth occasion of absence in a rolling 12-month period.
- Two or more occasions of absence totalling more than 10 working days in a rolling 12-month period. The 10 working days trigger will be adjusted pro-rata for employees who work fewer than five days per week.
- Over 14 continuous calendar days of absence.

During a probationary period, the trigger is the second occasion of absence or more than five working days. When an absence trigger point is reached the line manager will review the employee's sickness record and arrange to meet with employee to highlight the fact that a trigger has been reached and to discuss what action is appropriate. This meeting should be informal, and the manager should follow up the discussion with a brief note regarding what was discussed.

Examples of actions that should be considered when an employee reaches an absence trigger are:

- Implementation of reasonable adjustments (see the section on Disability below)
- Formal disciplinary action in accordance with Carers Choices' disciplinary procedure.

It may not be appropriate to take disciplinary action if, for example, all of the absences are related to an underlying medical condition.

Extended absences

Carers Choices will be sympathetic when an employee is ill, but the employee should appreciate that if they are persistently absent through ill-health or long-term injury or incapacity (long term being assessed as two weeks' absence or more), it will not be possible for the situation to continue indefinitely, and their employment may be reviewed or terminated. Termination will not take place without:

- full consultation with the employee

- medical investigation
- a consideration of alternative employment

Where a return to work does prove possible, Carers Choices may require that the employee's fitness to return is confirmed by a practitioner of Carers Choices' choice.

Meetings/home visits

During any absence, especially long-term, it is important that the employee and Carers Choices keep in touch so that their manager is kept informed of the employee's health and likely return-to-work date. The employee will therefore be periodically contacted either by telephone or asked to attend meetings with their manager on work premises, for the purpose of providing information and facilitating an effective return to work.

If the employee is too unwell or physically unable to attend the office, Carers Choices may arrange a home visit. Carers Choices will take a sympathetic view about genuine health problems and will be supportive in its approach to all employees in this situation. Any home visits will not be made without the employee's consent.

Disability

If the employee has a condition that means they might be considered disabled within the meaning of the Equality Act 2010 (EA), Carers Choices has a duty to make reasonable adjustments to any elements of the job which place the employee at a substantial disadvantage. The employee will be fully consulted at all times. Reasonable adjustments to be considered may include an adjustment to working hours or working equipment being adapted (or special equipment to be provided) as appropriate to assist the employee in continuing to complete their role.

Physical adjustments may also be considered i.e., a ramp being required for entry to a building, moving furniture or widening doors. If there are no reasonable adjustments that can be made, or if alternative employment proves not to be a viable option, and there is no likelihood of a return to work in the near future, a decision to dismiss may be the inevitable outcome.

Dismissal and the right to appeal

In the event of a dismissal due to long-term absence, the reason for the dismissal and the circumstances leading up to that decision will be documented in writing to the employee. The employee may appeal against their dismissal by writing, within five working days of their receipt of the dismissal letter, to a director of Carers Choices, stating the grounds on which they wish to appeal. The appeal will be heard in accordance with Carers Choices disciplinary appeals procedure. This right also applies to "action short of dismissal" such as transfers, demotion and alteration of duties.

Payment arrangements

If the employee is eligible for the payment of SSP, it will be subject to the deduction of tax and National Insurance contributions.

Unpaid sickness absence

There are circumstances where the employee's absence due to sickness will be unpaid, e.g., when:

- s/he has exhausted SSP and a decision is awaited regarding their future employment.

The employee should note that during periods of unpaid sickness s/he will receive neither any basic salary nor variable payments. Further, holidays will only accrue at a rate that is commensurate with his or her statutory entitlement under the Working Time Regulations 1998, i.e., pro rata up to a total of 28 days per annum, including public holidays.

Return of Carers Choices equipment

If the employee is off sick for an extended period of time (e.g., one month or more), Carers Choices may require them to return equipment until they are well enough to return to work. If the employee does not return to work following a period of sickness absence, they will be required to return all outstanding equipment.

Absences for reasons other than sickness

Requests for time off for reasons other than sickness will be considered by managers in the light of the individual's circumstances, legal requirements and operational needs. Unauthorised absences will be dealt with in accordance with the disciplinary procedure.

Holiday Sickness

Where an employee suffers significant sickness or injury during a period of pre-booked holiday, Carers Choices will, subject to notification and certification, allow the employee to transfer to sick leave and take replacement holiday at a later date. Any alleged abuse of this concession will result in formal disciplinary action which may include the employee's dismissal.

CQC Registration and Inspection Compliance

Key Questions and Quality Statements applicable to this Policy	Care Quality Commission (Registration) Regulations 2009 applicable to this Policy
Safe • Involving People to Manage Risks • Safe Environments	14.Notice of absence

Legislative Compliance

Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 applicable to this Policy	Other legislation relevant to this Policy
Regulation 18: Staffing	Equality Act 2010

	Working Time Regulations 1998

Policy Reviewed on Date of Implementation by the Following Company Officer:

Full name:

Paul Ramsden

Job Title:

CEO

Signature:

P. Ramsden