



| POLICY INFORMATION (Policy no HR003) | |
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| Subject | Sickness Absence Policy and Procedures <i>(This policy is non-contractual and is subject to periodic review and will be amended according to service development needs).</i> |
| Applicable to | All employees of Nottinghamshire Hospice |
| Target Audience | This policy applies to all Nottinghamshire Hospice employees. It does not apply to agency workers, consultants or self-employed contractors. |
| Date issued | Dec 2023 |
| Next review date | Dec 2025 |
| Lead responsible for Policy | Director of People Services |
| Policy reviewed by | Chief Executive Officer |
| Notified to (when) | Senior Leadership Team Dec 2023 |
| Authorised by (when) | Senior Leadership Team Dec 2023 |
| CQC Standard if applicable | |
| Links to other Hospice Policies | Disciplinary Policy and Procedure HR024 Equality and Diversity Policy HR021 |
| Links to external policies | |
| Summary | Nottinghamshire Hospice wishes to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. In addition, where needed and reasonably practicable, measures will be taken to assist those who have been absent by reason of sickness to return to work. |
| This policy replaces | Sickness Absence Policy and Procedures HR0003 2020-23 |

IMPORTANT NOTICE

Staff should refer to the Hospice website or Policies and Procedures folder on the 'N' drive for the most up to date Policy. If the review date of this document has expired it is still valid for 3 months.

After that staff should seek advice from their clinical lead or manager.

| VERSION CONTROL | | |
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| Status | Date | Review date |
| Original policy written by Angela Bloomfield, Head of HR | June 2015 | |
| Ratified by Quality and Safety Group and authorised by CEO, Rowena Naylor-Morrell | June 2015 | June 2017 |
| Policy reviewed by Donna Roberts, HR Manager | June 2017 | |
| Policy reviewed by Freeth's Solicitors – legally compliant | Nov 2017 | |
| Authorised by Donna Roberts, HR Manager | Nov 2017 | Nov 2019 |
| Formatted, updated control sheet and published on Policy Doc App | Dec 2019 | |
| Reviewed by Donna Roberts | Sept 2020 | Sept 2023 |
| Logo updated and uploaded to website | March 2021 | |
| Reviewed and amended by Donna Roberts, Head of HR, ratified by SCG committee and updated on website | June 2021 | |
| Reviewed by Chief Executive Officer | Dec 2023 | |
| Authorised by Senior Leadership Team | Dec 2023 | Dec 2025 |
| Uploaded to website | Dec 2023 | |

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| <p>1.</p> | <p>Introduction</p> <p>This policy sets out our procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way.</p> <p>Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment).</p> |
| <p>2.</p> | <p>Scope</p> <p>This policy does not form part of any employee’s contract of employment, and we may amend it at any time.</p> <p>We may vary the procedures set out in this policy, including any time limits, as appropriate in any case.</p> <p>The Senior Management Team has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. Day-to-day responsibility for operating the policy and ensuring its maintenance and review has been delegated to the Human Resources Department.</p> <p>Managers have a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.</p> |
| <p>3.</p> | <p>Disabilities</p> <p>We are aware that sickness absence may result from a disability. At each stage of the Sickness Absence Meetings Procedure (as set out from section 11), particular consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide support at work and/or assist a return to work.</p> <p>If you consider that you are affected by a disability or any medical condition which affects your ability to undertake your work, you should inform your Line Manager.</p> |

4. Sickness Absence Reporting Procedure

If you are taken ill or injured while at work you should be given permission to leave work by your Line Manager. Line Managers should make arrangements for anyone who is unwell to be accompanied home and/or to receive medical treatment where necessary.

If you cannot attend work because you are ill or injured you should normally telephone your Line Manager or the Human Resources Department as early as possible and no later than 15 minutes after the time when you are normally expected to start work. If your Line Manager is not available you must leave a message for them to call you back or speak to the Human Resources Department. You must not send text messages or leave a message with Reception. The following details should be provided:

- The nature of your illness
- The expected length of your absence from work
- Contact details
- Any outstanding or urgent work that requires attention

All staff have a duty to notify their line manager if they suspect an infection:

- Have symptoms of gastroenteritis
- Have diarrhoea, vomiting, chicken pox or shingles

Staff should not return to work if they have had any of the above until they have been symptom free for 48 hours.

Managers should ensure that:

- a. Any sickness absence that is notified to them is recorded. They will inform the Human Resources Department and complete Section A – Absence Report of the Sickness Absence Report Form.
- b. Arrangements are made, where necessary, to cover work and to inform colleagues and clients (while maintaining confidentiality).

You should expect to be contacted during your absence by the Human Resources

Department or your Line Manager who will want to enquire after your health and be advised, if possible, as to your expected return date.

If you are ill or injured during a period of pre-arranged annual leave you may elect to treat the days of incapacity as sickness absence instead of annual leave. You must inform your Line Manager or Human Resources of your incapacity and its likely duration as soon as possible even if you are abroad. You will not receive company sick pay unless you are able to provide a medical certificate or other evidence of incapacity at your own expense for the full period of incapacity.

If you are sick on a designated training day, you are expected to follow the Sickness Absence Reporting Procedure. Failure to follow this procedure may result in the absence being regarded as unauthorised as highlighted in section 6.

5. Evidence of Incapacity

For sickness absence of seven calendar days you must complete a Section B – Self Certification of Sickness Absence Report Form which is available from your Line Manager who will have completed Section A.

For absence of more than a week you must obtain a certificate from your doctor (a "Statement of Fitness for Work") stating that you are not fit for work and the reason(s) why. This should be forwarded to the Human Resources Department as soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence.

If your doctor provides a certificate stating that you "may be fit for work" you should inform your Line Manager immediately. We will discuss with you any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice. This may take place at a Return to Work Interview (see section 10). If appropriate measures cannot be taken, you will remain on sick leave and we will set a date to review the situation.

Where we are concerned about the reason for absence, or the level of frequent short-term absence, we may require a medical certificate for each absence regardless of duration. In such circumstances, we will cover any costs incurred in obtaining such medical certificates, for absences of a week or less, on production

| | <p>of a doctor's invoice.</p> | | | | | | | | | | |
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| <p>6.</p> | <p>Unauthorised Absence</p> <p>Cases of unauthorised absence will be dealt with under our Disciplinary Procedure. Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence.</p> <p>If you do not report for work and have not telephoned your Line Manager or the Human Resources Department to explain the reason for your absence, your Line Manager will try to contact you, by telephone and in writing if necessary. This should not be treated as a substitute for reporting sickness absence.</p> | | | | | | | | | | |
| <p>7.</p> | <p>Nottinghamshire Hospice Sick Pay Scheme</p> <p>All contracted employees are entitled to receive Company sick pay provided you have completed your probationary period and have complied with this policy in all respects. Company sick pay is based on basic pay only and does not include any enhanced payments. Company sick pay is inclusive of any SSP that may be due for the same period, and is paid on the following basis:</p> <table border="0" data-bbox="507 1171 1313 1686"> <thead> <tr> <th data-bbox="507 1171 759 1205">Length of Service</th> <th data-bbox="831 1171 954 1205">Sick pay</th> </tr> </thead> <tbody> <tr> <td data-bbox="533 1256 734 1290">Up to 6 months</td> <td data-bbox="831 1256 1123 1290">No sick pay, SSP only</td> </tr> <tr> <td data-bbox="549 1339 718 1373">6-12 months</td> <td data-bbox="831 1339 1313 1417">2 weeks' basic full sick pay and 2 weeks' basic half sick pay, then SSP</td> </tr> <tr> <td data-bbox="507 1469 759 1503">12 months–5 years</td> <td data-bbox="831 1469 1313 1547">6 weeks' basic full sick pay and 6 weeks' basic half sick pay, then SSP</td> </tr> <tr> <td data-bbox="576 1603 691 1637">5 years+</td> <td data-bbox="831 1603 1313 1682">12 weeks' basic full sick pay and 12 weeks' basic half sick pay, then SSP</td> </tr> </tbody> </table> <p>Any employee working a variable shift pattern will not be eligible for Company sick pay for additional hours worked where they have already worked their weekly contracted hours. Company sick pay will only be applied to the contracted hours.</p> <p>These payments are based on the anniversary of your start date. The number of days allowed, is based on a rolling 52 week period. Nottinghamshire Hospice</p> | Length of Service | Sick pay | Up to 6 months | No sick pay, SSP only | 6-12 months | 2 weeks' basic full sick pay and 2 weeks' basic half sick pay, then SSP | 12 months–5 years | 6 weeks' basic full sick pay and 6 weeks' basic half sick pay, then SSP | 5 years+ | 12 weeks' basic full sick pay and 12 weeks' basic half sick pay, then SSP |
| Length of Service | Sick pay | | | | | | | | | | |
| Up to 6 months | No sick pay, SSP only | | | | | | | | | | |
| 6-12 months | 2 weeks' basic full sick pay and 2 weeks' basic half sick pay, then SSP | | | | | | | | | | |
| 12 months–5 years | 6 weeks' basic full sick pay and 6 weeks' basic half sick pay, then SSP | | | | | | | | | | |
| 5 years+ | 12 weeks' basic full sick pay and 12 weeks' basic half sick pay, then SSP | | | | | | | | | | |

Sickness Benefit will be paid via the payroll for all employees and is not indicated as a separate item on the pay slip. Where Nottinghamshire Hospice Sickness Benefit terminated prior written notice will be provided.

If a period of sickness absence is or appears to be occasioned by actionable negligence, nuisance or breach of any statutory duty on the part of a third party, in respect of which damages are or may be recoverable, you must immediately notify the Finance Manager of that fact and of any claim, compromise, settlement or judgment made or awarded in connection with it and all relevant particulars that we may reasonably require. If we require you to do so, you must cooperate in any related legal proceedings and refund to us that part of any damages or compensation you recover that relates to lost earnings for the period of sickness absence as we may reasonably determine, less any costs you incurred in connection with the recovery of such damages or compensation, provided that the amount to be refunded to us shall not exceed the total amount we paid to you in respect of the period of sickness absence.

Continuation of Nottinghamshire Hospice Sick Pay beyond the limits laid down may be made in cases which Nottinghamshire hospice sees as exception or deserving of particularly compassionate treatment.

If you have been on long term sick leave continuously for more than a year you will not qualify for Company sick pay again until you have returned to work for a total of 26 weeks.

An employee will be disqualified from eligibility if he or she:

- a) Does not adhere to the required Sickness Absence Reporting Procedure in Section 4.
- b) Behaves in a manner that is likely to delay recovery.
- c) During sickness, does work not related to their employment with Nottinghamshire Hospice for which remuneration is, or would normally be payable.
- d) Refuses to accept alternative employment, which in accordance with medical opinion would not delay recovery.

- e) Suffers an injury or illness that is self-inflicted, or mainly or partly attributable to a breach of legislation (e.g. Health & Safety at Work Act). Where a breach of legislation is involved, benefit will not be suspended unless the employee has been given a formal Warning by Nottinghamshire Hospice of such a breach.

An employee who fails to comply with notification or certification procedures or who otherwise abuses Nottinghamshire Hospice's rules on sickness absence will be dealt with under the Disciplinary Procedure.

It should be noted that possession of a medical certificate does not automatically qualify an employee for Nottinghamshire Hospice Sickness Benefit.

Nottinghamshire Hospice may request further medical information, subject to the Access to Medical Reports Act 1988 or ask the employee to attend a medical examination. Refusal to comply with such a request may lead to loss of sickness benefit.

Nottinghamshire Hospice reserves the right to give an employee notice of termination notwithstanding the fact that the employee's sickness benefit has not been exhausted.

Entitlement to Nottinghamshire Hospice Sick pay depends on length of service on the first day of absence. This will not change if the period of sickness absence continues into a new length of service band.

Entitlements are the maximum payments in any one period of absence or the total of multiple absences in a 52-week rolling period. When determining an individual employee's entitlement for current absence all sickness absence in the prior 52 weeks will be taken into account. Part time employees will be entitled to sickness benefit on a pro-rata basis.

No sickness payment other than SSP will be made if, after investigation, it is deemed that your sickness or injury is due to:

- a) Gross misconduct or negligence.
- b) Participation in a high risk activity which is excluded from normal medical insurance cover.

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| | <p>c) An injury acquired in your own time whilst working for private gain for another employer.</p> <p>Nottinghamshire Hospice Sick Pay Scheme gives additional entitlement to sick pay:</p> <p>Sick Leave and Holidays</p> <p>If you become sick or injured while on annual leave such that you would be unfit for work you may ask us to treat the period of incapacity as sick leave and reclaim the annual leave.</p> <p>To be able to claim Company sick pay you must notify your manager of your incapacity immediately, and the usual requirements for medical evidence in this policy will also apply, even if you are abroad.</p> <p>If you are on sick leave you may choose to cancel any pre-arranged annual leave that would otherwise coincide with your sick leave. You should notify your manager as soon as possible that you wish to do this.</p> <p>If your period of sick leave extends into the next holiday year, or if there is not enough time left in the current holiday year to make it practicable to take your remaining holiday entitlement, you can carry any unused holiday entitlement over to the following leave year, to be used within three months of your return to work. Any annual leave not taken within 15 months of the end of the holiday year in which it accrues (whether or not you have returned to work) will be lost.</p> |
| <p>8.</p> | <p>Keeping in Contact During Sickness Absence</p> <p>If you are absent on sick leave you should expect to be contacted from time to time by your Line manager or the Human Resources Department in order to discuss your wellbeing, expected length of continued absence from work and any of your work that requires attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum. During an absence of 4 weeks or more your Line Manager and/or the Human Resources Department will:</p> <ul style="list-style-type: none"> a) Offer to carry out welfare visits. b) Ensure you are kept informed about your sick pay entitlement. |

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| | <p>c) Ensure you are kept up to date with any appropriate changes within the organisation.</p> <p>If you have any concerns while absent on sick leave, whether about the reason for your absence or your ability to return to work, you should feel free to contact your Line Manager or the Human Resources Department at any time.</p> |
| <p>9.</p> | <p>Medical Examinations</p> <p>We may, at any time in operating this policy, ask you to consent to a medical examination by our Occupational Health Department and/or a doctor nominated by us (at the expense of Nottinghamshire Hospice). You will be asked to agree that any report produced in connection with any such examination may be disclosed to us and that we may discuss the contents of the report with our advisers and the relevant doctor.</p> |
| <p>10.</p> | <p>Return-to-Work Interviews</p> <p>If you have been absent on sick leave we will arrange for you to have a return-to-work interview with your Line Manager. Your Line Manager will complete Section C – Return to Work Interview of the Sickness Absence Report Form.</p> <p>A return-to-work interview enables us to confirm the details of your absence. It also gives you the opportunity to raise any concerns or questions you may have, and to bring any relevant matters to our attention. During this meeting your Line Manager will:</p> <ul style="list-style-type: none"> a) Identify the frequency and reason for the absences and ensure that you are aware if your absence record is giving cause for concern. b) Advise you to seek proper medical attention if there is an underlying medical problem. A medical could be requested, if appropriate. c) Inform you that persistent short-term absences are unacceptable. d) Consider any adjustments to your work which may assist in reducing your absences. |

- e) Give consideration to any personal problems and possible ways of helping you to resolve them.
- f) Highlight that if your attendance does not improve they may have to commence Sickness Absence Meetings.

In addition, Section D – A Discussion Record of the Sickness Absence Report Form will be completed and signed by you and your Line Manager. Any appropriate action will be taken as necessary.

Proof of medical appointments must be provided.

All Sickness Absence Report Forms will be retained in employees' Human Resources file.

All Sickness will be recorded by your Line Manager and the Human Resources Department and monitored by the Senior Management Team.

Where your doctor has provided a certificate stating that you "may be fit for work" we will usually hold a return-to-work interview to discuss any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice.

We are committed to helping employees return to work from long-term sickness absence. As part of our Sickness Absence Meetings Procedure (see section 4), we will, where appropriate and possible, support returns to work by:

- a) Obtaining medical advice
- b) Making reasonable adjustments to the workplace, working practices and working hours (where possible)
- c) Considering redeployment and/or
- d) Agreeing a phased return to work programme with everyone affected.

If you are unable to return to work in the longer term, we will consider whether you are entitled to any benefits under your contract and/or any insurance schemes we operate.

11. Sickness Absence Meetings Procedure

We may apply this procedure whenever it is considered necessary by your Line Manager, in conjunction with the Senior Management team, including, for example, if you:

- (a) Have been absent due to illness on a number of occasions
- (b) Have discussed matters at a return to work interview that require investigation.

Unless it is impractical to do so, we will give you 5 days written notice of the date, time and place of a sickness absence meeting. We will put any concerns about your sickness absence and the basis for those concerns in writing or otherwise advise why the meeting is being called. A reasonable opportunity for you to consider this information before a meeting will be provided.

The meeting will be conducted by your Line Manager and will normally be attended by a member of the Human Resources Department. You may bring a companion with you to the meeting (see section 12).

You must take all reasonable steps to attend a meeting. Failure to do so without good reason may be treated as misconduct. If you or your companion are unable to attend at the time specified you should immediately inform your Line Manager or the Human Resources Department who will seek to agree an alternative time.

A meeting may be adjourned if your Line Manager is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. You will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.

Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given to you in writing within 7 days of a sickness absence meeting (unless this time scale is not practicable, in which case it will be provided as soon as is practicable).

If, at any time, your Line Manager considers that you have taken or are taking

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| | sickness absence when you are not unwell, they may refer matters to be dealt with under our Disciplinary Procedure. |
| 12. Right to be Accompanied at Meetings | <p>You may bring a companion to any meeting or appeal meeting under this procedure.</p> <p>Your companion may be either a trade union representative or a fellow employee. Their identity must be confirmed to your Line Manager or the person conducting the meeting, in good time before it takes place.</p> <p>Employees are allowed reasonable time off from duties without loss of pay to act as a companion. However, they are not obliged to act as a companion and may decline a request if they so wish.</p> <p>Some companions may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice a meeting. Companions should not normally work at another site unless no-one reasonably suitable is available at the site at which you work.</p> <p>We may at our discretion, permit a companion who is not an employee or union representative (for example, a family member) where this will help overcome particular difficulties caused by a disability, or difficulty understanding English.</p> <p>A companion may make representations, ask questions, and sum up your position, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during a meeting.</p> <p>Stage 1: First Sickness Absence Meeting</p> <p>This will follow the procedure set out in sections 11 and 12 on the arrangements for and right to be accompanied at sickness absence meetings.</p> <p>The purposes of a first sickness absence meeting may include:</p> <ul style="list-style-type: none">a) Discussing the reasons for absence. |

- b) Where you are on long-term sickness absence, determining how long the absence is likely to last.
- c) Where you have been absent on a number of occasions, determining the likelihood of further absences.
- d) Considering whether medical advice is required.
- e) Considering what, if any, measures might improve your health and/or attendance.
- f) Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting under the Sickness Absence Procedure.

Stage 2: Second Sickness Absence Meeting(s)

Depending on the matters discussed at the first stage of the Sickness Absence Procedure, a further meeting or meetings may be necessary. Arrangements for meetings under the second stage of the Sickness Absence Procedure will follow the procedure set out in section 11 and 12 on the arrangements for and right to be accompanied at sickness absence meetings.

The purposes of further meeting(s) may include:

- a) Discussing the reasons for and impact of your on-going absence(s).
- b) Where you are on long-term sickness absence, discussing how long your absence is likely to last.
- c) Where you have been absent on a number of occasions, discussing the likelihood of further absences.
- d) 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.
- e) Considering your ability to return to/remain in your job in view both of your capabilities and our business needs and any adjustments that can reasonably be made to your job to enable you to do so.

- f) Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying you.
- g) Where you are able to return from long-term sick leave, whether to your job or a redeployed job, agreeing a return to work programme.
- h) If it is considered that you are unlikely to be able to return to work from long-term absence, whether there are any benefits for which you should be considered.
- i) Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting(s). This may, depending on steps we have already taken, include warning you that you are at risk of dismissal.

Stage 3: Final Sickness Absence Meeting

Where you have been warned that you are at risk of dismissal, we may invite you to a meeting under the third stage of the Sickness Absence Procedure.

Arrangements for this meeting will follow the procedure set out in 5.9 and 5.10 on the arrangements for and right to be accompanied at sickness absence meetings.

The purposes of the meeting will be:

- (a) To review the meetings that have taken place and matters discussed with you.
- (b) Where you remain on long-term sickness absence to consider whether there have been any changes since the last meeting under stage two of the procedure; either as regards your possible return to work or opportunities for return or redeployment.
- (c) To consider any further matters that you wish to raise.
- (d) To consider whether there is a reasonable likelihood of you returning to work or achieving the desired level of attendance in a reasonable time.
- (e) To consider the possible termination of your employment.

Termination will normally be with full notice or payment in lieu of notice.

13. Appeals

You may appeal against the outcome of any stage of this procedure and you may bring a companion to an appeal meeting (see section 12).

An appeal should be made in writing, stating the full grounds of appeal, to your Line Manager or the Human Resources Department within 7 days of the date on which the decision was sent to you.

Unless it is not practicable, you will be given written notice of an appeal meeting within one week of the meeting. In cases of dismissal the appeal will be held as soon as possible. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.

You will be provided with written details of any new information which comes to light before an appeal meeting. You will also be given a reasonable opportunity to consider this information before the meeting.

Where practicable, an appeal meeting will be conducted by a manager senior to your Line Manager or the individual who conducted the sickness absence meeting.

Depending on the grounds of appeal, an appeal meeting may be a complete rehearing of the matter or a review of the original decision. Following an appeal the original decision may be confirmed, revoked or replaced with a different decision. The final decision will be confirmed in writing, if possible within 7 days of the appeal meeting. There will be no further right of appeal.

The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.