

Sickness and Absence Policy and Procedure	
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<b>Compliance lead</b>	Director of People, Employee Engagement and PSTE
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## SICKNESS AND ABSENCE POLICY AND PROCEDURE

### 1 Introduction

- 1.1 This Sickness and Absence Policy and Procedure sets out procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way.
- 1.2 The Trust recognises that sickness absence can arise in different ways, from short intermittent periods of sickness to long-term absence, and for different reasons, for example: injuries, recurring conditions; or a serious illness requiring lengthy treatment.
- 1.3 The Trust is committed to maintaining the health, safety and welfare of its workforce, and will seek to adopt policies and procedures, which establish a positive attendance culture and promote employee welfare. In the interest of the well-being of its employees and in order to operate in an efficient and cost effective way, the Trust recognises its statutory duty to ensure its employees are both physically and mentally fit to undertake their duties within the workplace. This duty also extends to employees who are obliged to inform the Department of Human Resources/ and or their line manager of any ill health problem that has the potential to prevent them from working in a safe manner.
- 1.4 The Trust wishes to ensure that the reasons for sickness absence are understood in each case, investigated where necessary and that, where needed, measures are taken to assist those who have been absent by reason of sickness to return to work. Therefore, to achieve these aims it is essential that the Trust has clear policies and procedures which include arrangements for monitoring and ensuring the effective day to day management of ill health issues and sickness absence.
- 1.5 This Sickness and Absence Policy and Procedure may be reviewed at the discretion of the Trust. While it does not form part of any employee's contract of employment and is entirely non-contractual, all employees are required to adhere to the policy and any failure to comply with any aspect of the policy may be treated as a disciplinary matter. The Trust may vary the procedure set out in this policy and procedure, including any time limits, as appropriate in any case.

## **2 Responsibilities Under the Policy and Procedures**

### **2.1 Managers' Responsibilities**

- 1.1.1 It is the responsibility of line managers to ensure that they take action to keep sickness absence levels to a minimum. This includes the fair and reasonable application of this procedure, the monitoring of absence levels using suitable records within their section/ department in liaison with the Department of Human Resources, the identification of high areas of sickness absence, and the development of systems of work which will help to minimise absences. Line managers are responsible for dealing with individual sickness cases and should ensure they are handled with sensitivity and confidentiality, whilst being frank about the need to resolve any problems that absence is causing. Line managers must ensure that employees who report to them are aware of their obligations under this procedure.
- 2.1.2 Line managers must ensure that both a Self-certification Form and a Return to Work Meeting Form are completed at the end of each period of sickness absence and that forms are correctly completed and medical certificates are attached where appropriate.
- 2.1.3 Line managers must ensure that the Department of Human Resources is informed of all periods of certified absence immediately upon notification by the employee.
- 2.1.4 Where further medical advice may be deemed beneficial the line manager should contact the Department of Human Resources and a referral to an Occupational Health Advisor will be considered.

### **2.2 Employees' Responsibilities**

- 2.2.1 For the purposes of this policy all employees have a responsibility to attend work on each working day unless they are prevented to do so by reason of ill health. When an employee is prevented from attending work due to ill health they are required to follow the Sickness Absence Procedures as detailed below.
- 2.2.2 It is an employee's responsibility to inform their line manager and the person identified within the site if they feel incapable of undertaking their duties by reason of ill health. This applies equally to both physical and mental medical conditions.

## **3 Sickness Absence Procedures**

- 3.1 Whilst recognising that there will be employees who genuinely suffer frequent periods of sickness absence, it is the aim of these procedures to ensure that all employees are treated fairly whilst ensuring that operational and service provisions are taken into consideration.
- 3.2 All employees are required to follow this sickness absence procedure and failure to comply with this procedure, or submission of false self-certification statements, or submission of any false information may be treated as a disciplinary matter in accordance with the Trust's Disciplinary and Dismissal Procedure.

- 3.3 Employees absent on account of ill health, injury or disability must notify their line manager and the person identified within the site, by telephone as soon as possible and by no later than one hour before their normal start time, giving the reason for the absence and stating an approximate return to work date. No other means of contact is permitted e.g. by text, letter or email. In exceptional cases a relative or friend may report an employee's absence in the same manner.
- 3.4 If an employee feels incapable of undertaking their duties by reason of ill health whilst they are at work, they must inform either their line manager, and the person identified on the site for sickness absence before they leave work. Thereafter, the Department of Human Resources and/ or line manager must be regularly updated. This applies equally to both physical and mental health conditions. If further guidance is required employees must seek advice from the Department of Human Resources. For perceived sensitive issues, employees may, if they so wish, seek confidential advice through the Department of Human Resources.
- 3.5 If the absence continues for longer than originally stated, and/ or beyond 3 days, then the employee should contact the Department of Human Resources and/ or their line manager. Where periods of absence are not correctly reported, this may be treated as unauthorised absence and the appropriate pay deducted.
- 3.6 Disciplinary action may also take place where continual non-compliance of this procedure occurs and no suitable explanation can be obtained.
- 3.7 If absent from work for 7 days or less, immediately on returning to work employees will be required to complete a Self-Certification Form for each day of absence ((unless the period of absence is already covered by a medical certificate or there is a requirement for the employee to obtain a doctor's fit note certificate (a "statement of fitness for work") for each period of sickness).
- 3.8 If sickness absence continues after 7 calendar days employees must inform the Department of Human Resources and/ or their line manager of their progress and obtain doctor's fit note certificates to cover all subsequent days of absence in that sickness period. If the line manager is contacted, they will then inform the Department of Human Resources immediately. The original medical certificate should be forwarded to the Department of Human Resources in order to ensure correct and timely payment of Statutory and Trust sick pay (if applicable), and for National Insurance purposes. The original medical certificates should be forwarded to the Department of Human Resources who will keep a photocopy and forward the original to the Finance (Payroll) Department immediately. In the event that any periods of sickness absence are not covered by a medical certificate, without any satisfactory explanation, then sick pay may be withheld for that period until a medical certificate is produced.
- 3.9 The Trust may ask an employee to submit a medical certificate at any time in the case of repeated short-term absence or require an employee to submit to a medical examination by the Trust's Occupational Health Advisor where it is deemed appropriate as part of these sickness procedures.
- 3.10 For extended periods of certified sickness absence the employee must notify the Department of Human Resources and/ or their line manager each time a further medical certificate is issued. All medical certificates should run consecutively to ensure that there are no days during the period of sickness absence when the employee is not covered by a medical certificate. All certificates should be forwarded to the Department of Human Resources and/ or their line manager immediately. Original documents only - photocopies will not be accepted.

- 3.11 Where an employee is referred to the Trust's Occupational Health Advisor, whether in connection to a short-term or long-term absence, they will be required to pay the full costs incurred if they fail to attend any appointments. Additionally, in accordance with the conditions of this policy and procedures, they will cease to be eligible for Trust sick pay, unless evidence of their inability to attend without notice is provided, e.g. a doctor's statement. Trust sick pay, when suspended in these circumstances, will only be reinstated through submission of a grievance under the Trust's Grievance Procedure, and if the Trust is satisfied with the explanation offered after completing its investigations.
- 3.12 Following a period of more than 14 days' sickness absence, the employee is required to submit a medical certificate stating fitness to return to work, and the date from which this is to commence. An employee entering a hospital or similar institution shall submit a doctor's certificate on entry and on discharge in substitution for General Practitioner medical certificates. The original copy of this certificate should be sent or given to the Department of Human Resources/ and or their line manager either prior to return to work or upon the first day of return. Where the employee has been signed back to work they should, also ensure that they inform the Department of Human Resources and/ or their line manager of their return to work date at least one day prior to the return date in order to allow work programming arrangements to be accommodated.
- 3.13 If your doctor provides a certificate stating that you "may be fit for work" you should inform a member of the Department of Human Resources immediately.
- 3.14 On returning to work, the line manager will undertake a Return to Work Meeting and complete a Return to Work Meeting Form along with a Self-certification Form, as appropriate, with the employee. Both forms should be forwarded to the Department of Human Resources immediately. The line manager will discuss with you any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice.
- 3.15 Should a line manager consider that an employee returning to work after sickness absence is not fit to undertake the work for which they are employed; they should seek advice from the Department of Human Resources.
- 3.16 The Trust shall, at its own expense, be entitled to require the employee to undergo examinations by an Occupational Health Advisor to be appointed or approved by the Trust. The employee authorises the Occupational Health Advisor to disclose to the Trust the results of the examinations and discuss with the employee any matters arising from the examinations which might affect the proper discharge of the employee's duties.

#### **4 Contact with an Absent Employee and Holidays**

- 4.1 Line managers in liaison with the Department of Human Resources are encouraged to make contact with an employee during a period of sickness absence to enquire about the employee's well-being. Should the line manager or a member of the Department of Human Resources wish or need to visit the employee, this should be done following prior arrangement with the employee and the first visit should be carried out within 4 weeks from the first day of sickness. Where appropriate the Department of Human Resources will offer guidance or assistance to both the line manager and employee where visits or contact with the employee are required.
- 4.2 If a period of illness runs into previously approved annual leave (which may also

includes a public/bank holiday), or if you become ill during annual leave or a public/bank holiday and you have a medical/fit note from a GP, Consultant or issued from a hospital and you have also notified the appropriate person at the Trust of your illness, you will be able to cancel any pre booked annual leave and appropriate sick pay will be paid. All the above procedures must be followed.

## **5 Unauthorised Absences and Pay**

- 5.1 Where an employee has failed to follow the procedure for notification of absence they will be considered to be absent without permission.
- 5.2 Normally an employee who is absent without permission will not be paid for that period of absence, unless there are strong mitigating factors present which the Trust, in its absolute discretion, considers to be sufficient to justify payment being made as an exception to the normal rule.
- 5.3 Where an employee has not notified their absence within the specified time, the line manager / and or the Department of Human Resources should make every effort to contact the employee including calling contact telephone numbers and a home visit. A record of all calls and visits must be kept.
- 5.4 Where contact cannot be made and the employee remains absent for 3 or more days without making contact then the line manager/ and or the Department of Human Resources must ensure that a letter is sent requesting them to make contact urgently and informing the employee that as the employee has not complied with the reporting requirements set out in this procedure, the Trust may consider the absence to be unauthorised. This letter must be hand delivered or sent recorded delivery.
- 5.5 In cases of unauthorised absence, the line manager must discuss the matter with the employee concerned immediately on return to duty to ascertain the reason for absence. If the line manager considers there is a good reason for the lack of notification, then the employee will be granted sick or other appropriate leave in retrospect.
- 5.6 If however, the line manager is not satisfied with the reason given, pay will be deducted and the line manager will decide whether the matter is considered under the Trust's Disciplinary and Dismissal Procedure. In the event that it is not considered under the Trust's Disciplinary and Dismissal Procedure the employee must be warned that a future recurrence will be treated as a disciplinary offence and may result in action being taken against them in accordance with the Trust's Disciplinary and Dismissal Procedure.

## **6 Monitoring Sickness Absence**

- 6.1 The Department of Human Resources will keep detailed employee sickness absence records, which show the employee's name, periods of and reasons for absence and any other relevant comments in order to allow the Department of Human Resources and line managers to monitor sickness absence levels accurately. These records must be kept in accordance with the requirements of Data Protection legislation. Where an employee's sickness absence is deemed to be unacceptable as indicated in section 8 then a Sickness Absence Review Meeting should be arranged by the appropriate line manager. Where an employee remains on sickness absence for a period of over 4 weeks then the Long Term Sickness Absence Procedure should be followed as detailed in section 9.

- 6.2 Line managers are required to forward weekly sickness absence returns to the Department of Human Resources. This includes “Nil” returns. Sickness absence return forms should be forwarded to the Department of Human Resources immediately upon completion. This is to enable the effective monitoring of existing medical conditions and to determine whether a workplace risk assessment is required upon return to work.
- 6.3 Original self-certifications and medical certificates must be forwarded to the Department of Human Resources immediately upon receipt. The self-certificate must include all days of sickness including Saturdays/ Sundays and public holidays. Self certificates must be signed by the line manager.
- 6.4 If appropriate, the Department of Human Resources, in liaison with the line manager will take the necessary action to obtain a medical report through the Trust’s Occupational Health Advisor.

## **7 Return to Work Meetings**

- 7.1 Return to work meetings are an important and integral part of monitoring occupational health issues within the workplace to ensure the well-being of employees and maintain an efficient working environment.
- 7.2 Line managers, must ensure that, should it be appropriate, suitable procedures are in place to meet with employees as soon as possible after their return. The aims of the meetings are as follows:
- 7.2.1 To confirm and establish the cause of absence. Where sensitive and personal issues may be involved, managers should consider liaison with the Department of Human Resources.
  - 7.2.2 To consider the welfare implications for the well being of the employee.
  - 7.2.3 To discuss the employee’s general attendance record, if applicable.
  - 7.2.4 To identify any workplace occupational health problems. Line managers must report any such findings to the Department of Human Resources.
- 7.3 Following some illnesses, rehabilitation into the workplace is essential to the recovery process. Where appropriate, suitable and adequate risk assessment will be undertaken in liaison with the line manager and the employee.
- 7.4 In certain circumstances, it may be appropriate for the employee to work reduced hours over a period of time. It is essential for statutory purposes, that the line manager informs the Department of Human Resources of the number of hours to be worked by the employee on their return and any change thereafter up until a full return to normal contracted hours is reached.

## **8 Sickness Absence Review Meetings and Trigger Points**

- 8.1 It is the responsibility of line managers in liaison with the Department of Human Resources to ensure appropriate monitoring procedures are in place. Should any of the following then arise for any individual employee, the respective line manager is also required to arrange a Sickness Absence Review Meeting with the employee:
- 8.1.1 3 or more periods of sickness absence during the previous 3 months.

- 8.1.2 1 period of medically certified sickness absence exceeding one working week.
- 8.1.3 A total of 10 days or more sickness absence during the previous 12 month period.
- 8.1.4 Unusual attendance patterns e.g. sickness following a declined holiday request; excessive separate occasions of sickness absence; regular patterns of sickness absence.
- 8.1.5 Matters discussed at a return to work meeting that requires further investigation.
- 8.2 The line manager should inform the employee of the date, time and place of the meeting, giving a minimum of 7 days notice, as well as giving a brief explanation as to why the meeting is to be held, by using a Sickness Absence Review Meeting Letter. The employee is entitled to representation from a colleague or trade union official, which must be arranged by the employee.
- 8.3 The aim of the Sickness Absence Review Meeting is to advise the employee that they have reached one or more of the Trust's sickness absence trigger points. This will give the line manager an opportunity to discuss the employee's attendance record and reasons for the absence and to determine a further course of action over an agreed period of time (including a further review date if appropriate).
- 8.4 Further agreed action may include:
  - 8.4.1 Counselling as arranged by the Department of Human Resources.
  - 8.4.2 A requirement to obtain a medical certificate for each subsequent period of sickness absence.
  - 8.4.3 Use of further medical advice obtained through the Trust's Occupational Health Advisor.
  - 8.4.4 An improvement in levels of sickness absence over an agreed period of time.
  - 8.4.5 Assessment of capability under the Trust's Capability Procedure - Ill Health.
  - 8.4.6 Medical redeployment under the Trust's Capability Procedure - Ill Health.
  - 8.4.7 Disciplinary action under the Trust's Disciplinary and Dismissal Procedure.
  - 8.4.8 Take no further action.
- 8.5 In order to ensure the sickness absence review meeting is effective the line manager undertaking the interview should utilise the Guidance Notes - Conducting a Sickness Absence Review Meeting.
- 8.6 During the meeting a Sickness Absence Review Meeting Form should be completed by the employee and line manager conducting the interview and a copy should be forwarded to the Department of Human Resources for sickness monitoring purposes.
- 8.7 Where there are no satisfactory reasons given for absences and/ or sickness absence

levels continue to be unsatisfactory, action may be taken in accordance with the Trust's Capability Procedure - Ill Health.

## **9 Long Term Sickness Absence Procedures**

- 9.1 When an employee is off sick for a continuous period of 4 weeks the line manager in liaison with the Department of Human Resources will contact the employee and may arrange to visit the employee at home to discuss their well-being and the circumstances relating to their sickness absence. If appropriate the visit will include gaining the employee's written consent to obtain a medical report. The employee is required to contact the Department of Human Resources and/ or their line manager each time a new medical certificate is obtained.
- 9.2 Employees on long term sickness absence will receive a welfare visit from their line manager and or a member of the Department of Human Resources. A welfare visit may also be requested by an employee at any time when on sickness absence. Employees are positively encouraged to contact their line manager and/ or the Department of Human Resources should they have any queries or anxieties with regard to workplace issues when on sickness absence.
- 9.3 The Department of Human Resources will endeavour where possible to obtain an early prognosis with regard to an employee whose absence has the potential to be long term. In the event of long-term sickness absence, line managers must undertake a risk assessment of the effect of the absence on other employees required to absorb an increased workload. Where appropriate, the Trust will endeavour to provide additional resources.
- 9.4 Where long term absence is foreseeable, for example, planned medical operations, primary care treatment, rehabilitation back into the workplace following ill health, suitable and adequate arrangements must be made to re-allocate work in such a way that it does not place unreasonable pressures on other employees.
- 9.5 In the event of a full recovery not being achieved or a shortfall in an employee's capability to undertake all of their previous duties, it may be necessary to consider the employee's future employment prospects subject to current legislation and service conditions under the Trust's Capability Procedure - Ill Health. This may include an assessment within the scope of the Disability Discrimination Act 1995. The Disability Discrimination Act makes provision for reasonable adjustments to be made. An employee has an implied responsibility to disclose their disability in order that the Trust can make any necessary reasonable adjustments.

## **10 Disabilities**

- 10.1 The Trust is aware that sickness absence may be disability related. At each stage of the sickness absence meetings procedure, 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 would, for example, provide support at work and/ or assist a return to work.
- 10.2 Any employee who considers that they are affected by a disability or any medical condition which affects their ability to undertake their work should inform their line manager or a member of the Department of Human Resources.

## **11 Disciplinary Action**

- 11.1 Where it is considered that an employee has abused the use of the sickness absence

procedure, the line manager should seek advice from the Department of Human Resources. Examples of such abuse may include:

- 11.1.1 Failure to follow the notification procedure without good reason.
- 11.1.2 Failure to complete a Self-Certification Form;
- 11.1.3 Providing unsatisfactory reasons for being absent from work.
- 11.1.4 Continuation of unauthorised absences following Sickness Absence Review Meeting.
- 11.1.5 Failure to provide medical certificates in accordance with this procedure.
- 11.1.6 Undertaking employment (paid or unpaid) whilst on sick leave.
- 11.1.7 Engaging in an activity deemed to worsen the reason for the sickness absence or delay recovery.
- 11.1.8 Deliberate falsification of self-certificates or other documents.

These reasons are to be used as a guide. However, there may be other reasons not mentioned that may constitute a reason for disciplinary action.

## **12 Welfare Procedures**

- 12.1 It is recognised that sickness absence and general issues relating to personal fitness for work have the potential to be of an extremely sensitive nature, and an employee may request meetings to be conducted by a same sex manager. An employee's access to confidential advice and guidance is, therefore, essential. The Department of Human Resources will assist in such matters with an option to refer to outside sources if appropriate.
- 12.2 Aspects of confidentiality are a crucial and integral part of the process when dealing with medical matters and the boundaries of confidentiality relating to such issues will always be discussed and made clear to the employee.
- 12.3 The services offered by the Department of Human Resources do not prevent any employee approaching any colleague, or trade union official as appropriate, or manager of their choice when seeking advice. However, there is a legal requirement for an employee to inform their employer if they consider themselves to be unfit to undertake their duties in a safe manner.

## **13 Sick Pay**

- 13.1 *Statutory Sick Pay (SSP)* will be paid at the rate determined by the Government, which becomes payable for absences of at least 4 calendar days in a row, for those who meet the minimum earnings requirement.
- 13.2 *Occupational Sick Pay (OSP)* is an enhanced amount of sick pay, decided by the Trust, which is paid from the first day of an absence dependent upon completion of 9 months service as detailed in clause 13.3, provided notification and certification requirements are met and the maximum amount payable has not been exceeded.
- 13.3 Employees' who follow the correct sickness absence reporting procedures and

processes and provide fit notes as required, may receive occupational sick pay up to the following maximum amount:

<b>Length of continuous service</b>	<b>Maximum period of Trust sick pay</b>
Under 9 months	Nil
9 months to under 2 years	4 weeks' full pay and 4 weeks half pay during any 12 month period
2 years to under 5 years	8 weeks' full pay and 8 weeks half pay during any 12 month period
5 years or more	12 weeks full and 12 weeks half pay during any 12 month period

The above table details the amount of organisational sick pay paid to employees working on 52-week contracts.

The amount of Trust/organisational sick pay will be pro rata for employees on a term time only contract.

Service in another position with Ruskin Mill Trust is included for the purposes of calculating your entitlement:

- 13.2 Please note that absence without permission - where an employee has not complied with this Policy and Procedure - will normally result in the employee not being paid for the period of unauthorised absence.
- 13.3 Conditions: In determining whether or not you fall within the above limits on any given day of sickness absence, all days of sickness absence which you have taken during the 12 month period immediately preceding the given day will be counted. Absence for any part of a working day shall be deemed to be equivalent to absence for one working day. If you have a record of persistent or excessive absence you may be refused occupational sick pay for any period of absence
- 13.4 Review of sickness record: Ruskin Mill Trust shall be entitled to review your sickness record at any stage of absence and may dismiss you with notice on the grounds of such absence notwithstanding that any entitlement to sick pay has not been exhausted.
- 13.5 Non payment of sick pay whilst participating in sport as a profession or own misconduct: The Trust's sick pay shall not be paid in a case of accident due to active participation in a sport on a professional or semi-professional basis, nor in a case which the absence arises from or is attributable to your own misconduct, unless Ruskin Mill Trust by resolution decides otherwise.

## **14 Conduct Whilst Away From Work**

- 14.1 If an employee is absent from work they will be expected to behave in a manner appropriate to the illness or disability from which they are suffering. They will not be entitled to undertake any other form of paid or unpaid employment or participate in any activity (of a sporting nature or otherwise) that could have an

adverse effect on the speed and success of their recovery. The Trust reserves the right to make contact with an employee during any period of absence.

## **15 Infectious Diseases**

- 15.1 If an employee resides in a house in which another person is suffering from an infectious disease, they must notify the Trust at once and take such precautions as may be prescribed. They may be asked not to attend work where there is a risk that this could spread the infection.

## **16 Industrial Disease or Accident**

- 16.1 Where an employee is absent from work as a result of industrial disease or accident (out of and in the normal course of employment, but not attributable to an employee's own misconduct), the employee shall be entitled to the provisions of the sickness pay scheme relating to industrial disease or accident, provided that the employee, has complied with the following conditions:

16.1.1 Any accident arising out of and in the course of employment with the Trust must be reported and recorded in accordance with the procedures laid down by the Trust;

16.1.2 Where an employee seeks medical advice about an illness which is suspected or alleged to result from the nature of their employment and the employee reports accordingly to the Trust at the first opportunity;

16.1.3 Certification of absence due to industrial disease or accident is made as required by the Trust's' sickness absence procedure;

16.1.4 In the case of the first and any subsequent absence, due to industrial disease or accident an employee shall submit, at any time during such absence, if so required by the Trust to a medical examination by the Trust's Occupational Health Advisor. In the event that the Trusts' Occupational Health Advisor is not satisfied that the absence is due to industrial disease or accident, the employee shall have the right to appeal to an independent Occupational Health Advisor as chosen jointly by the Trust and the employee.

- 16.2 Failure to meet these conditions will render the employee liable to exclusion from the provisions of the Trust sick pay scheme relating to industrial disease or accident. However, the employee will have the right to appeal by notifying the Department of Human Resources in writing giving full details of the reason(s) for wanting to appeal within 5 working days of being notified of the decision.

- 16.3 If an appeal meeting is held then the employee will be entitled to representation from a colleague or trade union official, which must be arranged by the employee.

- 16.4 The decision of the Appeals Panel will be final.

- 16.5 Sickness payments and length of entitlement are calculated in the same way as for the normal sick pay scheme (as confirmed in the Employee's contract of employment); however employees are entitled to receive pay as if they had not been absent.

- 16.6 Should an employee have a period of normal sickness absence following a period of sickness absence for industrial disease or accident, then only normal periods of

sickness absence will be taken into consideration when calculating the length of entitlement to normal sickness absence.

## **17 Pregnancy**

17.1 Where an employee is absent from work as a result of pregnancy related illness, they will be entitled to the provisions of the sickness pay scheme, provided that they comply with the conditions of this sickness and absence policy, and procedures, and will not be included in the monitoring of the trigger calculations. If, however, they are absent from work for a pregnancy related reason at any time after the start of the 4<sup>th</sup> week before the expected week of childbirth, their Ordinary Maternity Leave will commence automatically on the day following the first day of such absence, as in accordance with the Trust's Maternity Leave and Pay Policy.

## **18 Grant of Sick Pay to Victims of Crimes of Violence or Injury Caused by Others**

18.1 Where an employee is absent from work because of a crime of violence or an injury in respect of which a claim will lie to the Criminal Injuries Compensation Board, other party or their insurers and the employee is otherwise qualified to receive sick pay, any compensation received relating to earnings for which the Trust has already paid the employee as sick pay shall be repaid to the Trust. Where compensation has been made the Trust shall be free to discount wholly or partly the period of sick leave in calculating the employee's future entitlement to sick pay, as it may see fit on consideration of all the material circumstances.

## **19 Suspension of Sick Pay**

19.1 If the Trust believes after an appropriate investigation that the reason for the employee's absence is due to their misconduct or they have not observed the provisions of this policy and procedure or they have slowed their recovery by their behaviour, they may no longer be entitled to sick pay.

## **20 Other Absences**

20.1 If an employee is absent from work for a reason other than sickness, maternity, paternity, adoption or parental leave they must complete the absence form and pass it to their Department of Human Resources. Absence forms are available from the site Reception/ and or the Department of Human Resources.

### **IMPACT OF NON-COMPLIANCE FOR:**

Staff	Poor practice, disciplinary processes up to and including dismissal
Students	Risk of poor quality teaching, learning and care
Legislation / organisation	Risk of litigation and reputational damage.

**Last Reviewed: January 2019**

**Next review date: January 2021**