

## 04.05 SICKNESS ABSENCE MANAGEMENT POLICY AND PROCEDURES

### POLICY STATEMENT

Bield Housing & Care is committed to providing a high quality of service to tenants, residents and other service users. As part of this commitment Bield seeks to secure optimum attendance from employees.

Bield recognises that employees will occasionally have genuine and acceptable health reasons to be absent from work. However, unacceptable levels of absence causes operational difficulties, increased costs and can undermine the quality of service. The Sickness Absence Management Policy and Procedures provide a framework to minimise absence levels while providing reasonable support to those absent for legitimate reasons.

### RESPONSIBILITIES

**All Employees** are responsible for ensuring that they are aware of, understand and comply with the policy and procedures. Failure to comply with the procedures may result in absences being recorded as unauthorised, sickness pay being stopped or suspended and/or action being taken against employees under the Disciplinary Procedure. Falsifying a Bield or statutory document relating to sickness absence will be deemed to be Gross Misconduct.

In addition, there are specific responsibilities outlined below:-

**Line Managers** are responsible for managing absence within their teams. You must ensure that you and your - new and existing – employees are aware of and understand the policy and procedures. As a manager you should ensure that you apply the procedures fairly and consistently.

**The Human Resources Department** have developed the policy and procedure in conjunction with operational managers and staff representatives.

Human Resources also provide: briefing and training upon the application of the procedure; guidance to managers upon managing absence; and, information to employees upon request. Information on levels of absence is also provided to managers to enable them to manage sickness absence.

### HOW TO USE THIS POLICY AND PROCEDURE

We have aimed to reflect the approach outlined in the policy statement in a practical procedure for employees and their managers to follow when an employee becomes sick. There are also particular procedures to be followed in the event of frequent short term sickness and/or long term sickness. The practical procedures are supported by standard documentation and specific guidance which is provided by the Department of Human Resources to line managers when they are managing absence. The content of the 'Employee Procedure for Reporting Sick' (as per page 3 and 4 of this document) will be provided to all new employees.

At the end of this document after the procedural information there is further information about entitlements to occupational sick pay, statutory sick pay and annual leave.

## **MEDICAL INFORMATION**

Bield will comply with the Access to Medical Reports Act (1988).

Bield has the right to request a medical certificate to cover any period of absence due to sickness outwith the specific requirements detailed in the procedures. Bield will assist employees who experience any difficulties in obtaining a certificate. If the provision of a medical certificate required by Bield outwith the normal procedure incurs a cost, Bield will reimburse the employee upon provision of a receipt or invoice.

## **DISABILITY**

Bield is committed to meeting the requirements of the Disability Discrimination Act (1995), the Disability Discrimination Act 1995 (Amendment) Regulations 2003 and to the implementation of a policy to ensure that people with disabilities are afforded equality of opportunity to enter employment and progress within Bield. When employees become disabled in the course of their employment, steps will be taken, through making 'reasonable adjustments' or arranging redeployment to a vacant post if necessary, to enable employees to remain in employment with Bield wherever possible.

The Disability Discrimination Act (1995) makes it unlawful to discriminate against individuals on the grounds of their disability.

Line Managers should ensure that they are familiar with the provisions of the Disability (Employment) Policy and read this policy in conjunction with the Sickness Absence Management Policy.

The Department of Human Resources will provide specific advice on whether or not an illness or condition may constitute a disability under the terms of the Disability Discrimination Act (1995) and how the sickness absence procedures should be applied in the case of an employee who is either disabled or becomes disabled.

## 1 EMPLOYEE PROCEDURE FOR REPORTING SICK

### First Day Of Sickness

Telephone your line manager **as soon as you know** that you are unable to attend work. In your own copy of this procedure you may wish to record the contact number (s) here: \_\_\_\_\_  
\_\_\_\_\_.

Scheme-based and BR24 employees must notify their work place that they are unable to attend for work **as far in advance of their start time** as possible to enable cover arrangements to be put in place. The **very latest** that you should telephone your manager is **60 minutes in advance of the time when you should start work**.

There may be specific additional contact requirements in place for you if you work in Supported Housing and you become sick when you cannot contact your manager and there is no other cover in place. If so, remember to make this contact.

Office-based employees should make contact as soon as possible when the office is open.

You should personally make this telephone call unless this is genuinely not possible e.g. you are seriously ill or have been hospitalised. In such a case someone else should telephone for you.

When you speak to your manager you should provide the following information:

- the reason for your sickness absence.
- when you might be able to return to work.
- how long you think that your sickness will last.

If your manager is not available when you call, you should leave a message containing the above information with another employee or administrative assistant. Your manager may call you back to confirm that your message has been received and clarify any details if necessary e.g. the reason for your sickness which you may wish to discuss only with your manager.

Your line manager will agree with you when you will next telephone to provide him/her with an update. (This will be **no later** than the **fourth calendar day** of absence).

### Next Update On Sickness

Telephone your line manager as agreed (or earlier if there is any change to your health which affects when you might be able to return to work). If you are able to return to work earlier than expected and provide as much notice as possible, your manager will be better able to cancel cover arrangements.

When you speak to your manager you should provide your manager with:

- an update on your sickness.
- a date when you will be able to return to work (if possible).

Your line manager will agree with you when you should next telephone to provide an update (this might be on the seventh calendar day of sickness or following appointment with your doctor so that you can provide useful information about when you will return to work or how your sickness is progressing)

### AS SOON AS YOU ARE WELL AGAIN: RETURN TO WORK (ABSENCES OF 7 CALENDAR DAYS OR LESS)

As soon as you know that you are well enough to return to work, you should telephone your line manager immediately, giving as much notice as possible.

If you are fit to return to work on what is a day off or annual leave you must inform your line manager that you are fit for work even though you will not be at work that day. If you do not do this you will continue to be recorded as absent through sickness and this can affect your pay.

On returning to work, you must report to or telephone your line manager and either end date the sickness absence which your manager will have created for you via Bield Self Service (employees with access to Bield Self Service) or sign the Return to Work Meeting Form following a return to work meeting with your manager. This acts as a self-certification so there is no need to complete the Self-Certificate Sickness Form.

Your manager will conduct a return to work meeting with you (this discussion might be by telephone if you are based in a different workplace and do not meet with your manager on a day to day basis). Regardless of how the discussion takes place it should essentially be a meaningful exchange of information between you and your manager aimed at enabling you to resume your duties and clarifying any details of your sickness absence which are related to your employment.

### **ABSENCES CONTINUING (8 CALENDAR DAYS OR MORE)**

If you continue to be ill for a period of eight days or more you must provide a doctor's medical certificate dated from at least the **eighth calendar day** of your absence. This form authorises your absence and sickness payment (if applicable).

You must fully complete the required details on the back of the certificate and send it to your line manager on the same day as receiving the certificate. The responsibility for submitting medical certificates on time and ensuring they are received without delay rests with you: failure to submit medical certificates on time may result in sickness payment being stopped or suspended.

You must keep your manager fully informed of progress of your sickness. You should provide updates minimally on a weekly basis but it may be more often depending on the reason for your sickness absence. After four weeks of continuous absence, your line manager may agree a different frequency of contact as appropriate to the circumstances.

### **Providing Further Medical Certificates**

You must arrange an appointment to see your doctor before the expiry of your earlier medical certificate so that your absence from work is always covered by a medical certificate. If there is a gap between certificates sick pay may not be payable for that period.

You are expected to make contact with your line manager each time you receive a further medical certificate – it is not acceptable to fail to maintain agreed contact with your line manager or to submit medical certificates without contacting your line manager (unless specific arrangements have been agreed in exceptional cases of very serious illness).

### **RETURN TO WORK AFTER LONG TERM ABSENCE**

Your manager will conduct a return to work meeting with you before countersigning a Return to Work Form. This discussion is particularly important following long term absence and aims to enable you to return to your job and clarify any relevant information about your sickness absence and current health.

## **2. LINE MANAGER'S PROCEDURE WHEN EMPLOYEE REPORTS SICK**

(Line Managers should also be familiar with the Employee's Procedure.)

### **FIRST DAY OF SICKNESS**

Scheme-based and BR24 employees should telephone you as soon as they know that they are unable to attend work and **at the least 60 minutes in advance of their work start time** if you would normally be available at this time.

Office-based employees should contact you as soon as they are unable to attend work.

When the employee telephones you should ensure that you obtain the following information:

- reason for sickness (which should be treated as confidential information).
- how the employee is currently feeling.
- when they might be able to return to work (if appropriate).
- time / date when they will telephone you again with an update. (This should be **no later** than the **fourth calendar** day of absence).

If the employee has left a message with another employee or on an answer machine it is advisable to telephone the employee to confirm that you have received the message, clarify any detail if necessary and to agree the time / date of the next contact.

You should create a sickness record for the employee via Bield People Manager by entering the start date of the absence and the absence reason using the 'Entering New Sickness Absence' quick Link. Further guidance on sickness absence reasons has been provided in the Improving Attendance: Management Guidance.

### **NEXT UPDATE ON SICKNESS**

Employees should telephone you as agreed (or earlier if there is any change to their health which affects when they might be able to return to work). If the employee is able to return to work earlier than expected you may need to change cover arrangements.

Employees should provide you with:

- an update on their sickness.
- a date when they will be able to return to work (if possible).

You should agree with the employee when they should next telephone to provide an update (this might be on the seventh day of sickness or following an appointment with their doctor so that they can provide you with useful information about when they will return to work or how their sickness is progressing).

### **AS SOON AS THE EMPLOYEE IS WELL AGAIN:**

### **RETURN TO WORK (ABSENCES OF 7 CALENDAR DAYS OR LESS)**

As soon as the employee knows that they are well enough to return to work, they should telephone you immediately, giving as much notice as possible.

If the employee is fit to return to work on what is a day off or annual leave they must inform you that they are fit for work even though they will not be at work that day. If they do not do this they will continue to be recorded as absent through sickness and this can affect their pay.

On returning to work, the employee should report to you or telephone you and either close the sickness absence record via Bield Self Service (employees with access to Bield Self Service) by entering an end date for the absence (which will be subject to your approval) or sign the Return to Work Meeting Form following a return to work meeting with you. This acts as the employee's self-certification so there is no requirement to complete a Self-Certificate Form. You should close the absence record via the Bield People Manager quick Link for any employees who do not have access to Bield Self Service.

You must hold a Return to Work meeting as soon as possible after the employee returns to work. It is beneficial for both employees and their managers to have a discussion on their return to work following each occasion of absence. If there is legitimate reason why you are unable to conduct the meeting for example, you are on holiday, you may agree for another appropriate manager to conduct the meeting e.g. your line manager (or your deputy if s/he has delegated people management duties or supervisory responsibilities for the returning individual).

If you are based in a different workplace and do not meet with the employee on a day to day basis the discussion can be conducted over the telephone. Regardless of how the discussion takes place it should essentially be a meaningful exchange of information between the you and the employee aimed at facilitating the employee's resumption of duties and clarifying any outstanding aspects of his/her sickness absence.

You should discuss the circumstances of the absence and, where appropriate, refer to the general attendance record of the employee. The following areas may be included as appropriate:

- confirmation of the employee's current state of health.
- the reason(s) for sickness absence to be stated on the self-certificate (and reference to previous absences if appropriate).
- establishing if the employee is fit enough to resume their duties.
- did the employee seek medical advice and if so, is the employee following this advice.
- what, if any, actions by the employee or support from Bield might ease the return to work and/or prevent the sickness recurring.
- consideration of workload issues.
- inform employee of Employee Counselling Service if appropriate.
- highlight any failure to comply with the notification or certification procedures.

The meeting should not be approached in a prescriptive way but tailored to the individual employee's circumstances. HR Officer can provide advice.

### **ABSENCES CONTINUING (8 CALENDAR DAYS OR MORE)**

If the employee continues to be ill for a period of eight days or more they must provide a doctor's medical certificate dated from at least the **eighth calendar day** of absence. This form authorises their sickness payment (if applicable).

The employee must fully complete the back of the certificate and send it to you on the same day as receiving the certificate. The responsibility for submitting medical certificates on time and ensuring that you receive it rests with the employee. Failure to do so may result in sickness payments being stopped or suspended.

You should make a note of the date when you receive the medical certificate and the dates which the medical certificate covers so that you can refer to it when the employee next makes contact. You must then enter the medical certificate details on to the employee's record within Bield People Manager. It is your responsibility to do this and to ensure that further medical certificates are updated on Bield People

Manager promptly. If certificates are not input into Bield People Manager, it may affect the employee's pay.

Scheme Managers are responsible for ensuring that their area office is updated by telephone of any certificates received for scheme-based employees.

The employee must continue to keep you fully informed on progress of their sickness. Employees should provide updates minimally on a weekly basis but it may be more often depending on the reason for their sickness absence.

If contact is not being made as required you should telephone the employee and advise them that as you have not heard from them you wish to find out how they are progressing. In addition to enquiring about their health, you should advise them of when they should next contact you and check that they are able to make that contact. Dependent upon the circumstances, it may also be appropriate to warn the employee that failure to contact you is a breach of the procedure and this may result in sickness pay being withheld.

After four weeks of continuous absence, you may agree a different frequency of contact as appropriate to the circumstances, i.e. in cases of serious illness or where a programme of treatment is being entered into it may be appropriate to have longer intervals between points of contact. However, this should be balanced with the value of maintaining good communication links between the employee and the workplace.

Employees must arrange an appointment to see their doctor before the expiry of their earlier medical certificate so that their absence from work is always covered by a medical certificate. If there is a gap between certificates sick pay may not be payable for that period.

Employees are expected to make contact with their line manager each time they receive a further medical certificate – it is not acceptable to submit medical certificates without contacting you.

## **RETURN TO WORK FOLLOWING LONG TERM ABSENCE**

You must hold a Return to Work meeting as soon as possible after the employee returns to work, complete the Return to Work Meeting Form and forward this to the Department of Human Resources ensuring you retain a copy. The employee must either close the sickness absence record via Bield Self Service (employees with access to Bield Self Service) by entering an end date for the absence (which will be subject to your approval) or sign the Return to Work Meeting Form following a return to work meeting with you. This acts as the employee's self-certification so there is no requirement to complete a Self-Certificate Form. You should close the absence record via the Bield People Manager quick Link for any employees who do not have access to Bield Self Service.

The return to work discussion is particularly important following long term absence and the aim is to facilitate the employee's return to their duties. Please refer to the information on return to work on the previous page of this procedure and to the general guidance on supporting employees upon their return to work provided by the Department of Human Resources (HR Officers are also able to provide specific advice on specific circumstances for individuals).

Where a medical certificate indicates a phased return to work is required, please contact the Department of Human Resources for advice and guidance and to ensure any necessary adjustments to the employee's pay are processed.

### **3. PERSISTENT SHORT-TERM SICKNESS ABSENCE**

#### **3.1 Short Term Sickness Absence Triggers**

The following procedures will be followed in cases where an employee's frequent and persistent short-term sickness absences give cause for concern. This will **normally** be defined as:

- **3 or more periods of absence in any six month period or**
- **5 or more periods of absence in any twelve month period.**

The procedures may also be initiated outwith these triggers where the level of absence is giving cause for concern.

#### **3.2 Attendance Review Meeting**

Once a trigger is reached, the Department of Human Resources will send an email/memo to the line manager to prompt the appropriate manager (who will normally be the employee's immediate line manager) to meet with the employee

The purpose of this counselling interview is normally to:

- discuss the reasons for the absences and find out if any steps or action can be taken to alleviate underlying problems.
- draw the employee's attention to the fact that their level of attendance is causing concern.
- discuss future attendance and where appropriate set targets for future improved attendance.
- if appropriate to the circumstances an informal warning may be issued.
- if appropriate to the circumstances (and in liaison with HR) consent to obtain a Medical Report may be requested.

A note of the meeting will be produced by the line manager and it will detail the main points of the meeting, agreed action and the date set for reviewing the employee's attendance record. The employee will receive a copy of this note and a copy sent to the Department of Human Resources to be retained in the employee's file.

#### **3.3 Attendance Monitoring/ Obtaining Medical Information**

If no improvement is subsequently shown following this attendance review meeting and/or the employee's level of absence continues to cause concern, the line manager will ask the employee for consent (on HR Form) for HR to obtain a medical report from the employee's doctor or an occupational health service. This will be sought in accordance with the Access to Medical Reports Act (1988). Occupational sick pay may be withdrawn from employees who unreasonably withhold their consent to a report being provided by their doctor or other appropriate medical professional.

Where the medical report reveals an underlying health problem, the unsatisfactory attendance will be considered to be a capability issue and the steps outlined on the next page of this procedure will be followed.

Where the medical report reveals no underlying health problem, the unsatisfactory attendance will be regarded as one of conduct arising out of the employee's poor attendance record and, in such cases, Bield's Disciplinary procedures will normally be followed.

### **3.4 Capability Procedure: Persistent Short Term Absence Due to Underlying Health Reasons**

Where a doctor's report indicates that an employee's persistent absence is due to an underlying health problem the capability procedure should be followed in consultation with the Department of Human Resources.

### **3.5 Meeting Arrangements**

The Department of Human Resources is responsible for sending written notification of the meeting to the employee (no less than 3 working days in advance of the meeting) and the employee will be informed at each stage that a formal warning is a possible outcome of the meeting and that he/she may be accompanied by a Staff Representative, Bield Work Colleague, Union Representative or, given the potential sensitive nature of the meeting, another individual of his or her choice. Where an employee needs special arrangements due to disability or for communication purposes this can be arranged in conjunction with Human Resources. A HR Officer will normally be present at the formal meetings.

The outcome of each meeting - which may include the issuing of a formal warning if appropriate - will be confirmed in writing to the employee. The employee has a right of appeal against any formal warning issued. Appeals will be heard by a manager not involved in the decision to issue a formal warning.

### **3.6 Holding the Formal Stage 1 Meeting under the Capability Procedure**

At the meeting the line manager will discuss with the employee:

- the details of his/her health, sickness absence record and the medical report. In particular the nature of the underlying health problem and the impact upon the employee's work will be discussed and possible ways of responding to the problem should be explored.
- A specific monitoring period and review dates may be agreed.
- A target level of attendance may be set where appropriate.
- A decision will be taken at an adjournment to the meeting or following the meeting whether or not a Formal Warning is required. This means that whilst recognising the underlying health problem, the employee's level of sickness absence is not acceptable in terms of Bield's operational requirements.

The outcome of the meeting, including any formal warning, improvements required, relevant timescales and the consequences of the required improvement not being achieved, will be confirmed in writing to the employee.

### **3.7 Post Meeting Review Period: Persistent Absence Improves to Acceptable Level**

Where, following a further review of the absence record the employee is able to achieve and maintain the necessary level of attendance, the line manager should meet with the employee to discuss this and agree any further period of monitoring, support or date for further review as appropriate. A note of the agreed outcome of this meeting should be provided to the employee and copied to the HR Officer who has been providing advice.

### **3.8 Post Meeting Review Period: Persistent Absence Continues**

Where following a further review of the absence record the employee remains unable to achieve and maintain the necessary level of attendance at work a further medical report will be sought from the employee's doctor and/or the employee will be asked to see an appropriate medical specialist appointed by Bield.

### **3.9 Holding the Formal Stage 2 Meeting under the Capability Procedure**

Upon receipt of the medical report, a senior manager will arrange to meet the employee with a member of the Department of Human Resources. At this meeting the senior manager will discuss with the employee:

- the details of his/her health, sickness absence record and medical report.
- issues raised or comments expressed by the employee or his/her representative.
- any measures which might enable the employee to achieve an agreed level of attendance (in accordance with the requirement of the Disability Discrimination Act 1995 where applicable).
- advise the employee that the information provided at the meeting will be considered before making a decision whether or not his/her employment can be continued with an extended monitoring period for improvement or whether employment is terminated on grounds of capability.

### **3.10 Termination of Employment**

Where the senior manager and member of HR staff concludes that other options, including where appropriate alternative employment, cannot be pursued the employee will normally be informed that his/her employment is to be terminated on the grounds of capability due to ill health. Such a decision and the reasons for it will be confirmed in writing. This letter will include details of the employee's right of appeal and indicate the date by which notice of appeal should be received. Any appeal raised will be heard by a senior manager who has not been involved in the Formal Stage 2 Meeting.

## **4. LONG TERM SICKNESS ABSENCE**

This procedure should be followed by line managers in conjunction with the Department of Human Resources for cases of sickness absence of four weeks or longer.

### **4.1 Meeting Arrangements**

The Department of Human Resources is responsible for sending written notification of the meeting to the employee and the employee will be informed at each stage that he/she may be accompanied by a Staff Representative, Bield Work Colleague, Union Representative or given the potential sensitive nature of the meeting another individual of his or her choice. Where an employee needs special arrangements due to disability or for communication purposes this can be arranged in conjunction with Human Resources.

The main points of the discussion and the outcome of each meeting will be confirmed in writing to the employee.

## 4.2 Initial Meeting

Whenever a case of long-term sickness absence is identified, the circumstances of the case will be reviewed. Where it is considered that the absence is likely to continue for an uncertain period of time, an appropriate line manager who will normally be the immediate line manager (in conjunction with a member of the Department of Human Resources where this is appropriate) will arrange to meet with the employee concerned. This meeting will normally take place no later than 8 weeks from the commencement of the sickness absence and contact thereafter will normally be maintained on a monthly basis.

The purpose of this meeting is to discuss and consider:

- the employee's current state of health.
- the likely duration of the sickness absence.
- the employee's expectations concerning his/her future fitness to return to work.
- any potential obstacles to an early return or future return to work.
- solutions which could remove any obstacles from return to work.
- the appropriateness of obtaining a medical report at this stage.
- the date for a further review meeting if appropriate.

The employee will receive a note of this meeting.

## 4.3 Obtaining Medical Information

A medical report may be sought at any stage of long term absence as reasonable and appropriate to the circumstances. A report will normally be sought for any absence continuing for more than 8 weeks without a foreseeable return to work date. This report will be sought from the employee's doctor and/or consultant as appropriate.

The employee may also or as an alternative be asked to see an appropriate medical specialist appointed by Bield.

Occupational sick pay may be withdrawn from employees who unreasonably withhold their consent to a medical report being sought or provided by their doctor or an appropriate medical specialist.

## 4.4 Medical Information Indicates Return to Work

Where the report indicates that the employee is expected to return to work in the near future, no further action will be necessary (other than the maintenance of regular contact and discussion and agreement of arrangements for the return to work). If the employee does not return to work despite the indication that they would be able to do so further medical reports may be sought as appropriate.

## 4.5 Return to Work Arrangements

Prior to an employee returning to work, especially after a prolonged absence, Bield will consider in conjunction with the employee concerned whether it is desirable to return to work initially on a part-time basis. Where employees return to work on a part-time basis annual leave may be used to cover days which are not worked otherwise salary will be reduced in accordance with hours. Managers should refer to the guidance note on employees returning to work from long-term sick leave.

#### 4.6 Medical Report Indicates Return to Work might not be possible

Where a medical report: i) indicates that an employee may not be able to return to work or, ii) indicates that the medical professional is unable to provide a time-scale in which a return to work would be possible, an appropriate senior manager (in conjunction with a member of the Department of Human Resources) will arrange to meet with the employee concerned.

At this meeting the line manager will:

- discuss the details of the medical report
- consider any issues raised or comments expressed by the employee or his/her representative.
- discuss with the employee and further consider any measures (in accordance with the requirement of the Disability Discrimination Act 1995 where applicable).
- advise the employee that the information provided at the meeting will be considered before making a decision whether or not his/her absence can no longer be sustained.
- where the employee is a member of the Pension Scheme and if appropriate, discuss the process of Retirement on Ill Health Grounds.

Where an employee becomes incapable of returning to his/her job or where continuation of his/her existing job will exacerbate his/her medical condition the options for redeployment will be considered. Where redeployment is agreed the terms and conditions including salary will be those applicable to the vacant post.

#### 4.7 Termination of Employment

Where, following receipt of a medical report, Bield and the senior manager concludes, after considering all the available information, that other options, including alternative employment, cannot be pursued the employee may be informed that he/she is to be dismissed on the grounds of capability due to ill health. Such a decision will be confirmed in writing. This letter will include the reason for the decision and details of the employee's right of appeal and indicate the date by which notice of appeal should be received. The appeal will be heard by a Bield Director.

### 5. MEDICAL SUSPENSION

Bield reserves the right to suspend employees from work on full pay on medical grounds.

### 6. OCCUPATIONAL SICK PAY

Payment of occupational sick pay (equivalent to basic salary) during sickness leave is dependent upon the employee fully complying with the above procedures. If these procedures are not complied with payment of occupational sick pay may be suspended or stopped at the discretion of Bield. Where these procedures are complied with, then occupational sick pay will be paid as follows in any rolling period of 12 months:

<b><i>Service at commencement of absence:</i></b>	<b><i>Full Sick Pay</i></b>	<b><i>Half Sick Pay</i></b>
0 to 6 months	Nil	Nil
6 months but less than 2 years	4 weeks	4 weeks
2 years but less than 5 years	8 weeks	8 weeks
5 years and over	13 weeks	13 weeks

**NB:** Employees employed before 1 January 2017 have a protected entitlement to Occupational Sick Pay

<b>Service at commencement of absence:</b>	<b>Full Sick Pay</b>
0 to 6 months	Nil
6 months but less than 2 years	8 weeks
2 years but less than 5 years	16 weeks
5 years	26 weeks

## **7. STATUTORY SICK PAY**

Payments of Statutory Sick Pay will continue to be made by Bield to employees who have sickness leave beyond the period of entitlement to occupational sick pay.

Entitlement to Statutory Sick Pay ends after sickness leave of 28 weeks, which need not necessarily be continuous. If periods of sickness leave are separated by eight weeks or less, then they are considered to be linked for the purposes of calculating entitlement to Statutory Sick Pay.

When entitlement to Statutory Sick Pay ends an SSP1 form is sent to the employee by the Department of Human Resources. The employee can then make a claim for Incapacity Benefit from the Department of Social Security.

## **8. SICKNESS ABSENCE AND ANNUAL LEAVE**

### **8.1 Sickness when on Annual Leave**

If employees are sick while on annual leave or on a floating public holiday their absence can be recorded as sickness absence provided they comply with the procedures for reporting sick leave. If employees are sick on a fixed public holiday they will lose this day. Employees must produce a doctor's medical certificate or evidence of their illness while on holiday and that it would have rendered them unfit for work to cover the period of their illness during annual leave. Any cost of such a certificate will be borne by the employee.

### **8.2 Annual Leave Entitlement**

After a period of more than three months' continuous sick leave employees will no longer continue to accrue annual leave which is over and above the equivalent of 5.6 working weeks i.e. 28 days per annum for employees who work 5 days per week (for part time employees the entitlement is pro rated to the equivalent of 5.6 working weeks). Where absences are separated by eight weeks or less they will be deemed to be linked for these purposes.

*For example, an employee in Care Services working 5 days per week is normally entitled to 34 annual leave days in their first year of employment. If that employee is absent for 7 months their annual leave for the fourth to the seventh month of absence reduces to 9 days (calculated as 28 days/12 months x 4 months). This when added to their entitlement for the rest of the year (34 days/12 months x 8 months = 23 days) means that the overall annual leave entitlement for that year becomes 32 days.*

Upon return to work after long term sick leave line managers will discuss with employees the most appropriate arrangements for taking any substantial amount of accrued leave. Annual leave must be taken at a time which is convenient to Bield; annual leave will be lost if the taking of it within the leave year in which it was due causes disruption to services. The leave year operates from 1 April to 31 March each year. Please refer to Bield's Annual Leave Policy and Procedures for further details on how much leave can be carried forward.

### **8.3 Requests for Annual Leave during Sickness Absence**

When employees are certified as sick they are permitted to apply for Working Time Directive annual leave (i.e. 4 working weeks). Employees who are on long term sick leave are encouraged to apply for Working Time Directive annual leave to avoid a build up of entitlement to annual leave. If employees who are on long term sick leave do take annual leave any sick pay due will be suspended for the period of Working Time Directive annual leave and will re-start after the period of Working Time Directive annual leave ends.

Employees should make requests for annual leave by contacting their line manager and detailing the dates that they wish to take their annual leave. This contact should be in advance of the required dates and employees must provide a minimum of two weeks' notice. The request will then be considered by the relevant Service Manager for Scheme-based employees or the employee's line manager for Office-based employees and an HR Officer or more senior member of the Department of Human Resources. A medical certificate must continue to be provided.

These provisions are compliant with current legislation which may be subject to change by the interpretation of the UK government and Bield reserves the right to amend these provisions in accordance with UK legislation/guidance.

## **9. PLANNED DATE FOR REVIEW**

**2011 – 2012.**