

# Martec training

## Sickness Absence Policy & Procedures

Martec Training has developed a clear policy support the management of staff sickness that supports the organisation's business objectives, culture and its employees. The policy is designed to manage sickness absence effectively, in a fair and consistent manner.

Martec recognises that on occasions employees will be absent from work due to ill health. Line managers should always handle ill health in an equitable manner and employees who are absent through sickness should be dealt with sympathetically.

Line managers have an important role to play in the interventions to reduce absence levels; they need good communication skills to encourage employees to discuss any problems they may have at an early stage so that employees can be given support or advice before matters escalate. The task of balancing service and operational requirements, with consideration for the interests of employees, calls for judgment on the part of managers.

This policy's objective is to help line managers take appropriate action when dealing with the ill-health of their employees.

Employees who are absent for ill health or injury must do everything possible to help their own recovery.

### 1. ABSENCE POLICY

The following guidelines and procedures are part of an overall integrated sickness absence policy, which states that Martec Training will:-

1.1 Ensure that all employees are treated fairly, equally and consistently, irrespective of their grade or job.

1.2 Deal with every case of absence due to sickness with care and respect for the individual concerned.

1.3 Ensure that all employees understand their own responsibilities in relation to absence due to sickness policy.

1.4 Ensure that all line managers receive appropriate training and support to ensure that they understand their responsibility for managing absence due to sickness.

1.5 Monitor sickness absence levels by each department / area. Sickness absence reports within Martec Training's will illustrate overall percentages for individual management units and Martec Training data. Line managers will only receive reports for individual members of staff in their own management unit.

1.6 Each line manager is responsible for the collection and submission of sickness data via Michelle Price and for following the agreed procedures for dealing with short and long-term sickness.

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### 2. GENERAL CONDITIONS

2.1 This policy forms part of the Terms and Conditions of Employment and it applies to all employees of Martec Training.

2.2 An employee who is suspected or caught abusing these entitlements will be dealt with under the Martec Training's Disciplinary Procedure; this may result in a formal warning or in a serious case dismissal.

2.3 In exceptional cases the Principal, in conjunction with the Vice Principal has the discretion to extend the period of sick leave beyond that stated (eg where an employee is in the final stage of a terminal illness).

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### SECTION A

#### SICKNESS ABSENCE ARRANGEMENTS

##### A1. ABSENCE DUE TO SICKNESS

Any absence from work due to sickness will only qualify for SSP:- where the absence from work is due to genuine sickness or injury and the employee has complied with Martec Training's reporting procedures.

Should Martec Training's have any reason to doubt the validity of the illness or injury, the matter will be investigated and, depending on the findings, may result in disciplinary action up to and including dismissal and reclaiming the SSP for the period in question.

##### A2. MEDICAL SUSPENSION

Where there is evidence to suggest that an employee is not fit to be at work and the line manager believes that for them to remain at work constitutes a risk to the individual and / or learners and / or colleagues, the line manager in consultation with Directors may medically suspend the employee.

Advice from the Principal or CEO must always be sought before taking this course of action. Medical suspension is intended to be a short-term intervention only. Once suspended the employee should attend their General Practitioner to obtain a medical certificate. Where a GP is willing /unwilling to issue a medical certificate then Martec Training may refer the employee to an Occupational Health Practitioner before allowing the employee to return to work.

##### A3. REPORTING PROCEDURES

For ease of reference these are set out in Appendix 1. It is essential that accurate data is provided to Principal & Payroll Michelle Price and the agreed procedures followed.

Employees must be clear what their obligations are regarding absence due to sickness and it is the responsibility of the line manager to ensure that all employees are clearly informed of these obligations during their Induction.

It is an employee's duty to ensure that any absence less than five days is covered by a self-certificate and over five days by a current medical certificate. Should there be any query or problem regarding any medical certificates, or self-certificates submitted, this will be discussed with the employee concerned. The matter may be referred to the Principal, CEO and further action may be taken if necessary.

#### A4. CONDUCT DURING ABSENCE DUE TO SICKNESS

In all cases of sickness or injury, which necessitate taking time off work, it is expected that an employee will do their utmost to facilitate a speedy return to fitness and to work. In this regard, employees are trusted to act sensibly and honestly.

Martec Training would not normally expect any employee who is absent from work due to sickness or injury to undertake any similar employment, whether paid or unpaid, or engage in any activity, which may be detrimental to their recovery.

#### A5. SHORT-TERM SICKNESS

##### A5.1 Return to Work Interviews

Return to Work Interviews can help identify short term absence problems at an early stage.

On their return to work after absence, line managers should acknowledge that the employee has been absent and ensure that they feel supported and are fit enough to return to work.

This will take place after every absence and may be in the form of an informal discussion or a slightly more formal back to work discussion. The discussion should take place, whenever possible, on the first day the employee returns to the workplace.

##### 2 for Guidance on Return to Work Interviews

A5.2 handling short term recurrent absence many employees will be ill for a short period and this simply requires recording. However, where an employee incurs frequent short-term absences this is both likely to undermine the individual's own performance and be disruptive to colleagues.

Short-term sickness is usually one to three days duration, often displaying a regular pattern of absence due to a variety of medical conditions.

The line manager should arrange a meeting in order to establish the facts, there may well be underlying causes that can be addressed and line managers are reminded that this meeting is essentially a counseling interview. It should be held in private and on a one-to one basis.

This process should be initiated after the third spell of short-term absence within a rolling 6

month period. The number and pattern of absences should be established before the meeting, together with the causes, and the purpose of the interview is to allow a joint discussion of any factors that may be contributing to the attendance problem.

A record of this interview should be kept and the outcome may include:-

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a) No further action

b) A request for consent to write to the employee's General Practitioner and /or any Consultant involved during or after the sickness, to obtain a medical report. (See Appendix 3 for more information about Access to Medical Records).

c) Referral to an Occupational Health Practitioner appointed by Martec Training to prepare a report for further discussion by the employee & line manager.

[Note - if medical certificates are not produced or if the individual does not co-operate with Martec Training, this may result in loss of SSP and/or disciplinary action.]

[Note - If any of the meetings referred to above reveal an underlying medical condition, then the member of staff should be dealt with in accordance with the section below.]

### **A6. LONG-TERM SICKNESS**

The primary aim in dealing with cases of long-term absence should be to facilitate the individual's return to work at the earliest suitable opportunity. At the same time, it's important to bear in mind that, in extreme cases the person may not be able to return to work.

Long-term sickness must be handled sensitively and each case needs to be treated individually.

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Keeping in contact with absent employees is a key factor in helping them return after longterm absence, however, care must be taken that the approach is perceived to be helpful and not exerting pressure.

Long-term sickness absence is usually defined as absence of four continuous weeks or more.

All stress or work related illnesses must be referred to the Principal immediately.

In other circumstances, the Principal must be approached after four weeks sick leave, if it appears that the illness is likely to be of a long-term nature.

Any request to attend a meeting with a Martec Training appointed Occupational Health Practitioner is a contractual commitment and must be complied with by the employee.

Long term sickness is likely to have one of the following outcomes:-

A6.1 Employee is fit to return to job in the foreseeable future It is important to have regular contact until the return takes place. Any subsequent sickness will need a referral to the Principal.

Return initially on a part-time or reduced duties basis, for the purpose of rehabilitation, may be possible but should be discussed with the Principal and or Vice Principal. Individual arrangements for personal support to cover this period will need to be negotiated in each case. In such cases, managers should have regard to any the advice received from the employee's General Practitioner or Martec Training's Occupational Health Practitioner and how any proposed return to work arrangements could impact on statutory employee's pay.

A6.2 Employee is not deemed permanently unfit but no return can be anticipated in the foreseeable future In these exceptional circumstances, the line manager (supported by principal & CEO Department ) will:

(Where appropriate) refer the employee the Occupational Health Practitioner for guidance

Interview the employee, together with a representative (if requested) in order to explore the situation.

Give the employee the opportunity to comment on the medical opinion; give their view of their health; or provide further medical evidence and an alternative course of action. Martec Training will consider the possibility of holding permanent posts open, even when employees have exhausted their SSP entitlement, to allow them to return to work when fully recovered. The use of temporary cover may facilitate this arrangement.

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A6.3 Employee is unfit to return to their current post (Medical Incapability) If the employee is not fit to return to normal duties, the terms of the Disability Discrimination Act place a responsibility on the line manager to review the job to see whether any reasonable adjustments can be made which would enable the employee to continue in that role and to explore the feasibility of redeployment.

Alternative employment, retraining and/or career counseling for employment elsewhere must be fully explored. Exactly what level of retraining is appropriate will vary from case to case and, because of the variables involved, this will be considered on an individual basis following discussions with the line manager, the member of staff, Principal Vice Principal and (where appropriate) the Occupational Health Practitioner.

A reasonable timescale will be agreed in order to explore redeployment opportunities.

If Martec Training is unable to accommodate the member of staff, it may be necessary to consider retirement or dismissal on health grounds. The employee should be invited to a meeting to discuss all the options available.

Where a meeting takes place with the employee they will be given the opportunity to bring a colleague of Trade Union Representative to the meeting. The line manager will be supported by a Principal and or Vice Principal.

It is important that the employee understands their situation and that a dismissal through medical incapability is confirmed in writing five days following the meeting. The letter will include the employee's right of appeal.

Where a member of staff is dismissed on the grounds of incapability, he/she will receive notice in accordance with their contract of employment or payment in lieu of notice.

#### A7. MONITORING ABSENCE DUE TO SICKNESS

Reports will also be submitted regularly to Martec Training's Chair and Senior Operation team on the overall sickness levels.

The reports will help in identifying patterns and high level causes of short/long term absence.

This report will not contain personal information on any individual.

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#### SECTION B

#### SICK PAY ARRANGEMENTS

##### B1. STATUTORY SICK PAY

Statutory Sick Pay is payable for up to 28 weeks in any one period of absence from work, as long as there is a gap of 8 weeks between one 28 week period and the next. If this entitlement is exhausted then the employee may be eligible to transfer to State Sickness

Benefit or Incapacity Benefit.

The amount of Statutory Sick Pay paid is dependent upon an employee's salary. Statutory Sick Pay is not paid to those employees who earn less than the lower earnings limit, they receive Incapacity Benefit.

State Sickness Benefit - this must be claimed direct from local DWP offices. Martec Training will send the form SSP 1 to those employees not eligible for SSP in order for them to claim State Benefit.

Sick pay, which is made up of SSP and State Sickness Benefit will not exceed an employee's normal net pay.

Statutory Sick Pay are subject to deduction of PAYE income tax and National Insurance. State Sickness Benefit is not subject to PAYE income tax or National Insurance.

##### B2. RETURN TO WORK

Before returning to work after a long-term illness, an employee maybe asked to submit to a medical examination by an Occupational Health Practitioner appointed by Martec Training before being

allowed back to work. Martec Training reserves the right to refuse to permit any employee to return to work should the circumstances warrant it.

#### MONITORING AND REVIEW

This policy is subject to joint monitoring and will be reviewed by the Principal on a bi-annual basis.

#### NOTIFICATION OF SICKNESS PROCEDURE

##### 1. First Day of Absence

(a) The employee's line manager must be notified as soon as reasonably practicable – this will normally be by 8.00 am - on the employee's first day of absence. (If the line manager is unavailable the employee must identify and inform another suitable senior member of staff).

(b) If possible, the line manager should be given an indication of the likely duration of absence.

Line managers should encourage employees to notify sickness absence as early as possible on the first day of absence.

It is imperative that managers do investigate reasons for late notifications of sickness absence and are able to justify the reason.

##### 2. If Absent up to 5 Calendar Days

(a) Employee must complete a Self-Certification Form and give this immediately to their line manager when they return to duty on or before the fifth calendar day.

##### 3. If Absent for more than 5 Calendar Days

(a) For the period beyond 5 calendar days, an employee must obtain a medical certificate from their General Practitioner (GP) to be submitted to the line manager as quickly as possible.

(b) Medical Certificates from the GP will then be required at weekly intervals, or at intervals determined by the GP (i.e. fortnightly/monthly certificates).

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##### Appendix 2

##### Return to work Interview – Guidance Notes for Line Managers

Return to work interviews should be conducted after one day sickness or longer term absences.

All sickness must be treated as genuine and ensure that the tone adopted is supportive.

Where it is necessary to draw an employee's attention to difficulties that their absence is causing the centre, do so in a sensitive and calm way.

A consistent approach must be taken with all employees. Make sure that you are adopting the same standards for all employees (ie don't just use the Return to Work Interview with one or two staff, make sure all staff understand that it is part of a procedure that intends to support them).

## **Procedure**

Plan the meeting and ensure all relevant data (ie absence rates) are available before the discussion. The meeting should take place in a quiet and confidential setting. Although the meeting should not take more than 20 minutes you should ensure that you are not going to be disturbed.

Work through the questions slowly allowing the employee opportunity to clarify any answers given. A tip: Let the employee do most of the talking!

Do not press employee for intimate details of their absence. You may ask for general details.

Ensure that the absence is appropriately certificated – \*See Note Below Take account of any guidance given by the employee's GP. Make a note of this and explore what adjustments may need to be made to work or environment.

If the employee raises issues that are unexpected, perhaps stated that their absence is stress related (for example), take brief details, explain that you would like to arrange a further meeting and consult the Principal or Director. The further meeting should be convened within 3 days of the first discussion.

Use the section at the bottom of the sheet to identify appropriate action.

\*Note Contractual requirement :

Employees who are away from work due to sickness or accident must conform to the following procedure:-

Inform their line manager by 8.00am on the first day of their absence and each subsequent day if the date of their return is unclear.

If returning to work after no more than five working days absence complete a Self Certificate Form .

If absence lasts longer than five working days, forward Medical Certificates from their GP at weekly intervals.

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Name : Job Title : Centre:

Line Manager : Dates of Absence :

From : To :

How are you feeling now ?

Why were you absent :

Certificate required (R) / provided (P) :

(R) (P) (R) (P)

Self Certificate / Medical Certificate /

What has your doctor said to you about your return to work?

Have they advised you that you should refrain from any activities / duties at work?

If so for how long?

Is there anything that you (or your doctor) feel we could do that would reduce the risk of further absence(s)?

Are you likely to suffer any reoccurrence or experience any further problems?

Employee return after absence

Action required by line manager: (Please tick required action)

Update employee on significant developments / events taking place whilst they were absent

Monitor health / agree additional meetings to review Request permission to write to doctor

Health and suitability of job role (See Sickness absence Policy & Procedures) Continue to Monitor absence rates consult the Principal or Vice Principal.