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Sickness Policy

Metanoia Institute

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Related policies
• Disciplinary Policy • Anti-Harassment & Anti-Bullying Policy • Whistleblowing Policy
External Reference

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Metanoia Institute Sickness Policy

1. Policy Statement

The Metanoia institute is committed to promoting the health and wellbeing of all employees. This policy and the associated guidance aim to promote supportive and effective management of absence due to ill-health (commonly known as sickness absence) and that any support is considered as early as possible.

2. Purpose

The Institute aims to encourage all its employees to maximise their attendance at work while recognising that employees will, from time to time, be unable to come to work because of ill health. While the Institute understands that there will inevitably be some sickness absence among employees, it must also pay due regard to its operational needs. If an employee is persistently absent from work, this can damage efficiency and productivity, and place an additional burden on the employee's colleagues. By implementing this policy, the Institute aims to strike a reasonable balance between the pursuit of its operational needs and the genuine need of employees to take time off work because of ill health.

3. Scope

This policy applies to all Metanoia Staff.

4. Definitions

- This policy does not form part of employees' terms and conditions of employment and may be subject to change at the discretion of the management.
- The following definitions are used in this policy:
- "Period of sickness absence" or "instance of sickness absence" means any continuous period of sickness absence, of whatever length, during which the employee does not work.
- "Short-term sickness absence" means any period of sickness lasting [one to 27] calendar days.
- "Long-term sickness absence" means any period of sickness lasting [28] calendar days or more.

- "Formal review period" means a defined period during which an employee is required to show an improvement in their sickness absence levels under the organisation's sickness absence management procedure.

5. Roles and Responsibilities

- Metanoia Managers: are responsible for ensuring that the process is followed and where appropriate refer to Metanoia People Team to guarantee that all matters are resolved promptly and fairly.
- All staff are advised to familiarise themselves with this policy and the appropriate Metanoia Policies. Any issues related to this policy, please contact hr@metanoia.ac.uk
- Managers should be supportive of employees when managing sickness absence and ensure that it is addressed in a caring and sensitive manner and with a fair and consistent approach, balancing the needs of individual employees with those of the Metanoia Institute.

6. Reporting Sickness Absences

Where an employee is absent owing to ill health, they should contact their line manager by phone (directly on the first day of his/her absence before his/her usual start time). It is not sufficient to tell a colleague or leave a message on an answering machine (without following up), email or text message. Line managers should contact employees (if employee has not called in) directly at home to determine the reasons for absence. An employee should advise his/her line manager when their illness began, the nature of the illness and the likely date of return to work, if known. It is important that employees notify their line manager or identified contact of their absence, as unreported absences may be classed as unauthorised and appropriate action may be taken which could lead to the termination of the employee's contract.

Employees must call their line manager as outlined above on each day of your absence that is not covered by a medical certificate, which has not been submitted to the Institute. Failure to keep in touch without a reasonable explanation may be considered unacceptable conduct and may, after an investigation, result in disciplinary action.

Employees should make every effort to contact personally; however, it is appreciated that in some circumstances this may not be possible – for example, the nature of the illness has resulted in hospitalisation. In such cases appropriate alternative arrangements may be agreed to by the line manager – for example, contact with a family member. In exceptional cases where the line manager is not available, or the employee feels that they are unable to disclose a sensitive health issue to their line manager, employees should alternatively contact Human Resources.

For periods of sickness up to 7 days (including non-workdays, i.e. Saturday and Sunday) employees will have to provide a self-certificate. Employees who are sick for 8 days or more (including non-workdays) must submit a certificate or fit note from their doctor or if an employee is being treated as an in-patient from the hospital. Employees may need to submit more than one certificate or fit note to ensure sickness absence is certificated throughout the whole period. Employees who are covered by a doctor's certificate or fit note should not return to work until both certificate and fit note have expired on a specified date and are able to return to work. On the first day of back to work, after a sick/illness period, employees are required to complete a **sickness self-certificate absence form**.

7. Medical Appointments

An employee who goes to hospital or other similar healthcare appointments however short in duration is required to show proof of appointment. Where possible such appointments should be made outside of working hours. There is no right to time off for non-emergency appointments. Where it is absolutely essential that such appointments are arranged during your working day, disruptions must be kept to a minimum, normally by arranging the appointment at the very start or at the end of the working day. If an employee does not return to work this will be considered as unauthorised and unpaid absence. Unauthorised absence may lead to disciplinary action being taken.

Time off for such appointments will be unpaid unless:

- lost time is made up with the prior authority of your manager;
- the employee takes the time off as annual leave, in which case you will need to comply with the Institute's annual leave rules.

8. Certification

In the case of ill health lasting up to seven calendar days, an employee should complete a Self-Certification Form. This form should be completed on the first day back at work and passed to their line manager for authorisation and then to the HR Department for recording. The self-certification form should be filled out for every period of sickness. If a self-certification form is not completed, then Metanoia Institute will consider your absence to be unauthorised. No payment will be made, including statutory sick pay for this period, and disciplinary action may be taken as a result. Where Metanoia Institute has concern about the level of absence it reserves the right to require employees to obtain a medical certificate to cover any absence of less than 8 days.

Doctors Certificates

In cases of ill health lasting more than seven calendar days, an employee is required to obtain a medical certificate from his/her General Practitioner (GP). Medical certificates should be submitted promptly to the Human Resources department. Confidentiality will be maintained, and information will only be provided to relevant employees on a “need to know” basis in order that they can carry out their management or job responsibilities.

When employees experience ill health on non-working days (including weekends and public holidays) they should include these days when calculating the length of their sickness absence. If an employee becomes ill during a period of annual leave and submits a GP’s Certificate by the earliest practicable date, the period of sickness absence will be treated as sickness absence and not as annual leave. This is providing that when the individual becomes sick and follows the usual notification procedure. Employees returning to work after a long period of long-term sickness absence will be able to take accrued statutory annual leave. Annual leave accrual during sick leave will be at the statutory limit of twenty days a year plus 8 bank holidays (pro rata if applicable), rather than contractual annual leave specified in their written contract of employment.

Fit Notes

If open-ended Medical Certificates have been submitted, with no return to work date given, employees must ensure that, prior to returning to work, they obtain from their GP a Certificate of Fitness to Resume Duties. In line with the Institute’s commitment to the health and safety and well-being of all employees, this certificate ensures that, in the opinion of a GP, an employee is fit and able to return to work. This certificate should be passed to the HR department.

The doctor certificate may also state that the doctor will need to assess the employee’s fitness for work at the end of the period. In these circumstances the employee will also need a fit note.

Where an employee is absent owing to ill health for over twenty-eight weeks, they will exceed their entitlement to Statutory Sick Pay (SSP). Employees should ensure that the Institute continues to receive original medical certificates.

During periods of sickness absence, employees are expected to stay at their normal place of residence, unless otherwise notified to their line manager or identified contact. All medical certificates must specify the nature of the illness/reason for absence. Backdated/undated certificates will not be accepted.

9. Contractual and Statutory Sick Pay

The payment of contractual sick pay is subject to conditions being met, including the requirement that employees should not engage in any activity that may affect to their recovery from their illness, e.g. participation in high risk sports. Employees who are absent from work owing to sickness should also not undertake any other form of paid employment.

The Institute will maintain the employer's occupational pension scheme contributions for employees who are absent due to illness for the whole period during which contractual sick pay is paid.

Entitlements to Metanoia Institute's sick pay are set out below:

Period of continuous employment at commencement of absence from work	Full Pay	Half Pay
In the first six months	SSP only	None
Between 6 months - 2 years' service	1 month	1 month
Between 2 year's – 5 years' service	2 months	2 months
Between 5 year's – 8 years' service	3 months	3 months
9 year's plus service	6 months	6 months

10. Responsibility

Line Managers have a central role in the effective management of sickness absence and its impact on work performance and service levels. They are responsible, in the interests of employee well-being and the efficient operation of the Institute, for continuously reviewing the sickness absence levels of the employees in their team and for taking appropriate action to avoid or reduce the incidence of sickness absence. In so doing they are tasked with creating a working environment conducive to attendance, by effective management and by reviewing issues such as job design, workload, and levels of employee motivation, work relationships, communication and the management of change. Line managers are expected to communicate to employees with regard to the need to maintain acceptable standards of attendance and comply with notification and certification procedures.

Keeping in contact with Employees

Where an employee has not reported for work, and personal contact has not taken place with the employee, managers should contact the employee to enquire as to his/her well-being and

identify the reason for their non-attendance at work. Any such contact should be handled with sensitivity. If sickness is the reason for absence, then the line manager should seek to identify how long the employee is likely to be absent and advise them of what they need to do to comply with the sickness absence procedure in relation to notification and certification.

Recording of Sickness Absence

Line managers must record all employee absences on the HR system (currently My HRTOLKIT) to ensure that Human Resources have up-to-date information, so that it can be recorded on the employee's personnel file. All information recorded is held, processed, and managed in accordance with the Data Protection Act 1998 and the Information Commissioner's Code of Practice on Employment Records. All information about an employee's illness is treated in strict confidence and only discussed on a need-to-know basis. In cases where the reason for sickness absence is notified as a work-related condition, e.g. work-related stress or depression or a musculoskeletal condition, line managers should immediately notify the Human Resources department in order that a voluntary referral to the Occupational Health Unit can be arranged, and appropriate action taken as necessary.

Return to Work Meeting

Irrespective of the duration of absence, the employee will be required to have a Return-to-Work Discussion with their line manager. Line managers should, as soon as is practicable, enquire about the welfare of employees following any period of absence owing to ill health. Ideally this should take place on the first day back at work. The return-to-work interview is an opportunity to discuss any matters relating to the absence. Line managers must ensure that they are aware of the working patterns and absence history of their employees prior to conducting the interview. A record of this meeting should be completed by the line manager and forwarded to the HR department to place on the employee's file. The return-to-work meeting will normally cover any or all of the following issues, and any others that either the line manager or the employee feel are appropriate:

- A review of the employee's attendance record over the previous year and reinforcement, where appropriate, of the importance of good attendance.
- Identification of any issues which may be affecting the employee's ability to attend work, e.g. underlying health problem, work related factors.
- Identification of support mechanisms that may be beneficial in assisting the employee to improve their attendance.

- An assessment of whether any further action is necessary and an indication of what this action will be. Agreement on expected improvements, review mechanisms and timescales.

11. Sickness Management Process

There are two parts to the sickness management process – short term sickness procedures and long-term sickness procedures.

Metanoia Institute may terminate the contract of employment of any employee whose health is such that they are unable to attend work sufficiently to carry out their responsibilities by reason of impaired capability. Such a decision will only be taken after careful consideration, prognosis and review.

The Human Resources Department will notify the employee of the intention to refer them to the Occupational Health Unit and the reasons for this. A copy of the Occupational Health report will be provided to the line manager to be used as the basis for further discussion. In determining what action to take and how long it is reasonable to wait before an employee is able to return to work Human Resources will take into account:

- The employee's length of service and performance.
- The likelihood of a change in the attendance record.
- The availability of suitable alternative work.
- The degree of disruption caused by the absence, its impact on service delivery and other employees.

12. Managing Short-Term Absences Informal Process

Where the line manager becomes concerned about persistent absences or wellbeing at work there is usually an informal discussion. The Bradford Factor scale of measure is used to identify persistent absences. Where it is identified that a staff member has persistent spells of unauthorized absences their manager will hold an informal confidential meeting to raise their concerns and set attendance objectives. This may be conducted as part of your return-to-work meeting or as part of a separate one-to-one meeting. This is also an opportunity for employees to raise anything considered to be part of their wellbeing. The objectives will be reviewed after an agreed period. Further absences may lead to the formal process outlined below.

Formal Reviews

The employee must be advised of the meeting at least five working days before the date set for the hearing. They must be advised in writing and the letter should contain:

- The date, time and location of the hearing.

- The reasons for the meeting.
- A clear statement as to the potential seriousness of the situation and in cases where dismissal is a possibility this should be made clear.
- Confirmation that the employee is entitled to bring a work colleague or trades union representative with them.

Right to Be Accompanied

Employees have the right to be accompanied by a fellow worker or trade union official at any formal meeting or any subsequent appeal. The trade union official need not be an employee Metanoia Institute but must be certified by the union.

At any hearing or appeal hearing, the chosen companion will be allowed to address the meeting, respond on your behalf to any view expressed in the hearing, and sum up the case on your behalf. However, both the hearing and appeal hearing are essentially meetings between the employer and the employee, so any questions put directly to the employee should be dealt with by the employee and cannot be answered by your companion.

Where the chosen companion is unavailable on the day scheduled for the meeting or appeal, the meeting will be rescheduled. An alternative time should be proposed within five working days of the scheduled date.

Formal absence meeting – Short term absence

Where the informal approach has not been successful, or absences exceed the trigger point as set out above the employee will be invited to attend a formal absence meeting. At the meeting there will be an opportunity to discuss reasons for the absences. Line managers may, where necessary, investigate the cause of sickness and absences. Where appropriate, standards for attendance and performance will be established. The length of the review period will be decided at this meeting.

- During the review period line managers will monitor attendance and provide any help and assistance that is appropriate.
- At this meeting a written warning will be given and advised that if standards are not met during the review period the employee may be dismissed.
- Following the meeting, the Institute will confirm in writing the action to be taken, including review timescales and targets.

Review Period

If at the end of the review period:

- A satisfactory level of attendance and performance is achieved; the formal process will be suspended. If there are sickness issues within the next 12 months, the formal process will recommence at the appropriate stage;
- The sickness continues to adversely impact on performance and the line manager believes that the employee is unlikely to meet the required standards within a reasonable period of time, Occupational Health advice regarding any ongoing medical issue will be taken into account and will be invited to a further absence meeting.

Second Absence Meeting

- Failure to meet the improvement requirements in the review period will require a repeat of reasonable adjustment section.
- On this occasion the warning may constitute a final written warning.
- The employee will be advised that their employment may be terminated if the required improvement is not achieved.

Dismissal Meeting

The dismissal hearing stage should be used where the employee has attended absence review meetings but has failed to meet improvement targets.

The dismissal hearing should be chaired by the Chief Executive Officer or another designated senior post holder who will be accompanied by the HR Manager. This meeting will be to consider dismissal.

The hearing should cover action and discussions taken to date regarding the employee's absence and should include an exploration of the employee's capability to continue in the role, and any possible alternative arrangements.

Items to be covered during the meeting:

- Absence records, details of previous absence review meetings and performance against absence improvement targets should be reviewed;
- A review of any relevant medical records;
- Consultation of the employee and opportunity given for him/her to provide explanations.
- Advice from Occupational Health regarding the employee's future capability to work.

Action should only be taken following a thorough investigation into the employee's absence.

Where the outcome of the meeting is dismissal, the Human Resources Department will, within five working days, issue a letter giving the employee notice of the termination of their contract of employment.

13. Managing Long – Term Absences

Metanoia Institute defines absences for a continuous period of 20 working days or more as long-term. Regular communication is an important part of the Institute's approach to dealing with absence and particularly so in cases of long-term absence. It enables appropriate management decisions to be taken, in consultation with the employee, on the basis of up-to-date information, with the interests of the employee as well as the Institute in mind. Line managers will therefore maintain regular contact with employees who are absent owing to long-term sickness.

No later than the 14th calendar day of continuous absence, line manager/HR will contact the employee to discuss any help and support that can be offered to support the return to work. Further contact will be regular, as agreed with the employee, and will continue throughout the absence. This may be by telephone, letter, home or other venue visit, or a combination of these.

Home Visiting

Where it is considered appropriate, sick employees will receive a home visit from the HR Officer, accompanied by the employee's line manager. Such visits will normally be arranged in advance with the employee's consent.

Formal absence meeting

Where the return to work date is not known, and the absence is more than 4 weeks, line manager will normally invite the employee to attend an absence meeting. The meeting is an opportunity to ensure that help and support is provided and discuss ways in which you may be able to return to work. Any reasonable adjustments that would enable the return to work will be explored. The line manager will normally have referred the individual to Occupational Health for advice on current state of health; possible recovery time; future capability; and whether the illness is likely to reoccur.

A timescale for reviewing progress will be agreed and will be advised that continued absence may lead to dismissal on the grounds of capability. The timescale will take into account the nature of the illness and a likely time by which a prognosis can be expected.

Second Absence Meeting

On receipt of the medical report the Institute will arrange to meet the employee to discuss options and future actions. These may include:

- Consideration of a phased return where the employee is fit to return to work but not immediately to the full duties of the post;
- No further action if the employee is fully fit to return to full duties within 4 weeks;
- reasonable adjustments (where possible) to the employees work and/ or environment where the employee's absence is related to a medical condition considered to be a disability under the Equality Act 2010, including possible suitable redeployment options;
- Any other recommendation made by the Occupational Health Provider;
- Continued monitoring where the employee is not fit to resume to their normal duties.

14. Fit to work

Where the employee is considered fit for work:

- Metanoia Institute expects employees to return to work when they are fully fit to carry out the full performance of their duties.
- After periods of long-term absence in excess of 4 weeks the Institute may consider, upon receipt of medical advice, a process of phased return for a maximum of 4 weeks. This will be subject to the employee's fitness to return work and needs of the business.
- In such circumstances, the employee will be paid for the days that they attend work whilst retaining the entitlement to their current level of sick pay for the days they remain absent.
- Absence will continued to be monitored and reviewed.

Metanoia Institute will endeavour to take all reasonable action to support employees experiencing significant health problems. However, after concluding the Occupational Health referral stage and consideration of other issues, e.g. terminal illness and disability on some occasions, it is accepted that the nature of the illness itself or its effects will mean the employee is unable to continue in his/her employment with the Institute.

Unless Metanoia Institute believes it is likely that you will return to work within the foreseeable future, it may be necessary to dismiss you by reason of incapability. In such cases, each individual employee's own circumstances will be considered and reviewed.

The Human Resources Department will work with the line manager and employee to identify all possible options, which will include wherever possible making every effort to redeploy those employees that are unable to carry out their original duties/job role. If the Institute considers, however, in the light of all the relevant factors that:

- there is no prospect of a satisfactory improvement in the attendance level within a reasonable timescale;
- redeployment to suitable alternative work is not available;
- or ill-health retirement is not a possibility; then the matter should be referred to the dismissal hearing.

15. Terminal Illness

Line managers should be aware of the need to handle cases of terminal and potentially terminal illness with great sensitivity. Early retirement, where appropriate, will be considered as an option by mutual agreement based on medical opinion and potential superannuation benefits. Advice in all cases of terminal illness must be referred to the Human Resources Department.

16. Ill-Health Retirement

If at any stage the OH considers that an employee may be permanently unfit for their employment and the employee is in agreement with this decision, the contract can be terminated by mutual agreement on capability grounds.

17. Reasonable Adjustments In The Case Of Disability

If an employee is identified as having a condition covered by the Equality Act 2010 the Institute will seek to explore the possibility of making reasonable adjustments to enable employees to continue in their employment. The Equality Act 2010 defines a disability as a physical or mental impairment which has a long-term adverse effect on a person's ability to carry out normal day to day activities. The disability needs to be evidenced for more than 12 months. Reasonable adjustments to a post can take a variety of forms including:

- review of the content of the job and possible re-allocation of duties;
- review of the employee's working hours;
- provision of specialist equipment – e.g. chairs, computer equipment;
- alterations to the working environment;
- paid and/or unpaid leave for rehabilitation, assessment, or treatment.

The Human Resources Department, Line Manager, and with the advice of OH will identify whether reasonable adjustments are appropriate and practical. The options available will be discussed fully with the employee who has the right to be accompanied at any formal meeting. In cases where adjustments are reasonable, the employing department will ensure that the necessary adjustments are made. If the Institute is unable to make reasonable adjustments, and

is unable to redeploy the employee, then the Institute may have to consider termination of the contract of employment.

18. Appeal

An employee who wishes to exercise their right of appeal against a formal warning should inform the Human Resources Department, in writing, within five working days of the date of the warning being issued. The employee should set out the grounds for the appeal and where the employee believes the Institute has acted unfairly or outside of its procedures.

The appeal will be heard by:

- a) A member of the Senior Management Team who has not previously been involved in the process concerning this matter, accompanied by the HR.
- b) The CEO, accompanied by a member of Human Resources, if an Executive Team member was directly involved in the procedure when the warning was issued; or
- c) A member of the Trustee (excluding the Chair of the Trustee, and the CEO) if the CEO was directly involved in the procedure when the warning was issued.
- d) An employee who wishes to appeal against the decision to terminate his/her contract of employment should inform the HR Manager in writing within ten working days of the date of the notice being issued.
- e) The appeal hearing will take place as soon as possible. The employee will be given at least five working days' notice of the date, time, and venue for the appeal meeting. At the appeal meeting the employee will be given an opportunity to state his or her case and will be entitled to be accompanied.

The decision of the Trustees Panel will be confirmed to the employee in writing within ten working days of the appeal meeting having taken place and will be final and binding.

19. Disability Leave & Disability related Sickness Absence

The Metanoia is committed to ensuring reasonable measures are taken to remove any identified disadvantage for disabled employees and to support and retain disabled employees in employment.

Disability Leave

The Equality Act specifically identifies the provision of leave as a reasonable adjustment where a disabled person needs to be absent from work for "rehabilitation, assessment or treatment", for a fixed period(s) of time known in advance. This can be termed as disability leave. The usually predictable and fixed nature of disability leave distinguishes it from disability related sickness absence, which is unpredictable and for unknown periods of time, although there may be

occasions where disability leave has to be taken at short notice and/or is unpredictable, in which case flexibility should be applied.

Examples of disability leave may include leave for:

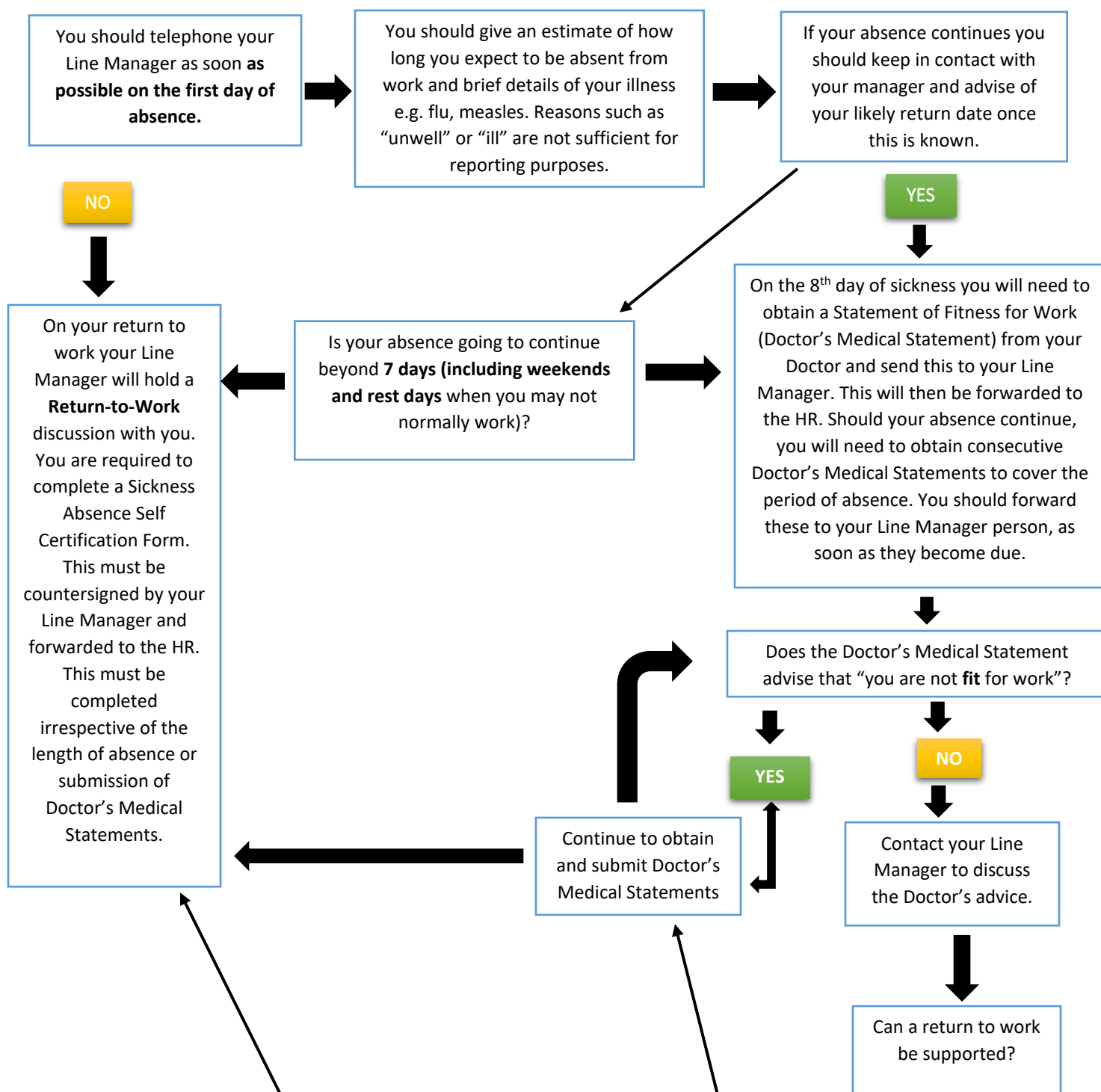
- Assessment for conditions
- Training, for example with a guide or hearing dog or in the use of specialist equipment
- Medical appointments or specialist check-ups including monitoring of related equipment or treatment.
- To allow time for adjustments or adaptations to be made

Where possible, disability leave appointments should be made outside of working hours, however Metanoia recognises that scheduling of appointments is sometimes outside of the individual's control, in these cases paid time off will normally be granted. The manager/supervisor may reasonably request to see evidence of the appointment(s) and it is expected employees will work with their line manager to consider how any impact on work can be mitigated with the expectation that regular attendance at work will continue.

20. Monitoring and Review

Human Resources are responsible for monitoring the effectiveness of this policy and supporting procedures and will conduct reviews at appropriate intervals. Anyone who feels they have been unfairly treated or discriminated against should contact Human Resources

Annex 1 Employee sickness absence reporting FLOWCHART.



Confirm details and agree the terms of the return to work e.g. date of return, timescale for review.

NO

YES

Annex 2 Manager's sickness absence reporting FLOWCHART.

