



## Review Sheet

Last Reviewed  
20 Sep '23Last Amended  
20 Sep '23Next Planned Review in 12 months, or  
sooner as required.

Business impact



Changes are important, but urgent implementation is not required, incorporate into your existing workflow.

Reason for this review

Scheduled review

Were changes made?

Yes

Summary:

This policy will support a service in managing sickness absence amongst staff. It has been reviewed with section 1.2 removed and 3.3 added. An additional section about company sick pay has been included (Section 5.3) as well as information added in relation to third parties (Section 5.11) and in relation to if an employee fails to follow this policy disciplinary action may be taken (Section 5.12). Further reading has also been updated. This policy now links to a document in the Resource Centre - 'Return to Work Meetings - When, how and why?'.

Relevant legislation:

- Control of Substances Hazardous to Health Regulations 1998
- Employment Relations Act 1999
- Statutory Sick Pay (General) (Coronavirus Amendment) Regulations 2020
- Protection from Harassment Act 1997
- Social Security Administration Act 1992
- Statutory Sick Pay (Medical Evidence) Regulations 1985
- Coronavirus Act 2020
- Employment Rights Act 1996
- Equality Act 2010
- Data Protection Act 2018
- UK GDPR

Underpinning knowledge - What have we used to ensure that the policy is current:

- Author: NHS Employers, (2017), *Guidelines on prevention and management of sickness absence*. [Online] Available from: <https://www.nhsemployers.org/publications/guidelines-prevention-and-management-sickness-absence> [Accessed: 20/9/2023]
- Author: Government, (2022), *Statutory Sick Pay (SSP)*. [Online] Available from: <https://www.gov.uk/statutory-sick-pay> [Accessed: 20/9/2023]
- Author: Government, (2023), *Travel to England from another country COVID-19 rules*. [Online] Available from: <https://www.gov.uk/guidance/travel-to-england-from-another-country-during-coronavirus-covid-19> [Accessed: 20/9/2023]
- Author: NHS, (2023), *COVID-19 advice and services*. [Online] Available from: <https://www.nhs.uk/conditions/coronavirus-covid-19/> [Accessed: 20/9/2023]
- Author: Government, (2023), *COVID-19 supplement to the infection prevention and control resource for adult social care*. [Online] Available from: <https://www.gov.uk/government/publications/infection-prevention-and-control-in-adult-social-care-covid-19-supplement/covid-19-supplement-to-the-infection-prevention-and-control-resource-for-adult-social-care> [Accessed: 20/9/2023]
- Author: ACAS, (2023), *Creating absence policies*. [Online] Available from: <https://www.acas.org.uk/index.aspx?articleid=4199> [Accessed: 20/9/2023]
- Author: GOV.UK, (2022), *Statutory Sick Pay: employee fitness to work*. [Online] Available from: <https://www.gov.uk/guidance/statutory-sick-pay-employee-fitness-to-work#doctors-fit-note---statements-on-fitness-for-work> [Accessed: 20/9/2023]
- Author: ACAS, (2023), *Coronavirus (COVID-19): advice for employers and employees*. [Online] Available from: <https://www.acas.org.uk/coronavirus> [Accessed: 20/9/2023]



## PA07 - Sickness Absence Policy and Procedure

Human Resources - Absence, Holidays and Sickness

### Corton House

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Suggested action:	<ul style="list-style-type: none"><li>• Encourage sharing the policy through the use of the QCS App</li></ul>
Equality Impact Assessment:	QCS have undertaken an equality analysis during the review of this policy. This statement is a written record that demonstrates that we have shown due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations with respect to the characteristics protected by equality law.



## 1. Purpose

1.1 To ensure that Corton House takes a fair and consistent approach to sickness absence and absence management while safeguarding Residents' health and wellbeing.

1.2 To support Corton House in meeting the following Key Lines of Enquiry/Quality Statements (New):

Key Question	Key Lines of Enquiry	Quality Statements (New)
SAFE	S3: How does the service make sure that there are sufficient numbers of suitable staff to support people to stay safe and meet their needs?	QSS6: Safe and effective staffing
SAFE	S5: How well are people protected by the prevention and control of infection?	QSS7: Infection prevention and control
WELL-LED	W2: Does the governance framework ensure that responsibilities are clear and that quality performance, risks and regulatory requirements are understood and managed?	QSW5: Governance, management and sustainability

1.3 To meet the legal requirements of the regulated activities that {Corton House} is registered to provide:

- | Control of Substances Hazardous to Health Regulations 1998
- | Employment Relations Act 1999
- | Statutory Sick Pay (General) (Coronavirus Amendment) Regulations 2020
- | Protection from Harassment Act 1997
- | Social Security Administration Act 1992
- | Statutory Sick Pay (Medical Evidence) Regulations 1985
- | Coronavirus Act 2020
- | Employment Rights Act 1996
- | Equality Act 2010
- | Data Protection Act 2018
- | UK GDPR



## 2. Scope

2.1 The following roles may be affected by this policy:

- | All staff

2.2 The following Residents may be affected by this policy:

- | Residents

2.3 The following stakeholders may be affected by this policy:

- | Family
- | Commissioners
- | External health professionals
- | Local Authority



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### 3. Objectives

- 3.1** To ensure that all members of staff are aware of their obligations to report sickness absence in accordance with sickness absence reporting procedures and take a responsible attitude towards attending work regularly and reliably.
- 3.2** To ensure that Corton House understands the reasons for sickness absence and fairly investigates them where necessary.
- 3.3** To provide members of staff with support during their sickness absence and also to minimise the risk of disruption that a member of staff's absence may cause.



### 4. Policy

- 4.1** All members of staff will follow the internal procedures for reporting sickness absence and Corton House will manage sickness absence in a fair and consistent way.
- 4.2** 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. Corton House will ensure that the reasons for sickness absences 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.
- 4.3** Any data collected as part of this policy will be processed in accordance with current data protection legislation, the Privacy Notice issued to staff and the Data Security and Data Retention Policy and Procedure. Corton House appreciates that certain health data and medical reports will be Special Category Data and Corton House will process this data accordingly.
- 4.4** This policy should be read in conjunction with the Capability Policy and Procedure and the Absenteeism Policy and Procedure.
- 4.5** This policy does not form part of an employee's contract of employment and may be amended at any time.



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## 5. Procedure

### 5.1 Corton House Absence Management

If a member of staff is away from work due to sickness or an accident or believe they may be suffering from an infectious or contagious disease or illness they must conform to the following procedure:

- | Staff must telephone their manager at the earliest opportunity and no later than 3 hours before their shift starts on the first day of absence, giving the reason for the absence and the date that they expect to return to work. Staff are expected to telephone personally and not to pass a message through a third party. However, if a member of staff is unable to telephone personally due to the circumstances of their illness (i.e. loss of voice), they may ask a relative or friend to telephone for them. Text or email is not acceptable
- | If a member of staff has reported the possibility of an infectious or contagious disease or illness, they must obtain clearance from their GP before attending work. The safety of the Residents is paramount. If a member of staff is showing symptoms of or have been diagnosed with Coronavirus, they should follow the procedure under the heading titled 'Coronavirus' below
- | If a member of staff returns to work after no more than seven calendar days of absence, they must complete a self-certification form
- | If a member of staff's absence lasts for longer than seven calendar days, they must forward medical certificates covering all days of absence at weekly intervals, in addition to the self-certification form
- | If a member of staff's absence extends longer than originally anticipated, they must contact their manager to advise them of the situation, unless their absence is covered by a medical certificate. If their absence becomes prolonged, they must keep in regular contact with their manager, advising on their progress and when they are likely to return to work. If a member of staff does not contact their manager, they should expect to be contacted during their absence by their manager who will want to enquire about their health and be advised, if possible, as to their expected return date. For all absences, whatever the length, staff must complete a Return to Work Questionnaire on the day of return, submit it to their line manager and attend a face to face interview to discuss the questionnaire contents
- | Managers should ensure that any sickness absence that is notified to them is recorded and arrangements are made, where necessary, to cover work and to inform colleagues and Residents (while maintaining confidentiality)
- | Failure to report sickness or follow local procedures will be dealt with under the Discipline Policy and Procedure

### 5.2 Statutory Sick Pay

- | Provided that the individual meets the criteria, they may be entitled to Statutory Sick Pay (SSP)
- | The rate of SSP is set by the Government in April each year. Current SSP rates can be found [here](#). No SSP is payable during waiting days and SSP will start on the fourth day of absence and may be payable for up to 28 weeks. The qualifying days for SSP purposes are the member of staff's normal working days, or as set out in their contract of employment. SSP is treated like wages and is subject to normal deductions. If a member of staff is not eligible for SSP or if their SSP entitlement is coming to an end, Corton House will give the member of staff a form SSP1 telling them the reasons
- | Where a second or subsequent period of incapacity (of four days or more) occurs within 56 days of a previous period of incapacity, waiting days are not served again
- | Where the circumstances of a member of staff's incapacity are such that they receive, or are awarded, any sum by way of compensation or damages with respect to the incapacity from a third party, then any payments which Corton House may have made to the individual because of the absence (including SSP) shall be repaid by the member of staff to Corton House, up to an amount not exceeding the amount of the compensation or damages paid by the third party

### 5.3 Company Sick Pay

Corton House, at its sole discretion, may operate a company sick pay scheme.

If a company sick pay scheme is operated by Corton House, the rules of the scheme will be communicated to members of staff. However, any company sick pay paid to an employee will be for an amount and



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duration decided by Corton House and will be inclusive of any SSP payable to the employee.

If Corton House operates a sick pay scheme, it will decide, at its own discretion, when any company sick pay is payable. However, any company sick pay will not be payable in the following instances:

- | There is a reasonable belief that the employee's absence is not genuine
- | The employee does anything deliberately or negligently to make their illness or injury worse, or
- | The employee elects to have surgery (i.e. where it is a personal decision and surgery not advised or recommended by a health care professional)

### 5.4 Sickness Absence and Performance

- | Due to the nature of many of the jobs and staffing levels, high levels of absenteeism or repeated spells of sickness/absence can cause considerable disruption. Both short-term/spasmodic and long-term sickness absence cause disruption to the services Corton House provides and incur additional costs. They also place an undue burden upon other team members. Therefore, if a member of staff's attendance record is significantly worse than those of comparable employees, or where it creates a particular operational difficulty, or it has gone on for a considerable length of time, their manager will investigate and arrange a meeting to discuss the situation further with that member of staff
- | Staff may be given a 'Return to Work' or 'Stress Related Return to Work Questionnaire' form to complete prior to the meeting
- | Dependent upon the outcome of this meeting, it may be appropriate to refer that member of staff for counselling, take action under the Absenteeism Policy and Procedure at Corton House, or indeed, take no action at all
- | Issues of capability arising from poor levels and/or patterns of absence are distinct from medical capability issues involving long-term health problems or disability. The former is dealt with under the Capability Policy and Procedure and the latter under this policy

### 5.5 Returning to Work

- | Staff should notify their manager as soon as they know on which day they will be returning to work, if this differs from a date of return previously notified
- | If a member of staff has an infectious or contagious disease or illness such as rubella or hepatitis, they must not report for work without clearance from their own doctor. Separate rules relating to infectious diseases and food handlers are to be found later in this policy and they must familiarise themselves with them
- | On a member of staff's return to work after any period of sickness/injury absence (including absence covered by a medical certificate), they are also required to complete a self-certification absence form and hand this to their manager
- | After a period of sick leave, their manager may hold a return-to-work interview with the member of staff. The purposes may include:
  - | Ensuring that they are fit for work and agreeing any actions necessary to facilitate their return
  - | Confirming that staff have submitted the necessary certificates
  - | Updating the member of staff on anything that may have happened during their absence, and/or
  - | Raising any other concerns regarding the member of staff's absence record or their return to work

### 5.6 Intermittent Absence

- | Where a member of staff's level or frequency of short-term absence has given Corton House a cause for concern, the absence will be investigated to identify the reasons for their absence, whether it is likely to continue or recur, and whether there are any measures that could improve their health and/or attendance
- | Where the absences are due to an underlying health condition, a medical examination will normally be requested. The examination may be carried out by the individual's own GP and/or a doctor appointed by us. Their objective is to provide us with sufficient information to more effectively balance the member of staff's needs with that of Corton House, or to make a decision regarding their continuing employment. Staff 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 content of the report with our



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legal advisers or the relevant doctor

- | Where the absences are unexplained, they will be dealt with in accordance with the Absenteeism Policy and Procedure, as appropriate

### 5.7 Long-Term Absence

- | Should a member of staff, unfortunately, become disabled or suffer from a long-term health condition during their employment, Corton House Ltd will make every effort to help them remain in employment. The member of staff's manager will try and balance the needs of the business with supporting the individual. In the event that the length of a member of staff's absence causes service delivery problems, which requires either the staff's return or replacement, their manager will determine what action is to be taken
- | Action may include a personal interview with the individual, or a request to provide a medical report from their GP, or a request to undergo a medical examination by a practitioner appointed by us who is more knowledgeable about the working environment. The examination will determine the individual's fitness to resume their normal role. Once sufficient medical advice is available, a further meeting with the member of staff will usually be arranged to discuss it. The member of staff's consent to a medical report will be sought in accordance with current data protection legislation
- | All alternative employment options, including transfers, part-time working, reasonable adjustments to work premises, practices or equipment will be fully examined by us and may be discussed with the member of staff. Staff may be suspended from work on full pay, remain on sick pay or be transferred onto maternity leave (where the absence is a pregnancy-related sickness and occurs within the four weeks prior to the expected date of birth). Absence due to pregnancy will be dealt with due regard to the member of staff's statutory maternity rights
- | If a member of staff is unable to return to work in the longer term, we will consider whether they are entitled to any benefits under their contract and/or insurance schemes we operate
- | If it is advised by the doctor that the member of staff is fit to return to work, we will cease to pay sick pay and the member of staff will be expected to be at work the following morning
- | Staff will accrue holiday entitlement during long-term sickness absence and they are permitted to take all or some of their accrued holiday during a period of absence

### 5.8 Medical or Dental Appointments

Corton House appreciates that sometimes it may be necessary for employees to attend medical appointments during working hours. As far as possible, employees will ensure that these appointments are scheduled at the beginning or end of the working day. Corton House reserves the right to require employees to reschedule their appointments for operational reasons. Employees may be expected to make up any time they have missed for such appointments.

Corton House reserves the right to require employees to provide evidence by way of an appointment card or similar to confirm the date and time of the appointment. Any failure to provide evidence when requested may be dealt with under the Discipline Policy and Procedure.

This policy does not apply to employees who are attending ante-natal appointments. These details are contained in the Maternity Leave Policy and Procedure.

### 5.9 Coronavirus

Symptoms of coronavirus (COVID-19) in adults may include:

- | A high temperature or shivering (chills) – a high temperature means you feel hot to touch on your chest or back (you do not need to measure your temperature)
- | A new, continuous cough – this means coughing a lot for more than an hour, or 3 or more coughing episodes in 24 hours
- | A loss or change to your sense of smell or taste
- | Shortness of breath
- | Feeling tired or exhausted
- | An aching body
- | A headache
- | A sore throat



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- | A blocked or runny nose
- | Loss of appetite
- | Diarrhoea
- | Feeling sick or being sick

The symptoms are very similar to symptoms of other illnesses, such as colds and flu.

For staff who have respiratory infection symptoms, a high temperature and do not feel well enough to go to work, they should follow the procedure as outlined above to report their absence.

If a member of staff thinks they have Coronavirus, they should also follow the procedure as set out in the Coronavirus Policy and Procedure for information about current testing guidance.

[People with symptoms of a respiratory infection including COVID-19 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/people-with-symptoms-of-a-respiratory-infection-including-covid-19)

### **5.10 When is Statutory Sick Pay (SSP) payable from?**

SSP is payable from the fourth day a member of staff is off sick.

A member of staff will only be paid SSP for all the days they have been off sick, including the first three days that they would have worked, if either of the following apply:

- | The period they were away from work started before 25 March 2022 and they were absent due to COVID-19
- | They received SSP within the last 8 weeks, and they already included a three-day waiting period before they were paid SSP

### **5.11 Absence Caused by a Third Party**

If a member of staff's absence is caused by a third party, their absence will be treated as any other absence for the purposes of their attendance record. The cause of absence, however, may be taken into consideration in relation to any action Corton House may take to address either short-term persistence absence or long-term absence.

Where payments are paid to the employee during such absence over and above SSP (either contractually or at the discretion of Corton House) and the employee's absence is caused by the negligence, nuisance or breach of statutory duty of a third party, then the employee must seek to recover any such payments made during their absence if they pursue a compensation claim against that third party. The employee will be required to reimburse Corton House for any such payments made from any compensation received by them for loss of earnings.

### **5.12 Disciplinary Action**

If a member of staff fails to report their absence in accordance with this policy, their absence may be deemed to be unauthorised and Corton House reserves its right to take disciplinary action against the employee in accordance with its Discipline Policy and Procedure.





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## 6. Definitions

### 6.1 SSP

- | Statutory Sick Pay

### 6.2 Special Category Data

- | Special Category Data is a category of data which is more sensitive than normal personal data. This includes data which relates to:
  - | Race and ethnic origin
  - | Political opinions
  - | Religious or philosophical beliefs
  - | Trade union membership
  - | Genetics
  - | Biometrics (where used for ID purposes)
  - | Health
  - | Sex life and sexual orientation

### 6.3 Long-Term Absence

- | An absence lasting or likely to last for more than four weeks
- | Such absence might be as a result of a particularly bad illness or may be caused by an ongoing disability

### 6.4 Short-Term Absence

- | Short-term absence is anything from one day, up to and including four weeks
- | Short-term absence is not normally caused by any underlying health condition and instead usually relates to a period of illness caused by a virus or infection which clears up after a short period of time and causes no ongoing health conditions

### 6.5 Qualifying Day

- | Days in which SSP will be paid

### 6.6 Waiting Days

- | No SSP is payable for the first three consecutive days of absence



## Key Facts - Professionals

Professionals providing this service should be aware of the following:

- | Failure of a staff member to follow the sickness reporting procedure means that their absence will be unauthorised and they may be subject to disciplinary action
- | Staff are responsible for following the latest government guidance relating to coronavirus self-isolation
- | Staff who are absent for more than 7 days are required to provide medical evidence of their sickness by way of a Fit Note
- | Employers are under an obligation to make reasonable adjustments for those staff members who are disabled
- | This policy should be read in conjunction with the Capability Policy and Procedure and the Absenteeism Policy and Procedure
- | Staff who are absent for less than 7 days are entitled to self-certify their absence



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## Key Facts - People affected by the service

People affected by this service should be aware of the following:

- 1 Corton House will ensure that it has adequate staff available to serve your needs. Corton House will, therefore, ensure that steps are taken to address sickness absence where necessary, in order to provide continuity and consistency of care
- 1 Staff will take care to report infectious diseases and ensure that they obtain clearance from their GP that they are no longer infectious before attending work in order to protect your health and safety



## Further Reading

As well as the information in the 'underpinning knowledge' section of the review sheet we recommend that you add to your understanding in this policy area by considering the following materials:

**Department of Health and Social Care - Who can issue fit notes: guidance for healthcare professionals and their employers:**

[https://www.gov.uk/government/publications/who-can-issue-fit-notes-guidance-for-healthcare-professionals-and-their-employers?utm\\_medium=email&utm\\_campaign=govuk-notifications-topic&utm\\_source=aeaf7ab7-3b98-4815-8d21-882403fce826&utm\\_content=immediately](https://www.gov.uk/government/publications/who-can-issue-fit-notes-guidance-for-healthcare-professionals-and-their-employers?utm_medium=email&utm_campaign=govuk-notifications-topic&utm_source=aeaf7ab7-3b98-4815-8d21-882403fce826&utm_content=immediately)

**GOV.UK - Guidance for People whose Immune System Means they are at Higher Risk:**

<https://www.gov.uk/government/publications/covid-19-guidance-for-people-whose-immune-system-means-they-are-at-higher-risk>

**NHS - Diarrhoea and Vomiting:**

<https://www.nhs.uk/conditions/diarrhoea-and-vomiting/>

**GOV.UK: COVID-19: Information and Advice for Health and Care Professionals:**

<https://www.gov.uk/guidance/covid-19-information-and-advice-for-health-and-care-professionals>

**GOV.UK: People with Symptoms of a Respiratory Infection Including COVID-19:**

<https://www.gov.uk/guidance/people-with-symptoms-of-a-respiratory-infection-including-covid-19>

UKHSA – Managing Specific Infectious Diseases: A to Z:

<https://www.gov.uk/government/publications/health-protection-in-schools-and-other-childcare-facilities/managing-specific-infectious-diseases-a-to-z>

**Capability Policy and Procedure**

**Absenteeism Policy and Procedure**

**Resources**

A 'Return to Work Meetings - When, how and why?' resource is linked to this policy. Please click on the Resources tab to view it.



## Outstanding Practice

To be 'outstanding' in this policy area you could provide evidence that:

- 1 Staff take appropriate steps to report their sickness absence in order that Corton House can ensure that Residents are protected
- 1 Corton House carries out Return to Work Interviews with all staff who have been absent from work through sickness without fail and regardless of the length of sickness absence and these are appropriately recorded
- 1 Corton House takes a careful approach to sickness absence and, if there is any concern about a potential disability, seeks medical advice
- 1 The wide understanding of the policy is enabled by proactive use of the QCS App