



Dudley Mind Sickness Absence Policy & Procedure

1) Policy

1.1 It is Dudley Mind's policy to ensure that all employees attend work regularly in compliance with the terms in their contract of employment.

1.2 Dudley Mind will maintain procedures for dealing with sickness absence in a fair and effective manner that complies with statutory requirements and is designed to ensure that employees return to work at the earliest possible date consistent with their capability to do so. However where efforts under this procedure do not produce an outcome satisfactory to Dudley Mind appropriate steps will be taken to end the employment relationship in the interests of the organisation as a whole.

2) Preamble

2.1 In order for Dudley Mind to be effective in achieving its aims and objectives it is essential for all staff to contribute effectively to the organisation.

2.2 Unplanned absence due to sickness has a direct impact upon Dudley Mind in terms of increased sick pay and replacement costs. In addition services are disrupted and staff who remain at work during an employee's absence are put under extra pressure to cover workload during the absence which can lead to increased tensions, anxieties, stress and low morale.

2.3 Higher than normal levels of absence may also indicate problems within the work environment.

2.4 Dudley Mind has a commitment to act as a responsible employer at all times in its dealings with staff who suffer illness or incapacity whether temporary or permanent. All reasonable steps will be taken to ensure that staff health issues, and any associated factors in the work environment, are identified at an early stage, and that appropriate action is taken to address these.

2.5 Staff are encouraged to seek support from their line manager or HR Officer when suffering illness or incapacity.

3) Aim and Objectives

3.1 The key aim of this policy is to identify and put into practice processes for managing sickness absence which assist in optimising effectiveness and capability.

3.2 The objectives are to:

- Ensure that sickness absence is managed responsibly, consistently and fairly, giving staff confidence in Dudley Mind's' approach;
- Promote a culture where individuals feel that their contribution at work is valued;
- Ensure support for staff who are experiencing ill-health whilst minimising absence levels and their impact;
- Promote a proactive and positive approach to managing sickness absence;
- Reduce or eliminate, where possible, organisational factors that may lead to sickness absence, such as inappropriate management, lack of training and support, inappropriate patterns of work, adverse environmental factors;
- Encourage early indication of illness which could result in long-term incapacity;
- Define the responsibilities of all Dudley Mind staff and management in relation to implementing the Policy.

4) Scope

4.1 This policy and procedure applies to all Dudley Mind employees and workers.

4.2 The responsibility for monitoring and controlling sickness absence lies with those to whom the day-to-day supervision of staff is delegated. The Chief Executive Officer and HR Officer will monitor the overall situation in order to ensure that the policy and procedure is complied with and where necessary intervene in support of the line manager.

5) Procedure

5.1 Monitoring Absence Levels

5.1 Dudley Mind will monitor absence levels and actively manage any individual whose absence is above the acceptable level (see attendance standards section)

5.1.2 Dudley Mind is committed to ensuring that staff experiencing ill -health are treated consistently and with understanding and sensitivity whilst facilitating an optimal level of attendance at work.

5.1.3 It is the responsibility of team leaders and management with the guidance of HR Officer to monitor individual absence levels and causes of absence.

5.1.4 All absences together with reasons will be recorded for each member of staff. In disciplinary cases concerning absence the attendance record will be considered in terms of number of absences, frequency and any pattern of absence, and reasons for absence.

5.2 Absence Notification

5.2.1 Correct notification of absence by all employees is essential.

5.2.2 Failure to comply to the correct absence reporting procedure without good reason will result in unauthorised absence being recorded and may result in disciplinary action.

5.2.3 All members of staff should notify head office of their absence as soon as possible but no later than ONE HOUR before their start time. Staff working at a weekend or bank holiday should also call the oncall mobile (07951580792) to inform of their absence. If no-one is present at head office at the time of the call a message must be left on the answer phone detailing reason for absence, expected duration and any work commitments that need cancelling.

5.2.4 Failure to give sufficient information will result in a member of management calling back.

5.2.5 Staff should not normally ask anyone else to make contact on their behalf unless it is not possible for them to do it.

5.2.6 Contact should be made through a phonecall and not via text message/email etc.

5.2.7 For those with difficulty in contacting head office (for example someone living alone without a telephone) arrangements must be made with line manager of an acceptable way of informing head office of absence.

5.2.8 Whilst members of staff should be aware that it is their responsibility to make contact, if no communication is made then a manager will contact the employee via phone, letter or a visit in person. Managers should use their discretion when deciding when to contact an employee based on knowledge of personal circumstances etc but it would be reasonable in most cases for the manager to contact the employee on the first day of absence if no notification has been received.

5.2.9 Individuals should contact head office again after the fourth calendar day of absence and again after the seventh calendar day or on the immediately following working day. Thereafter employees should maintain contact every two weeks.

5.2.10 Where a member of staff becomes ill while at work and feels too unwell to continue working, s/he must contact his/her manager who will give permission for the individual to leave their work (either temporarily or for the day). Staff should seek medical advice where appropriate.

5.3 Long term sickness absence

5.3.1 Sickness absence lasting in excess of four weeks will be classed as long term absence. Medical certificates must be provided in accordance with the documentation policy below.

Contact

5.3.2 It is important to have regular contact with employees who are absent long-term due to illness, in order to maintain support for the individual and facilitate their return to work. Employees who are on long term sickness absence are expected to contact head office every two weeks (where practically possible) to provide an update on their condition.

5.3.3 In addition employees may be asked to attend meetings with their line manager or HR Officer 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 workplace the organisation reserves the right to visit them at home.

5.3.4 The aim of the meeting(s) will be:

- To seek to establish the reason for the employee's absence and its likely duration
- To consider offering alternative employment or a shorter working week, if this would enable the employee to return to work
- If the employee may be considered disabled within the meaning of the Disability Discrimination Act 1995, to consider making reasonable adjustment to the employee's job to accommodate his/her short term or long term requirements and/or to consider redeployment options
- If the employee's sickness absence continues to arrange further interviews as appropriate to review the employee's state of health and establish a likely return to work date

5.3.5 At any of these meetings an employee may choose to be accompanied by a fellow worker, or a trade union representative.

5.4 Gathering Medical Evidence

5.4.1 In order to help Dudley Mind establish the reason for an employee's absence and its likely duration and/or in a case where ill health of an employee is likely to make performance of the contract impossible, Dudley Mind will conduct an investigation of the health of the employee.

5.4.2 The investigation may include activities such as:

- Obtaining a medical report from the employee's GP and/or Consultant, with the employee's consent. Any reports will be obtained and used in accordance with the employee's rights under the Access to Medical Records Act 1988 (AMRA).
- The employee undergoing an examination by a medical person appointed by Dudley Mind.

5.4.3 Any information relating to the diagnosis, treatment or prognosis will only be disclosed to the HR Officer or Chief Executive with the consent of the employee.

5.4.4 If consent to access a medical report is denied, any employment decision will have to be taken on the basis of the information available but in the absence of medical opinion.

5.5 Disability

5.5.1 If the employee has or contracts a condition that means that they might be considered disabled within the meaning of the Disability Discrimination Act 1995 (DDA), Dudley Mind will consider making reasonable adjustments to their job to accommodate their short-term or long-term requirements.

5.5.2 This may involve a number of approaches which could include adapting the working environment, changing the hours of work, or redeployment. The employee will be fully consulted at all times.

5.6 Rehabilitation Hours

5.6.1 In cases of return to work following long term sickness Dudley Mind will support staff on 'rehabilitation hours' in order to 'phase in' their return to normal hours in order to facilitate the return and prevent further sick leave.

5.6.2 Any rehabilitation is dependent on the needs of the organisation. A full review of the employee's workload will be done prior to agreeing rehabilitation hours. In these circumstances the hours short will be unpaid or the employee will be given the option to use annual leave (subject to entitlement)..

5.6.3 Rehabilitation hours should last no longer than six weeks and following this a full review of the employee's fitness will be done by the line manager and HR Officer, and if necessary a guidance report from their doctor will be requested. In special circumstances it may be possible to extend the rehabilitation period subject to approval by the Chief Executive.

5.7 Dismissal on the grounds of ill health

5.7.1 Any decision on dismissal will be taken within the framework of the Disciplinary Procedure. Within that context, should any staff member's health be such that they can no longer undertake their role every effort will be made by Dudley Mind to make reasonable adjustments to the workplace, offer redeployment, and only in the last instance, consider termination on the grounds of incapability. A decision to dismiss a member of staff will only be taken with full consultation with the employee and approval and endorsement by the Human Resources Officer and Chief Executive.

5.7.2 Dudley Mind is unable to offer employees a severance payment in respect of termination of employment on the grounds of ill health.

5.8 Documentation

5.8.1 If an employee is absent then the following rules regarding documentation apply in order to qualify for sick leave and payment:

5.8.2 For absence lasting less than 7 calendar days: a return to work form (Appendix 1) on return to work will act as self certification.

5.8.3 For absences lasting more than 7 calendar days: the employee should see their doctor and a medical certificate must be produced with effect from day eight and forwarded immediately to head office.

5.8.4 Medical certificates must be submitted at the intervals specified by the doctor on the certificate. It is the employee's responsibility to ensure that the dates on each statement follow on without any gaps in between, if they are to be paid sick pay for the whole period. A current medical certificate at all times must cover their absence.

5.8.5 Failure to provide adequate medical statements may result in the absence being recorded as unauthorised and sick pay may be withheld.

5.8.6 If the employee fails to complete the return to work when requested to do so or consciously completes it inaccurately then sick pay may be withheld.

5.8.7 Dudley Mind reserves the right to request any individual to provide a doctor's medical certificate for any absence of 1 to 7 days at any time.

5.9 Payment during sick leave

Eligibility

5.9.1 Payment under the contract of employment will be made subject to the guidelines below to any employee who is absent from work due to either self or doctors certified sickness or industrial injury. All contractual payments are deemed to include any Statutory Sick Payments to which the employee may be entitled.

Period of payment

5.9.2 The maximum period of payment for absence due to sickness and injury depends on length of service:

Length of service	Payment
Up to one years service	Two months at full pay and two months at half pay, then statutory sick pay to a maximum of 28 weeks within any 12 month period. In line with statutory sick pay your first three days of sickness will be unpaid, the fourth day will be paid subject to entitlement above.
After one year and up to four years service:	Two months at full pay and two months at half pay, then Statutory Sick Pay to a maximum of 28 weeks within any 12 month period.
After four years of service:	Three months at full pay and three months at half pay (this is 28 weeks) within any 12 month period.

There is a limit of 28 weeks' SSP in any one period of sickness or linked periods. (Periods of sickness are said to be linked if the second period starts within eight weeks of the end of the first period.)

5.9.3 The first day of sickness absence will determine the level of entitlement. For example:

An employee has been employed for 3 years 11 months and has an entitlement to 2 months' full pay and 2 months' half pay. Should the employee's illness continue and he/she be off work for a period of 3 months, even though his/her period of employment with Dudley Mind during the period of sick leave will pass the 4 years' mark/point, his/her sick pay entitlement will be based upon the entitlement that was due on the first day of his/her sick absence.

6) Conduct during sickness absence

6.1 In all cases of sickness and injury resulting in absence from work it is expected that employees do their utmost to facilitate a speedy return to fitness and to work. In this regard employees are expected to act sensibly and honestly.

6.2 Dudley Mind would not therefore, in normal circumstances expect any employee who is absent due to sickness or injury to:

- Participate in any sport, hobby or social activity which is inconsistent in any way with their illness or injury, or which could aggravate the illness or injury, or delay or impede recovery.
- Undertake any other employment, whether paid or unpaid. If you undertake any employment while absent on sick leave it will be classed as gross misconduct and may lead to dismissal under the disciplinary procedure. Dudley Mind expects you to do everything to aid a speedy recovery.
- Engage in any activity that is inconsistent with the nature of your illness or injury, for example, heavy gardening with a back injury.

7) Medical appointments

7.1 All staff should make every effort to make such appointments outside of their working hours.

7.2 Where this is not possible within a reasonable period of time Dudley Mind will release employees with pay for medical appointments, on production of an appointment letter.

8) Pregnancy-related sickness

8.1 Pregnancy-related sickness absence should be recorded separately and should not normally be taken into account when monitoring absence levels.

8.2 An employee who is absent due to a pregnancy-related illness during the four week period prior to her due date will be required to start her maternity leave, and will be entitled to maternity pay (if eligible) and not sick pay.

9) Annual Leave and Sickness

9.1 If an employee becomes sick before commencing a period of booked annual leave, the leave may be cancelled to be taken at another time during the current holiday year or reduced in duration, subject to medical certification.

9.2 Sickness which arises during annual leave entitlement or on public holidays will not be credited back.

9.3 The usual use it or lose it provisions apply to annual leave during periods of long-term sickness.

10) Dudley Mind Attendance Standards

10.1 Regular and continuous attendance is required by all staff. A judgement of what constitutes 'unacceptable' or 'acceptable' levels of absence is entirely dependent on the individual circumstances of each case.

10.2 All absence will be automatically reviewed by managers on return to work. In general provided that there is a satisfactory reason for the absence and the frequency is less than three episodes in any rolling 12 month period or does not exceed 10 days a manager may deal with the matter informally which may involve a letter of concern unless it is considered appropriate to take action under the disciplinary procedure because there is an element of misconduct involved.

10.3 Where however the reasons for absence are not acceptable or become more frequent the formal disciplinary procedure will be followed which is likely to lead to warnings initially but ultimately dismissal. Single episodes of long term sickness will be judged on their merits taking account of obligations imposed by the Disability Discrimination Act and the capacity of Dudley Mind to maintain effective operations without the assistance of the sick employee.

11) Return to work

11.1 It is the employee's responsibility to inform their Line manager and Dudley Mind Head Office promptly of their return to work, on the day of return. This will ensure the correct payments and recording of absence.

11.2 It will also enable the manager to conduct a return to work interview with the employee. Return to work interviews (Appendix 1) will be held after each period of absence, however short, possibly by telephone if necessary.

11.3 The purpose of the return to work interview is to:

- check the employee's fitness to return to work
- identify if the employee needs any support to maintain their attendance
- understand how both parties can seek to maintain/improve attendance levels.
- review the member of staff's attendance record over the last 12 months
- give employee the opportunity to discuss any problems or raise any concerns;
- inform the member of staff that if attendance does not improve the next step that may be taken

11.4 The return to work interview should be held in private with sufficient time to explore issues. It is essential that confidentiality is respected. Prior to the discussion the line manager should have looked at the employee's absence history and ensure they have taken into account any background information.

12) Confidentiality

12.1 Employees have the right to confidentiality regarding illness, in line with Data Protection and Access to Medical Records legislation, therefore considerable care is given to the security of records and access is only made available to authorised staff.

12.2 Employees are permitted to see a copy of their own sickness record on request to the HR Officer.

13) Changes

Dudley Mind reserves the right to change the provision of the Absence Policy and Procedure by amendment, addition or deletion or substitution of new procedures from time to time at its discretion. Employees will be consulted and notified of any changes by appropriate means.

Appendix 1: Return to Work Interview Form

RETURN TO WORK

Employee Name	
Job Title	
Contracted Hours	
Absence Start Date	
Absence End Date	
Total Days Absent	
Reason for absence	
Was correct procedure followed?	
If no, why not?	
Is employee on any medication that may affect their work? If so please provide details below	

Was doctor consulted?	
Doctor's Name	
Doctor's Address	
Date Consulted Doctor	
Confirmed reason for absence	
Medical certificate provided?	
Employee Comments (is there anything Dudley Mind could do to support RTW?)	
I am now fit to return to work	
Employee Signature	Date
Manager Comments	
Manager Signature	Date