

Sickness Absence Policy

1 Context

- 1.1 This policy applies to all employees of CANDI.
- 1.2 CANDI is committed to promoting the health and wellbeing of all employees. This policy aims to promote supportive and effective management of absence due to ill-health (commonly known as sickness absence) and that any support is considered as early as possible.
- 1.3 The Sickness Absence Policy aims to maximise employee attendance while recognising that there are occasions when employees may be unable to attend work due to their own ill-health.
- 1.4 The purpose of this policy is to provide a clear framework for reporting and recording sickness absence and outlines the fair and consistent management of short and long-term sickness absence. It also ensures that employees have the support they need from their managers, as well as access to support services provided by CANDI.

2 Statement of Policy

- 2.1 CANDI is committed to supporting the wellbeing of its employees and providing appropriate support in relation to their health and attendance at work.
- 2.2 The aims of this policy are to:
 - Provide employees and managers with a standard process and consistent approach for managing, recording and reporting sickness absence.
 - Promote a positive culture of attendance.
 - Minimise sickness absence levels and help facilitate employees' return to work.
 - Offer support and assistance to staff experiencing ill-health.
 - Ensure CANDI acts in a fair, reasonable and consistent manner when dealing with sickness absence issues; and
 - Establish the roles and responsibilities of all parties involved, including employees, managers, and the Personnel Working Group (PWG) in relation to sickness absence.
- 2.3 Employees who are unable to attend work due to ill-health are required to notify their manager of their absence by following the sickness absence reporting procedure, as set out in this policy
- 2.4 Managers should be supportive of employees when managing sickness absence and ensure that it is addressed in a caring and sensitive manner and with a fair and consistent approach, balancing the needs of individual employees with those of CANDI.
- 2.5 CANDI will adopt a case-by-case approach when working with employees who are absent from work due to ill-health, and, where advised, modify the approach to the specific health circumstances of each individual.
- 2.6 This policy is not contractual and may be amended through the normal CANDI procedures. The policy is not intended to remove any existing protections or entitlements afforded to employees under their contracts of employment.
- 2.7 The policy seeks to ensure that sickness absence matters are dealt with sensitively and with due respect for the privacy of the individuals concerned.

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3 Procedure

3.1 Sickness Absence Reporting Procedure

- 3.1.1 If an employee cannot attend work due to ill-health, they should notify their manager of their absence by telephone as soon as possible on the first day of absence and, normally, before the start of their normal working day. The following details should be provided:
 - The nature of the illness or injury.
 - The expected approximate length of absence from work.
 - Contact details.
 - Whether the absence may be due to an injury at work or otherwise perceived to be related to work; and
 - Any outstanding or urgent work that requires attention.
- 3.1.2 If an employee does not arrive at work and does not notify their manager of their absence, the manager will attempt to contact the employee, either by telephone or email, to ensure their wellbeing. If an employee is unable to contact their manager personally, in accordance with the required sickness absence reporting procedure, they should make alternative arrangements e.g., ask a family member to call on their behalf.
- 3.1.3 If an employee fails to notify their and does not have a valid reason for not doing so, it may be treated as unauthorised absence and may be dealt with under the relevant disciplinary procedure.
- 3.1.4 The manager and the employee should maintain reasonable contact whilst the employee is absent from work due to ill-health, taking into account the nature of the absence. Contact between the manager and the employee will usually be by telephone, in the first instance, with the ongoing method of communication then mutually agreed.
- 3.1.5 Communication should focus on the employee’s health and wellbeing, and their return to work including any measures to facilitate a return. Consideration may also be given to any work that requires attention in their absence. If a manager is concerned about being unable to make contact with an employee, they should contact the PWG for advice.
- 3.1.6 If an employee is taken ill or injured whilst at work, they should report this to their manager as soon as possible. Where necessary, a first aider should be called. If medical treatment is deemed necessary, arrangements should be made to ensure the employee reaches hospital or their doctor safely. The employee’s emergency contact should be informed as necessary.
- 3.1.7 If an employee falls ill whilst on annual leave, they should report this to their manager as soon as possible, even if abroad. The usual requirements for self-certification and medical certificates in this policy will apply. For a medically certificated absence, which prevents an employee from carrying out their holiday plans, it would be possible for the employee to arrange to take the annual leave at another time. However, if the occurrence of sickness occurs when CANDI would normally be closed (e.g., during the Christmas period), the absence will be deducted from the employee’s annual leave entitlement.

3.2 Submission of Self-Certification Form / Statement of Fitness for Work

Duration of sickness absence in calendar days	Documentation required from employee
Up to 7 days	Self-certification form must be completed.
8 days or more	A Statement of Fitness for Work (or ‘Fit Note’) must be obtained from a doctor, nurse, occupational therapist, pharmacist or physiotherapist (“healthcare professional” ¹). A fit note will advise that either an employee is unfit for work or that they may be fit for work subject to reasonable adjustments.

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- 3.2.1 Employees who receive a fit note stating that they "may be fit for work" should inform their manager as soon as possible. When presented with a fit note that contains specific medical advice or recommendations, the manager should discuss this with the employee and seek advice from the Personnel Working Group. This may take place at a return-to-work discussion, Absence Review Meeting, or other meeting as appropriate. If the suggested adjustments cannot be implemented, the employee will remain on sick leave and a date will be set to review the situation.
- 3.2.2 Where there is concern about the reason for, or frequency of, the sickness absence, employees may be required to provide a fit note for each absence regardless of duration.
- 3.3 Recording Sickness Absence
- 3.3.1 All occurrences of sickness absence, including half days, should be recorded by the manager or delegated administrator in a timely manner. The record should include:
- The reason for the absence (as stated on the self-certification form or fit note); and
 - The length of the absence, including any half-days.
- 3.3.2 The end date for a period of sickness absence should only be recorded when the individual has returned to work to prevent any overpayment.
- 3.3.3 Weekends, Public Holidays and rest days are included in a continuous period of sickness absence.
- 3.3.4 If an employee is only eligible for Statutory Sick Pay (SSP) and is returning to work on a phased return or part-time basis, the manager should contact PWG to discuss any pay implications before recording the sickness absence. Payroll will be able to confirm if an employee is only eligible for SSP.
- 3.3.5 All information recorded is held and processed in accordance with the Data Protection Policy.
- 3.4 Time Off for Medical Appointments
- 3.4.1 Reasonable requests to attend medical appointments (including dental appointments and any ongoing medical rehabilitative treatment) will be granted wherever possible. While managers will try to accommodate such requests, employees should make every effort to organise their attendance at such appointments outside of their working hours where possible. Where this is not possible, every effort should be made to schedule appointments for the beginning or end of the working day. Employees will not normally be required to make up the time taken for routine medical appointments / treatment.
- 3.4.2 CANDI acknowledges that employees with on-going health conditions may require on-going treatment and time off from their work to attend medical appointments, which will be accommodated wherever possible. Employees should discuss their need to attend medical appointments with their manager as early as possible. Managers should be aware that such appointments may be difficult for employees and requests should be managed in a caring and supportive manner and additional sources of support offered as required. There are additional considerations where the health condition may be classed as a disability under the Equality Act 2010. Guidance should be sought from Personnel Working Group.
- 3.4.3 Where the manager has a concern about the frequency of time off requested by an employee to attend medical appointments, the presentation of appointment cards, or equivalent, may be required.
- 3.4.4 Occupational Health appointments will always be held during the employee's normal working day. Counselling Service appointments that have been made at the request of CANDI will be held during the employee's normal working day wherever possible.
- 3.5 Occupational Sick Pay
- 3.5.1 CANDI pays occupational sick pay to eligible individuals. The PWG can, at their discretion, make up the salary of the employee to its normal level during paid sick leave, but only for the number of weeks equivalent to the number of completed months service at the time of the onset of sick leave up to a maximum of six weeks

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3.5.2 The amount of paid sick leave already taken at any time in the year (i.e., 365 days) immediately prior to the date on which a period of sickness absence begins will be taken into account when calculating the amount of sick pay due to you.

3.5.3 CANDI will pay SSP to eligible employees who comply with the relevant statutory rules relating to sickness absence.

3.6 Return to Work Discussions

3.6.1 Where an employee has been absent from work due to ill-health, the manager is encouraged to hold a return-to-work discussion in line with their duty of care towards the employee. This is particularly important where an employee has been off sick for a number of days consecutively or the cumulative amount of absence is considered to be having an impact on the work area and service provision.

3.6.2 A return-to-work discussion gives the opportunity to:

- Welcome the employee back from sickness absence.
- Confirm the details of the absence
- Identify any support that is required to ensure the employee's successful return to work, including discussing any measures that may have been recommended in a fit note.
- Update the employee on work progress and events that took place during the period of their absence.
- Allow the employee to raise any concerns or questions and bring any relevant matters to CANDI's attention; and
- Identify any underlying causes of the sickness absence

3.6.3 During the return-to-work discussion, issues may be identified (such as those of a newly acquired disability, health condition or changed personal circumstances) that require action on the part of CANDI and/or the employee. If assistance is required in managing these issues, please contact the Personnel Working Group. If the frequency, pattern or level of sickness absence is of concern, a separate Absence Review Meeting should be scheduled.

3.7 Frequent Short-Term Sickness Absence

3.7.1 Frequent short-term absence refers to when an employee is frequently absent from work for short periods of time due to ill-health. This type of absence can be particularly difficult for CANDI and employees as they are usually without notice and it is difficult to plan for their impact. Whilst CANDI understands that employees may have some short-term sickness absence, it is essential that frequent short-term absence is dealt with promptly and consistently, with appropriate support, to ensure the smooth running of CANDI.

3.7.2 Understanding the reasons for frequent short-term absence helps identify a resolution. Managers should also be aware that frequent short-term absence might be caused or exacerbated by factors in the workplace. If a workplace issue is identified, appropriate steps should be taken to address the factor that is contributing to the problem wherever possible.

3.7.3 Managers are advised to take positive steps to monitor and manage frequent short-term absences. If an employee frequently has short-term absences, it may be appropriate to hold a formal Absence Review Meeting.

3.8 Long-Term Sickness Absence

3.8.1 A prolonged period of sickness absence is considered to be long-term, and the employee concerned should be invited to attend an Absence Review Meeting. Employees may be absent on long-term sick leave for a variety of reasons (e.g., injury, operation, convalescence from illness, diagnosis of a long-term disability, terminal illness etc.) and any action taken will vary according to the circumstances of the particular case.

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3.8.2 CANDI is committed to supporting and helping employees return to work from long-term sickness absence. As part of the Sickness Absence Review Process, CANDI may:

- Obtain medical advice and discussing this with the employee
- Make reasonable adjustments to the workplace (e.g., working practices and working hours).
- Consider redeployment support; and/or
- Agree a return-to-work programme, which may include a phased return to work.

3.8.3 Employees on long-term sick leave should agree with their manager how contact should be maintained on a regular basis, for example, by telephone, email or letter. The timing and nature of contact will be appropriate to the situation of the employee and their health condition. However, employees should expect to be contacted by their manager from time to time, and it is generally expected that telephone or personal contact will be made at least every four weeks.

3.8.4 Following a period of long-term sickness absence, a phased return to normal working hours is sometimes recommended. A phased return should normally be for a period of no more than six weeks. Appropriate support should also be provided to the returning employee during this time to facilitate their return.

4 Disabilities

4.1 CANDI acknowledges that sickness absence may result from a disability. Disability is defined under the Equality Act (2010) as a physical or mental impairment that has a 'substantial' and 'longterm' negative effect on an individual's ability to do normal daily activities.

4.2 There is no automatic obligation for employees to disclose a disability or health condition to CANDI, although employees should inform their manager if they consider their disability and/or health condition affects their ability to undertake their work and/or poses a health and safety risk.

4.3 Where an employee chooses to disclose a disability, as defined under the Act, managers should consider and discuss the necessary support, adaptations and reasonable adjustments to the workplace or role or other aspects of working arrangements that will provide support at work and/or assist a return to work.

5 Sickness Absence Review Process

5.1 Conducting Informal Discussions

5.1.1 In the first instance it may be appropriate for the manager to have an informal discussion with the employee. This may arise, for example, where an employee's pattern of absence gives cause for concern or where matters discussed at a return-to-work discussion require further investigation.

5.1.2 Informal discussions should:

- Review the employee's sickness absence record.
- Highlight any patterns or concerns (for example, if an employee has repeated sickness absences on a Monday, Friday or following a period of authorised annual leave).
- Offer support and advice as required.
- Give the employee the opportunity to inform their manager of any health issues or any other factors which have contributed to their absence; and
- Consider any mitigating factors (for example, pregnancy or disability-related absences).

5.1.3 If appropriate, an attendance target over a specific period of time will be set. If the employee's absence levels reduce, the target is met and the desired improvement is made, no further action will be taken. However, if the employee fails to meet the agreed attendance target, it may be appropriate to hold a formal Absence Review Meeting.

5.1.4 If, during the informal or formal Sickness Absence Review Process, there appears to be an underlying health issue, the manager should offer appropriate support.

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5.2 The 3-Stage Formal Process

- 5.2.1 The Sickness Absence Review Process has three formal stages, with provision for an appeal at each stage.
- 5.2.2 Timescales for each stage will depend on individual circumstances and some sickness absence may be dealt with over a longer or shorter period than others. The point at which a manager decides to move an employee to the next stage of the Sickness Absence Review Process will vary from case to case.

5.3 Conducting Formal Meetings

- 5.3.1 Managers should seek to resolve sickness absence issues informally wherever possible. However, if informal action is not considered appropriate or has not succeeded in improving attendance to an acceptable level, the employee will be required to attend a formal Absence Review Meeting.
- 5.3.2 All meetings should be approached in a caring and supportive manner, demonstrating an understanding of what might be a difficult time for the employee.
- 5.3.3 The employee should receive at least five working days written notice of the formal Absence Review Meeting and be sent a copy of their sickness absence / attendance record and any other relevant documents. The letter inviting the employee to the meeting will outline the purpose of the meeting, the date, time and location and the employee's right to be accompanied.
- 5.3.4 The employee may be accompanied to formal meetings by either a trade union representative or a colleague. The employee must confirm their companion's identity to the manager conducting the meeting at least two days before it is due to take place.
- 5.3.5 Formal meetings will be held by the employee's manager or a more senior manager and may be attended by a representative from the Personnel Working Group. In the case of a Stage 3 Absence Review Meeting, it will be conducted by the Chair of the PWG (or nominated deputy).
- 5.3.6 The employee must take all reasonable steps to attend a meeting. If the employee or their companion are unable to attend at the time specified the employee should immediately inform the manager holding the meeting, who will seek to agree an alternative time. If the employee feels unable to attend for a reason related to their health, they should inform the manager holding the meeting. Consideration can then be given to holding the meeting at a neutral venue or alternative arrangements made where appropriate, such as holding the meeting over the telephone. Failure to attend a meeting without good reason may be treated as misconduct or may result in the meeting proceeding in the absence of the employee.
- 5.3.7 During the course of a formal Absence Review Meeting, it may be decided that a further period of monitoring is necessary or additional information is required. In such circumstances, the meeting will be adjourned and reconvened at a later date. When determining an appropriate monitoring period, the manager will discuss with the employee what is considered reasonable in the circumstances, taking into account the nature of the employee's illness.
- 5.3.8 A decision will be made when the manager leading the meeting is satisfied that both the employee and/or their representative have had sufficient opportunity to state their case and that no further information is required.
- 5.3.9 The outcome of the Absence Review Meeting will be communicated to the employee verbally wherever possible. The employee will also receive written confirmation of the outcome, which will explain the reasons for the decision reached and the right to appeal. This should be provided within ten working days of the meeting (unless this timescale is not practicable, in which case it will be provided as soon as possible).
- 5.3.10 There is a right of appeal against a decision at any formal stage of the Sickness Absence Review Process.
- 5.3.11 If at any time the employee's manager considers, based on reasonable evidence, that the employee has taken or is taking sickness absence when they are not unwell, or is not following the required sickness absence reporting procedure, they may refer the matter to be dealt with under the relevant disciplinary procedure.

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5.4 Formal Stage 1 Absence Review Meeting

5.4.1 A formal Stage 1 Absence Review Meeting may be held when an employee's absence due to sickness is of concern and informal action is no longer appropriate or has not succeeded in improving attendance to an acceptable level.

5.4.2 The purpose of a Stage 1 Absence Review Meeting will depend on the type of sickness absence being investigated but may include:

- Discussing the reasons for absence and giving the employee the opportunity to explain their absence and any mitigating circumstances.
- Where the employee is on long-term sickness absence, determining how long the absence is likely to last, taking into account any available medical evidence.
- Where the employee has been absent on a number of occasions, determining the likelihood of further absences.
- Considering whether medical advice is required
- Considering whether the employee has a disability that may necessitate reasonable adjustments being made in the application of the formal process.
- Considering what, if any, measures might improve the employee's health and/or attendance.
- Agreeing a way forward, any action that will be taken and a timescale for review and/or a further meeting under the Sickness Absence Review Process; and/or
- Consideration of the impact of the absence on the work area and service provision, and arrangements put in place as required.

5.4.3 Possible outcomes may include:

- Adjourning the meeting to obtain further medical evidence.
- A return-to-work programme, possibly with a phased return to work (where the employee has been absent for a long period).
- Issuing a First Improvement Notice setting out the required improvement in attendance (where the employee has been absent on a number of occasions). The employee should be advised that if the requisite improvement is not achieved this may result in further formal action, which may include attending a Stage 2 Absence Review Meeting; and/or
- No further action at this stage.

5.4.4 A First Improvement Notice will establish the commencement of a formal absence monitoring period and will set out any required attendance levels, the implications for not meeting those levels, the review process during the monitoring period and the employee's right of appeal against the decision.

5.4.5 A copy of the First Improvement Notice will be retained on the employee's personnel file. The First Improvement Notice will remain active for a specified period (e.g., six months) after which time it will be disregarded.

5.4.6 The manager will monitor the employee's attendance during the review period. On completion of the review period, the manager will write to the employee to inform them of the outcome that either:

- The employee has met any required attendance levels set and no further action will be taken.
- Progress has been made towards meeting the attendance levels set, but they have not been achieved fully (or other factors have been present e.g., leave) and the review period will be extended, or other options considered; or
- The employee has not met the attendance levels set and the matter will be progressed to the second stage of the Absence Review Process.

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5.5 Formal Stage 2 Absence Review Meeting

5.5.1 A formal Stage 2 Absence Review Meeting may be held when an employee has been unable to return to work, a return-to-work programme has been unsuccessful or an employee's absence levels have continued to be in excess of those set out in the formal absence monitoring period and/or remain a concern.

5.5.2 The purpose of a Stage 2 Absence Review Meeting will depend on the type of sickness absence being investigated but may include:

- Discussing the reasons for and impact of the employee's on-going absence(s).
- Where the employee is on long-term sickness absence, discussing how long the absence is likely to last.
- Where the employee has been absent on a number of occasions, discussing the likelihood of further absences.
- If it has not been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required.
- Considering the employee's ability to return to/remain in their job in view both of their capabilities and CANDI's operational needs and any adjustments that can reasonably be made to the job to enable the employee to do so.
- Considering whether redeployment support is appropriate and whether any adjustments can reasonably be made to assist with redeploying the employee to a suitable available vacancy.
- Where the employee is able to return from long-term sick leave to their existing job or a redeployed job, agreeing a return-to-work programme; and/or
- Agreeing a way forward, action that will be taken and a timescale for review and/or a further review meeting(s).

5.5.3 Possible outcomes may include:

- Adjourning the meeting to obtain further medical evidence.
- A return-to-work programme, possibly with a phased return to work (where the employee has been absent for a long period).
- Issuing a Final Improvement Notice setting out the required improvement in attendance (where the employee has been absent on a number of occasions). The employee should be advised that if the requisite improvement is not achieved this may result in further formal action, which may include dismissal.
- Consideration of other options such as redeployment support or retirement on ill-health grounds; and/or
- No further action at this stage.

5.5.4 A copy of the Final Improvement Notice will be retained on the employee's personnel file. The Final Improvement Notice will remain active for a specified period (e.g., twelve months) after which time it will be disregarded.

5.6 Formal Stage 3 Absence Review Meeting

5.6.1 A formal Stage 3 Absence Review Meeting may be held when an employee has been unable to return to work, a return to work programme has been unsuccessful or an employee's absence levels have continued to be in excess of those set out in the formal stage two absence monitoring period and/or remain a concern.

5.6.2 The employee must be informed in writing that an outcome of the Stage 3 Absence Review Meeting could be dismissal.

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- 5.6.3 The Stage 3 Absence Review Meeting will be conducted by the Chair of the PWG or nominated deputy. The employee's manager will also attend the meeting to provide details of the sickness absence and steps taken to address it.
- 5.6.4 The purpose of a Stage 3 Absence Review Meeting may include:
- A review of the meetings that have taken place and matters discussed with the employee to date.
 - A review of the history of the employee's absence, its effect on CANDI and any actions previously taken to address the situation, including any support provided to the employee.
 - The consideration any medical evidence obtained.
 - in the case an employee remains on long-term sickness absence, considering whether there have been any changes since the last meeting under stage two of the procedure, either as regards a possible return to work, permanently reduced hours or opportunities for return or redeployment support.
 - Considering any matters that the employee wishes to raise such as mitigating factors.
 - Considering whether there is a reasonable likelihood of the employee returning to work or achieving the desired level of attendance in a reasonable time.
 - Considering alternative options or ill-health retirement; and/or
 - Considering, after all other options have been considered, the possible termination of employment.
- 5.6.5 Following the meeting, the Chair of the PWG or nominated deputy, may consider one or more of the following options (this list is not exhaustive):
- To extend a Final Improvement Notice and set a further review period (where a substantial improvement in attendance is likely within the review period).
 - To consider other options such as redeployment support, ill-health retirement or other appropriate action short of dismissal.
 - To dismiss on grounds of capability (ill-health); or
 - No further action.
- 5.6.6 If dismissal is recommended, the decision to dismiss on the grounds of unsatisfactory attendance is made under the Sickness Absence Policy. The Chair of the Board of Trustees should be consulted in advance of the proposed dismissal of any employee.
- 5.6.7 The decision will be confirmed in writing within ten working days of the meeting. The letter shall also notify the employee of their right to appeal. In the event that the decision is taken to dismiss the employee, the letter will include the reasons for dismissal, the date that their employment will terminate and the right of appeal.
- 5.7 Concerns and Appeals
- 5.7.1 Employees who feel that they have been treated unreasonably under any section of the Sickness Absence Policy can, in the first instance, raise the matter with their manager, Chair of the PWG and/or Trade Union. Ultimately employees have the right to raise the matter through the grievance procedure.
- 5.7.2 Employees have a right to appeal against a decision to issue an improvement notice, other sanction or dismissal in accordance with the relevant procedures.

6 Document control

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