

SICKNESS POLICY

Statement and Purpose of Policy

1. The HOLT Isle of Wight CIC ('we' or 'us') recognises that you may not always be fit to attend work or may become ill or be injured at work and so this policy is designed to ensure that instances of sickness are dealt with consistently, fairly and in a non-discriminatory way.
2. We must ensure that the reasons for sickness absence are understood in each case and investigated, if necessary. We will adopt practical and reasonable measures to assist employees returning to work after sickness absence if we think they would be helpful.
3. This sickness policy sets out our procedures for reporting and managing sickness absence, whether the absence is for several short illnesses or a long-term illness. All employees must abide by the terms and spirit of this policy.
4. This policy summarises your statutory rights. If there is a conflict between this policy and the statutory entitlements, this policy is amended, as necessary, to comply with legal requirements.
5. This is a statement of policy, which applies to employees only and does not form part of your contract of employment. We may amend this policy at any time, in our absolute discretion.
6. We process personal data when managing sickness absence and employees' right to sick pay in accordance with our data protection policy - in particular, our policy on processing 'special categories of personal data' (which includes, but is not limited to information about an individual's health). Data collected as part of this procedure is held securely and accessed by, and disclosed to, individuals only for the purposes of managing sickness absence and administering sick pay. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with our data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under our disciplinary procedure.

Disabilities

7. You should inform Juliet Bell if any medical condition affects your ability to do your job or if you are affected by a disability.
8. We will consider at each stage of our sickness procedure, whether sickness absence is the result of a disability and whether reasonable adjustments will assist with a return to work.

Reporting Sickness Absence

9. If you become ill or are injured at work, you should contact Juliet Bell and fill in the accident book if appropriate. If you require basic first aid, you should contact Juliet BELL, otherwise, you should leave work to go home or to receive medical treatment.
10. If you are ill or injured and cannot attend work you should telephone Juliet Bell no later than 30 minutes before you normally start work, unless an extreme emergency does not allow for this. You should tell Juliet Bell:
 - a. the nature of your illness or injury;
 - b. the expected length of your absence from work; and
 - c. urgent work that requires attention.
11. Managers should record all sickness absences they are notified of and arrange for any urgent work to be covered until the relevant employee's return.

12. Your line manager may contact you during your sickness absence to discuss your health, urgent work being covered in your absence and to be advised, if possible, of your expected return date. This contact will be kept to a minimum to allow you to recover, but you should contact Juliet Bell if you wish to discuss your condition further.
13. For sickness absence of up to seven days, you must complete a self-certification form, available from Juliet Bell. Where we are concerned about the reason for absence or short-term absence is frequent, we may require a medical certificate for sickness absences of less than one week. In such circumstances, we will cover the costs of this, if you provide your doctor's invoice. For an absence of more than a week, you must provide us with a "Statement of Fitness for Work"/"Fit Note" stating that you are not fit for work and the reason(s) why and provide this to Juliet Bell. Medical certificates must be provided for the whole time you are away.
14. If your doctor provides a certificate stating that you "may be fit for work" you should inform Juliet Bell immediately. We will discuss any measures suggested by your doctor to help you return to work, but if suitable arrangements cannot be made you will stay on sick leave and we will set a date to review your situation.
15. We may, at any time, require you to consent to a medical examination by a doctor nominated by us. You agree that any report produced after such examination may be disclosed to us and that we may discuss the contents of the report with the relevant doctor.
16. If it is suspected that you are claiming to be unwell whilst absent, but that you are indeed well, or you fail to follow the procedure set out in this policy for reporting sickness absence, your absence will be treated as an unauthorised absence and will be dealt with under our disciplinary policy.

Sick Pay

17. You may qualify for Statutory Sick Pay (SSP) at the rate set by the government, if you satisfy the statutory requirements and provide us with medical certificates as stated in this policy. Qualifying days for SSP are Monday to Friday, or as stated in your employment contract. No payment is made for the first three consecutive days of sickness absence, but from the fourth day, SSP may be payable for up to 28 weeks. If you do not qualify or your SSP entitlement is coming to an end we will give you a form SSP1 telling you why.
18. After you have completed 3 months continuous service you will be entitled to receive your full salary and contractual benefits (inclusive of any SSP) during any sickness absence up to a maximum of 24 weeks in any year. A year runs from the same dates as our holiday year.
19. If sickness absence is or appears to be caused by a third party and damages are or may be recoverable, you must immediately tell Juliet Bell of that fact and of any claim, settlement or judgment made or awarded in connection with it. 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 sickness absence we have paid you for.
20. Any employer and employee pension contributions will continue subject to the relevant scheme rules during any period of business sick pay or SSP.

Returning to Work After Sickness Absence

21. If you have been on sick leave for more than five days we will arrange for you to have a return-to-work interview with Juliet Bell to confirm the details of your absence and to raise any concerns or questions. The contents of any certificate from your doctor stating you 'may be fit for work' will also be discussed at an informal return-to-work interview.
22. We are committed to helping employees return to work from long-term sickness absences. As part of our sickness absence meetings procedure we will, where appropriate and possible, support a return to work after long-term sickness by:
 - a. obtaining medical advice;

- b. making reasonable adjustments to the workplace, working practices and working hours;
 - c. considering redeployment; and/or
 - d. agreeing a return-to-work programme.
23. 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.

Sickness Absence Meetings Procedure

24. We will follow this procedure whenever we feel it is necessary, including where:
- a. you have been absent due to illness on a number of occasions;
 - b. the contents of a return-to-work interview need further discussion; and/or
 - c. you have been absent for more than ten consecutive days.
25. Juliet Bell will usually give you at least two days' written notice of why the meeting is being called, the date, time and place of a sickness absence meeting. This notice will give you a reasonable opportunity to consider what will be discussed before the meeting takes place.
26. You may bring a companion with you to the meeting (a colleague or trade union representative unless we, in our absolute discretion, allow for you to bring someone else to assist in overcoming difficulties caused by a disability or understanding English). You must supply Juliet Bell with the details of your companion at least 24 hours before the start of the meeting. Employees are allowed reasonable time off without loss of pay to act as a companion but are not obliged to. 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 discuss relevant matters privately with your companion at any time during a meeting.
27. Failure to attend a meeting or at least to make all reasonable steps to attend a meeting may be treated as misconduct. A meeting may be adjourned if:
- a. you or your companion are unable to attend at the time set for the meeting and you have immediately informed Juliet Bell;
 - b. Juliet Bell is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting; or
 - c. you are given new information and so will be given a reasonable opportunity to consider this before the meeting is reconvened.
28. Decisions, reasons for the decisions and your right of appeal will be confirmed in writing within 14 days of any meeting under this procedure (unless this is not practicable, when it will be provided as soon as is practicable).

Sickness Absence Meetings

29. This is a first formal opportunity to discuss reasons for absence, how long an absence is likely to last, the likelihood of recurring absence, whether we should refer you to a doctor, what, if anything, we could do to assist with your attendance at work and when a further review should take place. You may be accompanied at this meeting by a companion, as set out in paragraph 26 of this policy.
30. Further meeting(s) may be required to discuss:
- a. reasons for and impact of your ongoing absence(s);
 - b. how long your absence is likely to last and the likelihood of further absences;
 - c. seeking medical advice or considering advice already given and whether further advice is required;

- d. your ability to return to or remain in your job, looking at your capabilities and any reasonable adjustments we are able to make and looking at our business need;
- e. redeploying you to a role you could perform without any adjustments, or where we can assist in making reasonable adjustments in order that you could perform the role;
- f. any benefits you should be considered for if you are unable to return from long-term sickness absence; and
- g. action that will be taken and when a review and/or further meetings will be held.

Again, you may be accompanied at these meetings by a companion, as set out in paragraph 26 of this policy.

- 31. After warning you that you are at risk of dismissal, we may invite you to a final sickness procedure meeting. You may be accompanied at this meeting by a companion, as per paragraph 26 of this policy.
- 32. At a final sickness absence meeting, we may discuss the content of previous meetings, any changes since our last meeting under this procedure, which could impact on your return. We may discuss whether it is reasonable to expect you to return to work, the hours of work required and a reasonable timescale for this, as other relevant matters you would like to discuss. We may also discuss the possible termination of your employment at a final sickness absence meeting, which would normally be on full notice or payment in lieu of notice.

Appeals

- 33. You may appeal in writing against the outcome of any meeting during this procedure, setting out your reasons, to Juliet Bell within seven days of the date on which you were sent the decision. You may bring a companion to an appeal meeting (see paragraph 26).
- 34. You will usually be given one week's written notice of an appeal meeting. If new matters are raised in an appeal more investigation may delay the meeting. If there is new information, you will be provided with a copy at least 24 hours before an appeal meeting so that you have a reasonable opportunity to consider it before the meeting.
- 35. Where practicable, an appeal meeting will be conducted by a more senior manager than the individual who conducted the sickness absence meeting.
- 36. Depending on the circumstances, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.
- 37. The final decision will be confirmed in writing, usually within one week of the appeal meeting. There will be no further right of appeal.
- 38. The dismissal date will not be delayed whilst the outcome of an appeal is awaited. However, if the appeal is successful, the decision to dismiss will be overturned and there will be no loss of continuity or pay.

Attribution

- 39. This sickness policy was created using a document from [Rocket Lawyer](https://www.rocketlawyer.com/gb/en) (https://www.rocketlawyer.com/gb/en).