

# St Peter, Paul & Thomas of Canterbury, Bovey Tracey

## **DIGNITY AT WORK SICKNESS ABSENCE POLICY**

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|---|--|
| Who approves the policy?                    | Standing Committee   |
| Who is responsible for updating the policy? | Church Administrator   |
| Classification                              | Employment   |
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| Related Documents                           |  |
| Location of Electronic Copy                 | Google Drive PPT Church Admin  |
| Scope                                       | This Policy applies to all the PCC of PPT Bovey employees plus those individuals identified in paragraph 2. The PCC of PPT Bovey reserves the right to amend this policy at its discretion at any time. It does not form part of any employees' contract of employment with the PCC of PPT Bovey |
| Extensions                                  | None   |
| Exclusions                                  | Agency workers, consultants, self-employed contractors and authorised volunteers with a signed Volunteer Agreement.  |

# Sickness Absence Policy

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## **1. Policy Statement**

This policy sets out our procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way.

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).

We wish 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.

In the event that this policy and the law conflict, the law shall take precedence. If employees are in any doubt as to what their rights are they are to discuss matters with their manager. If this policy changes as a result of amendments in the law, the changes will be notified to the employee via their manager.

You and anyone accompanying you (including witnesses) to any meetings or hearings conducted in accordance with this policy must not make electronic recordings of any such meetings or hearings.

We may vary the procedures set out in this policy, including any time limits, as appropriate in any case.

This policy does not form part of your contract of employment and it may be amended at any time.

## **2. Who is Covered by the Policy?**

This policy is intended to apply to all employees of the PCC of PPT Bovey, including full-time, part-time and fixed-term employees.

This policy does not apply to casual staff, agency workers, consultants, self-employed contractors, or authorised volunteers on agreed the PCC of PPT Bovey business.

## **3. Roles and Responsibilities**

Managers are responsible for:

- Ensuring that any sickness absence that is notified to them is recorded.
- Ensuring that arrangements are made, where necessary, to cover work and to inform colleagues and relevant third parties (while maintaining confidentiality).

You should expect to be contacted during your absence by your manager who will want to ensure after your health and be advised, if possible, as to your expected return date.

The Standing Committee are responsible for providing advice under this policy and ensuring that the policy is up-to-date and reflects changes in employment law and best practice.

The PCC Treasurer is responsible for receiving and processing sickness absence payments.

#### **4. Definition**

Statutory Sick Pay (SSP) – Statutory sick pay, or SSP, is the minimum you must legally be paid if you're off sick from work. It is paid to employees of companies, who are off sick for at least four days in a row. SSP is not means tested, so your savings and other income won't be taken into account when calculating the sick pay you'll receive. Statutory sick pay isn't usually paid for the first three days you're off unless you've received SSP in the last eight weeks and are now eligible for it again.

For employees with more than two years service we pay more than the statutory minimum. See Section 9 below.

#### **5. Disabilities**

We are aware that sickness absence may result from a disability. At each stage of the sickness absence meetings procedure (set out below), 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.

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 manager.

#### **6. Sickness Absence Reporting Procedure**

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

If you are aware that you have been in contact with an infectious or notifiable disease, please seek guidance from your doctor as to whether you should come to work. If your doctor advises you against it please inform your manager.

If you cannot attend work because you are ill or injured you should normally telephone your manager as early as possible and no later than 30 minutes after the time when you are normally expected to start work. 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.

#### **7. Sickness Absence Recording – PeopleHR**

All sickness absence should be recorded by the employee regardless of duration and whether or not a doctor's certificate has been obtained.

## **8. Evidence of Incapacity**

For sickness absence of up to seven calendar days you must complete a self-certification form which can be found at the end of this policy.

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 your manager as soon as possible. If your absence continues, further medical certificates must be provided to cover the remaining period of absence.

If your doctor provides a certificate stating that you 'may be fit for work' you should inform your 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 below). 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 of a doctor's invoice.

## **9. Unauthorised Absence**

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.

If you do not report for work and have not telephoned your manager to explain the reason for your absence, your 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.

## **10. Sick Pay**

You may be entitled to Statutory Sick Pay (SSP) if you satisfy the relevant statutory requirements. Qualifying days for SSP are Monday to Friday, or as set out in your employment contract. The rate of SSP is set by the government in April each year. No SSP is payable for the first three consecutive days of absence. It starts on the fourth day of absence and may be payable for up to 28 weeks. If you are not eligible for SSP or if your SSP entitlement is coming to an end we will give you a form SSP1 telling you the reasons.

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 your 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 co-operate 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.

#### **11. Keeping in Contact During Sickness Absence**

If you are absent on sick leave you should expect to be contacted from time to time by your manager 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.

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 manager at any time.

#### **12. Medical Examinations**

We may, at any time in operating this policy, ask you to consent to a medical examination by a doctor nominated by us (at our expense).

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.

#### **13. Return-to-work Interviews**

If you have been absent on sick leave your manager will conduct a return to work interview. A copy of this will be passed to the church administrator and placed upon your personnel file.

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.

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 you to return to work from long-term sickness absence. As part of our sickness absence meetings procedure (see point 13), we will, where appropriate and possible, support returns to work by:

- Obtaining medical advice.
- Making reasonable adjustments to the workplace, working practices and working hours.
- Considering redeployment.
- Agreeing a 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.

#### **14. Right to be Accompanied at Hearings**

At the outset of any disciplinary hearing or appeal hearing, you will be made aware of your right to be accompanied by a work colleague or trade union official (a "Companion") to any disciplinary hearing or appeal hearing under this procedure. The companion may be either a trade union representative or a colleague. You must tell your manager who your chosen companion is, in good time before the hearing.

A companion is allowed reasonable time off from duties without loss of pay but no-one is obliged to act as a companion if they do not wish to do so.

If your companion is unavailable at the time a hearing is scheduled and will not be available for more than five working days we may require you to choose someone else.

We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) where this will help overcome a disability, or where you have difficulty understanding English.

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 hearing.

If an employee indicates that they do not want a companion, this must be noted in the minutes of the meeting.

#### **15. Sickness Absence Meetings Procedure**

We may apply this procedure whenever we consider it necessary, including, for example, if you:

- Have been absent due to illness on a number of occasions.
- Have discussed matters at a return to work interview that require investigation.
- Have been absent for more than 14 days.

Unless it is impractical to do so, we will give you seven 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 normally be conducted by your manager and the XXXX may be present. You may bring a companion with you to the meeting.

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 manager in order to agree alternative arrangements.

A meeting may be adjourned if your 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 usually be given to you in writing within seven 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 manager considers that you have taken or are taking sickness absence when you are not unwell, they may refer matters to be dealt with under our Disciplinary Procedure.

### ***Stage 1: First Sickness Absence Meeting***

This will follow the procedure set out in paragraphs 14 and 15 on the arrangements for and right to be accompanied at sickness absence meetings.

The purposes of a first sickness absence meeting may include:

- Discussing the reasons for absence.
- Where you are on long-term sickness absence, determining how long the absence is likely to last.
- Where you have been absent on a number of occasions, determining the likelihood of further absences.
- Considering whether medical advice is required.

Considering what, if any, measures might improve your health and/or attendance.

- Agreeing a way forward, action that will be taken and a time-scale for review and/or a further meeting under the sickness absence procedure.

### ***Stage 2: Further 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 paragraphs 14 and 15 on the arrangements for and right to be accompanied at sickness absence meetings.

The purposes of further meeting(s) may include:

- Discussing the reasons for and impact of your ongoing absence(s), where you are on long-term sickness absence, discussing how long your absence is likely to last.
- Where you have been absent on a number of occasions, discussing the likelihood of further absences.
- If it has not been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required.
- Considering your ability to return to/remain in your job in view both of your capabilities and the requirements associated with the post you hold and any adjustments that can reasonably be made to your job to enable you to do so.
- Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying you.



- 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.
- 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.
- Agreeing a way forward, action that will be taken and a time-scale 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 paragraphs 14 and 15 on the arrangements for and right to be accompanied at sickness absence meetings.

The purposes of the meeting will be:

- To review the meetings that have taken place and matters discussed with you.
- 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.
- To consider any further matters that you wish to raise.
- To consider whether there is a reasonable likelihood of you returning to work or achieving the desired level of attendance in a reasonable time.
- To consider the possible termination of your employment.

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

### ***Appeals***

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

An appeal should be made in writing, stating the full grounds of appeal, to your manager within seven 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 the individual who conducted the sickness absence meeting or an Executive director.

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 seven 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.

## **APPENDIX A: Guidance on the role of a Companion**

This document is intended to provide guidance to individuals who have been asked to accompany a colleague to a meeting held under procedures set out in this policy.

### ***Should/Can you Attend?***

You are entitled to refuse to accompany your colleague, for any reason, if you choose to do so.

If you cannot attend the meeting on the proposed date, liaise with the individual concerned or get in touch with the relevant contact as soon as possible so that an alternative date can be scheduled. This will normally be no more than five working days later than the originally scheduled date.

### ***Prior to the Interview/Hearing***

It may be helpful for you to read the relevant sections of the Employee Handbook.

- Ensure your colleague understands the procedure to be followed. If they are in doubt, you or your colleague are to talk to the relevant contact person in the People Team.
- Ensure you are familiar with the full facts of the case and understand your colleague's views and the issues to be addressed.
- Ensure that your colleague has notified the relevant contact person that you will be accompanying them to the meeting.

### ***During the Interview/Hearing***

During the meeting you may address the meeting in order to:

- State your colleague's case.
- Sum up your colleague's case.
- Respond on your colleague's behalf to any view expressed at the meeting (but this does not extend to answering questions on behalf of your colleague).
- You and your colleague can confer with each other at any time during a hearing. If you wish to do so privately, ask the person chairing the meeting to have an adjournment.
- You may not answer questions on behalf of your colleague.
- You may take notes.

### ***After the Interview/Hearing***

Write up your notes so that the events remain clear in your mind. You may also wish to advise your colleague to go to the relevant contact if they are unclear about the process that will follow the interview.

## SICKNESS ABSENCE FORM

This form must be completed and verified for any period of absence which is due to sickness or injury, in order that correct records are maintained and to avoid any delay in the payment of salaries. This self-certificated form is necessary for the first **seven** calendar days of sickness, after which a medical practitioners' certificate must be obtained.

|  |  |                         |  |
|--|--|-------------------------|--|
| <b>Employee Name:</b>  | <b>Message taken by:</b>                     | <b>Date:</b>            | <b>Time:</b>   |
| <b>Department:</b>   |  |                         |  |
| <b>Manager:</b>  |  |                         |  |
| <b>Period of Sickness Absence</b>  | <b>Date</b>                                  |                         |  |
| When did you last work?  |  |                         |  |
| When was your first day of sickness absence?   |  |                         |  |
| When was your last day of sickness absence?  |  |                         |  |
| <b>NOTE:</b> Days of sickness absence on non-working days (e.g. weekends, bank holidays etc.) should be included |  |                         |  |
|  | <b>Working days</b>                          | <b>Non working days</b> | <b>Total working hours lost during these days</b>                            |
|  |  |                         | <b>Of which <u>long-term</u> (&gt; 4 consecutive calendar weeks absence)</b> |
| How many days in total were you absent?  |  |                         | H H H M M H H H M M  |
| <b>Part-time workers</b> please tick which days of the week you normally work.                                   | <b>Mon</b>                                   | <b>Tue</b>              | <b>Wed Thu Fri</b>   |
| Was your sickness caused by an industrial injury / accident at work?   | <b>YES / NO</b>                              |                         |  |
| If yes, have you notified your manager of the details?   | <b>YES / NO</b>                              |                         |  |
| <b>Details of sickness</b>   | Did you contact your doctor? <b>YES / NO</b> |                         |  |
|  | Doctor's advice:                             |                         |  |

## EMPLOYEE DECLARATION

I declare that the details given above are correct to the best of my knowledge.

Signed.....Date.....

*You are reminded that making a false declaration is a very serious disciplinary matter which could result in dismissal.*

**MANAGER**

I received this declaration from the above employee on.....and believe it to be correct.

Signed.....Date.....

## RETURN TO WORK INTERVIEW FORM

This must be completed in full for all absences. Prior to conducting the return to work interview, the manager should be familiar with the employee's sickness record over the past 12 months. Please refer to the 'Conducting a Return to Work Interview' guidance notes for managers. Where appropriate, the manager may wish to consider using the following format for the Return to Work interview:

**Employee Name:** \_\_\_\_\_

Welcome the employee back to work.

Confirm reason for absence.

Are you fully recovered? **YES** ☐ **NO** ☐

If not fully recovered, to what extent are you still unwell?

Are you fit enough to carry out the full range of duties? **YES** ☐ **NO**

☐

If no, consider whether there needs to be an adjustment of duties or risk assessment and give details:

Remind employee that if they have suffered an industrial injury they may wish to make a claim. Please see the Health and Safety representative in this instance.

**BEFORE asking the following questions the employee should be told: "You do not have to answer these questions if you feel an underlying health issue is sensitive. However, not doing so could prevent the PCC of PPT Bovey from fully understanding how best to support you to achieve a successful return to work."**

Do you consider that you have an underlying health, or other, problem? **YES** ☐ **NO**

☐

If yes, give details:

\_\_\_\_\_

Are you on medication or receiving treatment? **YES** ☐ **NO**

☐

If yes, give details:

\_\_\_\_\_

Is there any further/ongoing support the PCC of PPT Bovey can offer you?

**YES** ☐ **NO** ☐

If yes, give details:

**The manager should assess the employee's sickness record.**

Total number of days absence in the last 12 months: \_\_\_\_\_

Number of occasions: \_\_\_\_\_

Does the employee's sickness absence follow a specific pattern?

YES ☐ NO

☐

If yes, please give details:

Give details of any action taken:

**Any action proposed as a result of this interview:**

**Data Protection Act 2018**

Any information collected on this form will be held manually or on a computer by the PCC of PPT Bovey for monitoring and information purposes only. This information will only be used in relation to your employment with the PCC of PPT Bovey.

**Manager:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Employee:** \_\_\_\_\_

**Date:** \_\_\_\_\_