



SICKNESS ABSENCE: REPORTING, POLICY AND GUIDANCE

I. Scope and Purpose

- i. All employers require a formal policy for managing sickness. In the absence of such a policy, employees can receive unequal treatment as managers can make their own interpretation of what is reasonable. This can lead to precedents that are detrimental to fair and equitable treatment in the workplace.
- ii. Triple C (Liverpool) has a responsibility to ensure that an employee who is ill takes sufficient sick leave, and does not jeopardise their health or the health of others by attempting to fulfil their duties when not fit to do so.
- iii. This policy applies to all employees of Triple C (Liverpool) and is based upon fairness, equity and the need to manage levels of sickness.
- iv. The policy is based upon support and actions to deal with all forms of sickness absence and reflects Triple C's duty of care to ensure the well-being of its employees.
- v. Triple C (Liverpool) is an employer who adheres to 'The Equality Act 2010', we do not discriminate against employees because of a mental or physical disability, or fail to make reasonable adjustments to accommodate an employee with a disability.

2. Responsibilities of Employees in Reporting and Managing Sickness Absence

- i. The employee must inform their supervisor if any form of ill health begins to impact upon their ability to perform the duties of the role they are assigned to do.
- ii. The employee must ensure Triple C (Liverpool) is made aware of any changes to personal contact and emergency contact details so that records can be kept fully updated.
- iii. In the event of illness, employees are required to inform their supervisor or, if not immediately available, a trustee or project lead. This should be done personally, but if not possible it may be done by another on their behalf. If notification is by someone other than the employee, then the employee should provide confirmation of the details submitted as soon as possible.
- iv. Initial notification should take place no later than 10am on the morning of the first day of absence. If possible, employees should provide the following details on each occasion of absence.
 - outlining the nature of the illness.
 - the actual date the illness began (including non-working days) and anticipated length of the absence period (if known).
 - Any work commitments or arrangements that may need progressing.
 - Whether the reason for the absence is work related and if so, how?
 - In addition, the next date for contact may be agreed.
- v. Absence not notified in accordance with approved regulations will constitute unauthorised absence, unless sufficient information is submitted to and approved by the employee's supervisor. Failure to follow this procedure may result in loss of sick pay and possible disciplinary action.
- vi. A Self-Certification Form should be completed for each continual period of absence of one day or more. It is the responsibility of the returning employee to complete the self-certification form.

- vii. If the sickness persists longer than three days, then on the fourth day of absence, before 10am, employees are requested to make a further declaration by contacting their supervisor. Again, the relevant supervisor or suitable alternative should be informed.
- viii. If the illness exceeds, or is expected to exceed seven days, including non-working days, a doctor's certificate (a fit note) is required and should be sent to the supervisor when it is issued. A new medical certificate should be sent thereafter as appropriate to cover in advance any continued absence. Any absence of more than seven days is defined as a *long-term absence* (see section 6).

3. Management of Sickness Absence

- i. Sickness absence indicators have been established to ensure Triple C (Liverpool) manages absence fairly and equitably and to ensure employees understand the levels of absence which will lead to management under this policy.
- ii. Below are the sickness absence indicators that will be used to flag up possible concerns. An initial conversation with the employee should ensue as part of the return to work discussions and ensure employees with health concerns are appropriately supported and managed, this may not lead to any further action.
 - 3 separate periods of sickness absence within any rolling 6 months' period or 6 periods of absence within any rolling 12 months' period.
 - A total of ten working days (pro rata for part-time employees) within any rolling 12 months' period.
- iii. Supervisors may speak to an employee outside these sickness absence indicators when there are clear reasons to do so (for example, where patterns of absence are a cause for concern).
- iv. Supervisors however must on all occasions apply these sickness absence indicators if reached to ensure employees are supportively managed when periods of ill health impede their ability to attend work appropriately.
- v. Annual leave will still be accrued whilst you are off sick, if your illness starts whilst you are on annual leave then you must inform your supervisor as soon as possible and get medical evidence to prove when your illness began.

4. Returning to Work

- i. On returning to work after a period of absence (a usual working week or three separate absences during one month), the employee's supervisor will arrange to meet with the employee for an informal interview. The supervisor will seek to clarify the nature of the absence in a sensitive, confidential manner, and ensure the employees wellbeing and that they are fit for work. They will aim to determine whether the employer can do anything to support the employee in their return to work and ensure they are able to carry out their duties safely. It is paramount that the employee does not rush to return to work if they are unfit or unable to do so safely.
- ii. The interview is not meant to intimidate or cause the employee any distress, but simply to reassure and reiterate the employer's commitment to good working practice and a safe working environment for all employees. An informal interview is preferred by Triple C (Liverpool) rather than a formal meeting, as we seek to be proactive in dealing with employee absence, in dealing with employee's personal issues and in reassuring them of the organisation's ethical manner and pastoral care. In some cases, this may be in the form of a phone conversation where appropriate.
- iii. These meetings will be conducted in a supportive way. The supervisor will seek to establish what support or measures could be made to assist the employee to maintain their attendance at work.
- iv. Return to work meetings should take place on the first day of return and every effort should be made to accommodate this. However, if not practicable on the first day, a return to work meeting should be held as soon as possible following every period of absence.
- v. A discreet record will be kept of the discussion and will be held on the employees confidential file.
- vi. Annual leave will still be accrued whilst you are off sick, if your illness starts whilst you are on

annual leave then you must inform your supervisor as soon as possible and get medical evidence to prove when your illness began.

5. Short-Term/Repeated Absence

- i. When an employee has hit a sickness absence indicator point and/or where patterns of absence cause concern, the supervisor may decide to discuss their concerns with the employee. Each absence will be considered on an individual basis, taking into account:-
 - The nature of the employee's illness or condition.
 - The frequency and pattern of absence.
 - Any underlying reason(s) for absence.
 - The employee's overall absence record.
 - The operational needs of the service.
- ii. Consideration should be given to the reasons for the absence and/or the nature of the illness and, if considered appropriate, the employee may be invited in writing to a formal meeting with the supervisor. The invitation will state the reason for the meeting, provide the absence record to date and the right of the employee to be accompanied by a work colleague, a trade union representative or an official employed by a trade union. No third party representatives will be allowed.
- iii. At this meeting the following should be discussed:-
 - The details of the employee's absence record (including working days lost only) and that the level of absence is a cause for concern.
 - The reason(s) for absence and any patterns of absence that have emerged.
 - Whether there are any underlying causes for the absences.
 - The action points to be agreed including areas of assistance and support.
 - The improvements required over the review period should be established.

The emphasis should be on counselling and support.
- iv. The employee will be given the opportunity to respond to the concerns raised. Where it is likely that the employee is covered under the Equality Act 2010, any reasonable adjustments should be discussed and considered.
- v. The improvements required will depend on the circumstances of the individual case and any absence history will be taken in to account, along with any representations made by the individual.
- vi. A review period will be set and will be effective from the date the employee returned to work following the last period of absence. A review period should be no longer than 3 working months. The outcome of the meeting will be provided to the employee in writing.
- vii. If the employee sustains an acceptable level of attendance during any review period under this stage no further action will be taken at that time. This should be confirmed to the employee in writing. The employee should be made aware what level of attendance will be acceptable during the following 3 months. Should their attendance fall below this level at any point during the 3 months' period then consideration will be given to progress this matter further to a formal interview with the employee, the supervisor and the Chair or Vice Chair of Triple C (Liverpool) to consider continued employment.
- viii. The basic salary payment for short term absence will be paid by Triple C as follows:-
 - 10 days per calendar year (2 weeks' pro-rata for part time staff). Any further days taken as short-term sick leave will result in the employee receiving SSP only (if they qualify – see appendix 1).
- ix. Triple C (Liverpool) will not as a matter of course alert any employee regarding the number of incidents of sick leave which have occurred. Employees may request this information from their supervisor at any time.

6. Long-term Absences

- i. An absence exceeding 28 calendar days is generally considered to be a long term absence.
- ii. Where a period of absence is likely to be long term then the supervisor must maintain contact with the employee. This can include a welfare meeting to enquire as to their well-being and keep them informed of what is happening within Triple C (Liverpool). Depending on the circumstances, the welfare meeting can be held at the employee's home, at the Triple C base, to encourage the employee to visit the office or at a neutral venue. The purpose of the meeting is to:
 - Discuss the employee's progress.
 - Identify any areas for support.
 - Consider and review any possible short term or longer term adjustments or actions that could be made to facilitate a return to work.
 - Where the employee's condition or illness is considered to fall within the definition of disability under the Equality Act 2010 reasonable adjustments will be discussed with the employee.
 - Discuss a likely return to work date (if known).
 - Advise that continued absence may put their employment at risk or, given their absence history and current situation, that the case will be referred to a formal interview.
 - Consider if Ill-health retirement is an option for the employee due to permanent ill health.
- iii. If long-term absence jeopardises the work of Triple C (Liverpool), and return of the employee appears unlikely, steps may be taken to terminate the appointment of the employee. A review meeting will be held, at which the employee has the right to be represented. Such proceedings will also be made subject to a request for medical evidence and evidence of the consequences of further absence.
- iv. The final decision on the matter rests with the Chair of Triple C (Liverpool).
- v. For information as to appeal, please refer to the grievance procedure of Triple C (Liverpool).

7. Entitlement for Long-Term Absence

- i. Compliance with Triple C (Liverpool) sick pay and notification requirements will secure payment of normal basic salary. Under these conditions Triple C (Liverpool) will seek to honour normal basic salary.
- ii. The basic salary payment will include and not be in addition to the amount of any Statutory Sick Pay (SSP) to which an employee may be entitled to. Qualifying periods for basic salary sick pay for long-term sick leave are calculated on a sliding scale, dependent upon length of service (pro rata if part-time or for a fixed term shorter than one calendar year), as shown in the appendix.

Such payments will be at the discretion of Triple C (Liverpool) during the initial probationary period of employment. Thereafter, you will be entitled to SSP subject to qualification.
- iii. If the period of absence exceeds that entitling the employee to SSP, the employee may be entitled to Universal Credit (UC) or Employment Support Allowance (ESA)
- iv. Basic salary payment will be made once only in a given 12-month period, except by express permission of the Board of Trustees. The 12-month period being taken into account commences from when an employee returned to work from their last episode of long term sickness.
- v. For the purpose of the SSP scheme the agreed "qualifying days" are Monday to Friday.
- vi. Triple C (Liverpool) reserves the right to request medical reports as to the condition of an employee at any time, in order to formulate the most appropriate response.

8. Disability/Chronic Illness

Triple C (Liverpool) takes a sympathetic approach to employees who have special needs and recognises that from time to time there may be special considerations which need to be taken into account. These considerations may include employees who:-

- Have a disability
- Have been diagnosed with a long-term chronic condition/illness or disease.
- Are undergoing a long-term course of treatment for a chronic condition/illness.

Each case will be considered at each incident of absence and will be recorded by the supervisor.

Policy Adopted: July 2009, Reviewed Dec 2012, Sept 2015. Significant review:- March 2019

Appendix SSP Statutory Sick Pay (ref: <https://www.gov.uk/statutory-sick-pay/eligibility>)

Eligibility

To qualify for Statutory Sick Pay (SSP) you must:

- be classed as an [employee](#) and have done some work for your employer
- have been ill for at least 4 days in a row (including non-working days)
- earn an average of at least £118 per week
- tell your employer you're sick before their deadline - or within 7 days if they do not have one

Agency workers are entitled to Statutory Sick Pay.

Exceptions You will not qualify if you:

- have received the maximum amount of SSP (28 weeks)
- are getting Statutory Maternity Pay

You can still qualify if you started your job recently and you have not received 8 weeks' pay yet. Ask your employer to find out more.

Linked periods of sickness If you have regular periods of sickness, they may count as 'linked'. To be linked, the periods must:

- last 4 or more days each
- be 8 weeks or less apart

You're no longer eligible for SSP if you have a continuous series of linked periods that lasts more than 3 years.

Fit notes (or sick notes) You only have to give your employer a [fit note](#) if you're off sick for more than 7 days in a row (including non-working days).

You can get a fit note from your GP or hospital doctor. If your employer agrees, a similar document can be provided by a physiotherapist, podiatrist or occupational therapist instead.

If you're not eligible or your SSP ends You may be able to apply for [Universal Credit](#) or [Employment and Support Allowance \(ESA\)](#). You can use [form SSP1](#) to support your application. If your SSP is ending your employer must send you form SSP1 either:

- within 7 days of your SSP ending, if it ends unexpectedly while you're still sick

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- on or before the beginning of the 23rd week, if your SSP is expected to end before your sickness does
- If you do not qualify for SSP your employer must send you form SSP1 within 7 days of you going off sick.

Qualifying Period		Full Pay	Half Pay
During first 6 months' service	2 weeks	0	
Between 6 and 12 months' service	3 weeks	0	
After completing 12 months' services	4 weeks	2 weeks	
After completing 2 years' service	8 weeks	2 weeks	
After completing 3 years' service	12 weeks	4 weeks	
After completing five years' service	16 weeks	8 weeks	

SSP is not payable for the first 3 Qualifying Days (QDs) in a Period of Incapacity for Work (PIW) – these are called Waiting days (WDs). They are not always the first 3 days of the sickness absence as the employee may be sick on non-QDs, e.g. weekends. In the examples below, the employee is sick for 1 week Monday to Sunday.

Employee works (QDs)	PIW	Number of waiting days	Number of QDs SSP is payable for
Monday to Friday	7	3	2 (Monday, Tuesday, Wednesday are WDs SSP due for Thursday and Friday)
Tuesday, Thursday, Friday	7	3	0 (Tuesday, Thursday and Friday are WDs)
Tuesday, Wednesday, Thursday, Friday	7	3	1 (Tuesday, Wednesday and Thursday are WDs, SSP due on Friday)