

Catch22 policy

Managing Sickness Absence Policy

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Catch22 reserves the right to amend this policy, following consultation, where appropriate.

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1. Purpose

Catch22 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 Catch22 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, Catch22 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.

2. Aims of the Policy

This policy aims to:

- provide a standard process and consistent approach for managing sickness absence;
- treat all employees in a way which is sensitive and fair, and balances the needs of the employee with that of Catch22;
- provide support for absent employees so they can return to work as soon as their condition allows, whilst sustaining a required level of attendance;
- identify and eliminate any potential workplace risks to the employee's health and wellbeing; and
- promote a positive culture of attendance.

3. Definitions

'Sickness absence' is defined as an incapacity to carry out the duties and responsibilities which an employee is contractually obliged to do, because of his or her own illness or injury.

'Short term sickness absence' is defined as one or more periods of sickness absence lasting one to 27 calendar days.

'Long term sickness absence' is defined as any period of sickness lasting 28 calendar days or more.

4. Scope

This policy applies to all Catch22 employees who have successfully completed their probation period. It does not apply to contractors, consultants, agency workers or any self-employed individuals working for Catch22.

This policy does not apply to the need to take time off work because of the illness or injury of others, for example, dependents, which is covered by a separate policy.

This policy is formulated on the assumption that, if Catch22 suspects there to be misconduct, its Disciplinary Policy will apply. For example, Catch22 may take disciplinary action if there is evidence that:

- absence is not genuine or not for the reason provided;
- the employee is undertaking inappropriate activities while off sick, such as carrying out work for another organisation;
- the correct sickness absence notification and evidence procedure has not been followed.

5. Responsibilities

Line managers should:

- take responsibility for monitoring and managing their employees' attendance and absence;
- treat all matters relating to their employees' health and wellbeing sensitively, fairly and consistently;
- maintain a proper record of their employees' sickness absences by completing an absence record on HouRs;
- require an employee to complete a self-certification form for sickness absence of seven calendar days or less and to provide a GP's/hospital statement for sickness absence of eight calendar days or more;
- conduct a return-to-work interview after every period of sickness absence;
- keep confidential records of all absences, including discussions and medical certificates;
- seek medical advice, e.g. from Occupational Health or the employee's GP, where appropriate and take this advice into consideration before making any decisions; and
- keep in mind Catch22's duty to make reasonable adjustments for disabled people when managing absence.

Employees should:

personally notify their line manager of their sickness absence and maintain regular personal contact while unable to attend work;

- be prepared to give her/his manager a clear reason (i.e. the nature of the illness or injury) why s/he cannot attend work, and estimate how long s/he thinks the absence will last;
- complete a self-certification form for sickness absence of seven calendar days or less and provide a GP or hospital statement for sickness absence of eight calendar days or more;
- attend a return-to-work interview with her/his manager each time the employee returns from a period of sickness absence;
- agree on request to undergo a medical examination by Catch22's Occupational Health provider;
- cooperate with Catch22 with regard to the possible implementation of any adjustments to job duties, hours or working conditions, particularly those suggested by a doctor;
- refrain from actions or activities that could hinder or slow down recovery or jeopardise the employee's ability to work;
- not take part in sports, hobbies or other avoidable activities which could aggravate the employee's condition or delay her/his recovery. This excludes specific activities

- recommended by a GP or other medical adviser to improve the employee's health, as part of a therapeutic/convalescent programme; or
- undertake any other employment, whether paid or unpaid, unless this has been expressly approved by the employee's line-manager in writing. Employees should also note that it can be a criminal offence to claim Statutory Sick Pay from an employer, whilst undertaking paid employment elsewhere. These matters would be pursued as a disciplinary matter.

6. Reporting Sickness Absence

An employee must notify her/his line manager of their sickness absence within the first hour of their working day (local arrangements may apply). Notification of sickness absence must be via telephone, rather than text message, email or social media. In exceptional circumstances where the employee is unable to telephone (for example, because of hospitalisation), another person such as a friend or relative can contact Catch22 on his/her behalf. The employee should personally make contact as soon as s/he is able to do so.

It is the employee's responsibility to ensure her/his line manager is informed of the reason for absence, possible length of absence and likely return date. The employee should also be prepared to discuss briefly any consequences of his/her absence, for example if cover work needs to be set.

In the event the employee is unable to make contact with her/his line-manager, s/he must seek to make contact with a relevant manager within the team so the message can be promptly passed on.

For each subsequent sick day after the first day of absence, the employee should generally telephone his/her manager as soon as reasonably practicable in the morning (local arrangements may apply). However, managers should use their discretion and can agree different arrangements with the employee, for example if the employee is hospitalised.

This reporting procedure also applies to employees who were not expected to attend the office owing to working off-site, from home, in training, or for any other reason.

7. Recording Sickness Absence

Sickness is recorded in days and half days. If an employee works for less than half of their usual working hours, then this will be recorded as a full day sickness absence. If an employee works for more than half of their usual working hours then this will be recorded as a half day sickness absence.

All absence must be recorded from the first day on HouRS by the line-manager. When the employee returns to work, the line manager will be responsible for ensuring the absence is closed on the system. Employees can also end their sickness absence on HouRS.

8. Certifying Sickness Absence

8.1 Self-Certification

If the employee is absent from work due to ill health for seven calendar days or less, on the first day of the employee's return to work he/she must complete a self-certification form. This should be attached to the relevant sickness record on HouRS.

8.2 Statement of Fitness for Work (Fit-Note)

If the employee is absent from work owing to ill-health for eight calendar days (including weekends and bank holidays) or more then the employee must obtain a medical certificate (fit-note) from her/his GP covering the eighth day of absence onwards and send it to her/his line manager. Subsequent medical certificates are required as soon as the current certificate has expired, covering the whole period of sickness absence, ensuring there are no breaks in the coverage provided by the fit-note/s. The fit notes should be attached to the relevant sickness record on HouRS.

A doctor's fit note may state that the employee:

- is "not fit for work", in which case the employee should remain off work; or
- "may be fit for work", subject to the doctor's recommendations being followed (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations).

While there is no legal obligation on Catch22 to follow the recommendations made by the employee's doctor, line-managers should take seriously what the employee's doctor has advised and give reasonable consideration as to whether or not any of the changes recommended by the doctor can be accommodated.

If an employee may be fit for work, subject to reasonable adjustments, the employee's line-manager is responsible for assessing what duties the employee can do, and discussing with the employee what extra support s/he may need.

The line-manager should:

- discuss with the employee the advice on the fit note;
- consider how the advice affects the employee's job and workplace;
- consider the doctor's recommendations and any other action that could help the employee return to work;
- consider referring the employee to Occupational Health;
- monitor and review the situation as required; and
- keep a written record of all discussions held with the employee.

If Catch22 considers that it cannot provide the support that the employee's doctor recommends, Catch22 will treat the fit note as if the doctor had said the employee was not fit for work.

9. Medical Suspension

In exceptional circumstances, the employee's line-manager may consider that the employee should not return to work, even though the employee's doctor says s/he can. In this situation, the employee's line-manager should speak to his/her People Business Partner and discuss the need to refer the employee to Occupational Health.

In the meantime, the employee would remain on sickness absence, and her/his sick pay would continue. When an employee's line-manager receives the Occupational Health advice, they will discuss the findings with the employee. If Occupational Health decides the employee was fit to return, the employee's normal pay would resume and be backdated to when the employee's own doctor said the employee was fit to return to work.

10. Medical Appointments

Catch22 recognises that employees will, from time to time, need to attend medical appointments.

Employees should endeavour to arrange medical appointments in their own time or, if this is not possible, at times that will cause the minimum amount of absence from work or inconvenience to Catch22.

However, because Catch22 accepts that it is not always possible to arrange medical appointments outside working hours, it is Catch22's policy to permit reasonable time off work for such appointments.

Provided that the employee gives his/her line-manager reasonable notice of the date and time of an appointment, time off with pay will normally be granted, although this is subject to the discretion of the employee's line-manager.

Where time off for medical appointments becomes frequent or regular, or starts to cause difficulties for the employee's operational service, the line-manager has the discretion either to require the employee to make up for the time-off by working extra time on another occasion, or to grant any further time off without pay.

Employees must obtain approval from their line-manager in advance of attending any appointment during the employee's normal contracted hours. The line-manager reserves the right to ask the employee to reschedule an appointment if its timing would cause disruption to Catch22's normal business. The line-manager may also, at his/her discretion, ask the employee to produce confirmation of the appointment.

Employees who are pregnant have the statutory right not to be unreasonably refused paid time off work for antenatal appointments where the employee's attendance has been recommended by a registered medical practitioner, midwife or nurse. Paid time off in such circumstances will automatically be granted, although employees should endeavour to arrange appointments outside the employee's normal contracted hours. Nevertheless, the employee should give reasonable notice of the date and time of the appointment to his/her line-manager where possible and the line-manager will still have the right to request to see the confirmation of the employee's second appointment and any subsequent appointments.

A prospective father, or partner of a pregnant woman, has the statutory right to take unpaid time-off to attend up to two antenatal appointments.

11. Return to Work Interviews

Return to work interviews should be carried out after every period of sickness absence. On the first day back at work after any period of sickness absence, the employee's manager will arrange to meet informally with him/her. If this is not possible on the employee's first day back (for example, for operational reasons or because the manager is not available), the informal meeting should take place as soon as reasonably practicable thereafter.

The line-manager should:

- welcome the employee back to work, check they are well enough to resume duties, and update them on any changes that have taken place during their absence;
- ask the employee about the reasons for his/her absence;
- ask the employee whether or not he/she has consulted a doctor or attended hospital;
- if the employee's sickness absence has been for seven calendar days or less, ask the employee to complete a self-certification form;
- if the employee's sickness absence has been for eight calendar days or more, ensure the employee has provided a fit-note from his/her doctor;
- discuss the content of any fit-note and recommendations (see above);
- establish if there is any support that can be given or adjustments that can be made to support the employee in work;
- inform the employee if their Bradford Factor score has reached 27 points or over, and the consequences of having done so (see below); and
- document all discussions held with the employee and ensure that any discussions outcomes are acted upon promptly.

12. Pregnancy Related Absences

Pregnant employees who are off work because of pregnancy-related ill-health must comply with Catch22's absence reporting procedure. For example, a pregnant employee is subject to the usual notification and evidence requirements, and can be asked to attend a return-to-work interview when returning to work.

However, any sickness absence by a pregnant employee for a pregnancy-related reason should not be included when checking to see if the need for formal action under Catch22's absence management procedure has been triggered.

13. Disability Related Absences and Reasonable Adjustments

Where an employee gives as the reason for absence an underlying health issue that could amount to a disability under the Equality Act 2010, the manager should discuss this with her/his People Business Partner and explore the need to refer the employee to the Occupational Health team. This includes where the employee states that he/she is suffering from stress.

Line-managers should remember that Catch22 has a duty to make reasonable adjustments for disabled employees. Reasonable adjustments can include alterations to fixtures and fittings to enable greater access, acquiring special equipment or modifying existing equipment, altering existing working arrangements, supplying additional training and/or supervision.

Where the absence is wholly or partly for a disability-related reason, adjustments to the procedures set out in this policy may need to be made, but extending entitlement to contractual sick pay is not normally considered a reasonable adjustment.

14. Medical Advice

14.1 Occupational Health Referrals

At various stages of managing the employee's sickness absence, a line-manager may want to obtain advice on the employee's fitness for work from Catch22's Occupational Health advisers.

Examples of when a line-manager might refer to Occupational Health include;

- seeking a medical report on the employee;
- establishing when the employee might be able to return to work;
- asking for guidance on the employee's condition, for example if there is a possibility that the employee is disabled or there is ambiguity as to the exact nature of the condition; and/or
- seeking any adjustments which could be made to accommodate an employee's disability, thereby enabling greater access to work.

14.2 Medical Practitioner Reports

Where a report from the employee's medical practitioner is necessary, the employee will be fully informed of his/her rights under the Access to Medical Reports Act 1988 and his/her permission will be sought for the report to be obtained.

The employee's permission will be sought to contact the medical practitioner on the relevant consent form.

The employee has the right to access the report before Catch22 sees it. If the employee wishes to see the report, he/she should inform Catch22 of this, so that it can inform the medical practitioner. The employee will then have 21 days to contact the medical practitioner to see the report. If the employee does not contact the medical practitioner within this period, the medical practitioner can pass the report on to Catch22.

Should the employee feel that the report is misleading or incorrect, s/he may ask the medical practitioner to amend the report. If the medical practitioner does not agree with the employee and does not alter the report, the employee may attach a statement to the report to reflect his/her views. Alternatively, having seen the report, the employee may request that access to the report be withheld from Catch22.

If the employee refuses to attend an Occupational Health assessment or give permission for Catch22 to contact his/her medical practitioner, Catch22 will explain to the employee the reasons behind the request and inform the employee that s/he will be in breach of his/her contract of employment, furthermore a decision relating to his/her employment may be made without the benefit of access to medical reports, which could result in dismissal. The same procedure will be followed where the employee delays in giving his/her consent.

15. Managing Sickness Absence

15.1 Bradford Factor

Sickness absence should be regularly monitored and reviewed by line-managers with support from members of the People Team. The system Catch22 uses to monitor sickness absence is known as the Bradford Factor.

The Bradford Factor (BF) is a recognised way of monitoring individual sickness absence on an ongoing basis. The BF calculates a score based on the number of days and the number of occasions an employee is absent in a rolling 12 month period.

The formula used to calculate an employee's BF score is:

Number of occasions absent x number of occasions absent x total number of days absent

For example, if an employee was absent from work on two occasions, one occasion for one day and one occasion for two days, their BF score would be 12:

2 (no. of occasions they are off) x 2 (no. of occasions they are off) x 3 (total days off) = 12 (BF score).

Depending on the BF score and the circumstances surrounding the absence, different steps will be considered in order to manage the employee's absence.

Sickness absence relating to maternity, disability or industrial injury should still be recorded, as line managers are still required to provide support and manage the process.

The trigger points that are used to decide when action needs to be taken to tackle an employee's sickness absence are set out below. They are provided for guidance in order to ensure consistency but consideration should be given to the particular circumstances of the individual in each case. The process can be triggered at any level within the table where there is good reason to do so.

BF Score	Status	Action
Under 49	Green	Flag BF score of 27 or more at return to work interview
50 – 124	Amber	Initial informal review meeting
125+	Red	Commence formal proceedings for short term absence

The same scores apply to part-time employees. For some patterns of part-time work, line-managers will need to adjust the totals to reflect the individual's circumstances.

15.2 Return to Work Interview

Line-managers should flag a BF score of 27 points or more with the employee at the employee's return to work meeting and inform them of the policy for managing sickness absence. This is not a formal meeting but should be used to discuss any support that can be offered to reduce absence levels and improve the employee's attendance at work.

15.3 Initial Review Meeting

All employees who have a BF score of 50 points or more should be invited to an initial review meeting.

This meeting can either be done as part of the return to work interview or during the next supervision meeting following the absence (this should be no longer than 6 weeks after the employee has returned to work). The process echoes that of the return to work interview.

The purpose of the initial review meeting is to inform the employee of her/his level of sickness absence and discuss any support that can be offered or adjustments that can be made to reduce absence levels and improve the employee's attendance at work.

The line-manager should:

- enquire about the employee's welfare;
- review the employee's sickness absence record;
- ask the employee about the reasons for his/her absence;
- ascertain whether the employee's work environment has been a contributing factor in the employee's sickness absence;
- establish if there is any support that can be given or adjustments that can be made to support the employee in work;
- keep a written record of all discussions held with the employee and ensure that any outputs are acted upon promptly.

16. Short-Term Sickness Absence – Formal Procedure

Short-term sickness absence is defined as one or more periods of sickness absence lasting one to 27 calendar days. Short-term absence can be disruptive to the smooth running of a service and therefore it is important that it is investigated and managed promptly. The trigger point for a stage 1 short term sickness absence formal review meeting is a BF score of 125 or more.

16.1 Arrangements for Formal Meetings

All meetings under the formal procedure will be subject to the following arrangements:

- the employee should be invited in writing and given at least 5 working days' notice, and have the right to seek to defer the meeting by up to another 5 working days to obtain representation;
- the letter should advise the employee who will be present at the meeting and that the employee can be accompanied (see below);
- the letter should explain the purpose of the meeting is to review the employee's unsatisfactory attendance at work;
- the employee should be provided with copies of all documentation to be relied upon at the meeting, including the employee's attendance record, copies of meeting notes and medical reports etc.;
- the letter should inform the employee of the potential outcomes, including no further action, a first or final formal caution and review period, dismissal;
- the outcome should be confirmed in writing within 5 working days.

16.2 Right to be Accompanied

Employees have the right to be accompanied by a trade union representative, LinkUp Partner or workplace colleague at all formal meetings under this policy.

It is the responsibility of the employee to arrange his/her own representation and to provide the representative with copies of all the relevant paperwork.

The employee must notify the Chair who will be accompanying the employee in advance of the meeting.

If the employee's chosen companion is unable to attend the meeting, Catch22 will rearrange the meeting at a time/date proposed by the employee provided the alternative time/date is both reasonable and not more than 5 working days after the date originally proposed.

17. Stage 1 Short-Term Sickness Absence Formal Review Meeting

On reaching a Stage 1 Bradford Factor trigger point, the employee's line-manager should invite the employee to a Stage 1 Short-Term Sickness Absence Formal Review meeting.

The meeting will be conducted by the employee's line manager (provided they are Grade G or above) or the employee's Operations Manager / Assistant Director (if the employee's manager is below Grade G).

At the meeting, the line manager will:

- explain to the employee that the purpose of the meeting is to discuss the employee's unsatisfactory attendance;
- review the employee's attendance record;
- make clear to the employee that the aim of the meeting is to find ways to improve his/her attendance;
- allow the employee to share his/her views;
- try to establish any underlying reasons for the employee's poor attendance level;
- discuss and agree any steps that can be put in place to help the employee to improve his/her attendance;
- consider referring the employee to Occupational Health or seeking advice from his/her medical practitioner if this has not already been done;
- review any medical advice that has been received;
- remind the employee of the support that is available, including the employee assistance programme; and
- after a short adjournment, inform the employee of the outcome of the meeting and state that the outcome will be confirmed in writing.

18. Stage 1 Possible Outcomes

18.1 No Further Action

In limited circumstances, for example if there are extenuating reasons for the absences, the outcome of a Stage 1 Short-Term Sickness Absence Formal Review meeting could be that the manager decides that no further action is required. If the decision is that no further action

will be taken, the letter should inform the employee of this and provide an explanation for the decision.

18.2 First Written Warning and Review Period

The line-manager may decide that the employee should be given a first written warning and moved to a formal review period. The letter should outline the improvement that is expected, set a formal monitoring period during which attendance will be regularly reviewed and state the consequences of failing to improve attendance will be that the employee moves to stage 2 of Catch22's absence management procedure. The letter should also advise the employee of their right to appeal and how they exercise that right (see below).

A first written warning is recorded and will be kept on an employee's personnel file for 12 months, after which it may be expunged from the file subject to there having been no further concerns regarding the employee's levels of sickness absence. The first written warning may also require the employee to provide a medical certificate for all subsequent periods of sickness absence, regardless of the length of sickness absence, this is known as "first day certification".

If the employee's sickness absence levels improve no further action will be taken. The manager should write to the employee explaining to him/her that he/she has completed the formal review period.

If during the formal review period, the employee's sickness absence exceeds the improvement target, the employee will be moved to stage 2.

19. Stage 2 Short-Term Sickness Absence Formal Review Meeting

On reaching a stage 2 trigger point, the employee's line manager should invite him/her to a Stage 2 Short-Term Sickness Absence Formal Review meeting.

The meeting will be conducted by the employee's line manager (provided they are Grade G or above) or the employee's Operations Manager / Assistant Director (if the employee's manager is below Grade G).

At the meeting, the line-manager will:

- explain to the employee that the purpose of the meeting is to discuss the employee's continued unsatisfactory attendance;
- make clear to the employee that the aim of the meeting remains to find ways to improve his/her attendance;
- allow the employee to share his/her views;
- try to establish any underlying reasons for the employee's poor attendance level;
- discuss and agree any further steps or targets that can be put in place to help the employee to improve his/her attendance;
- refer the employee to Occupational Health or seek advice from the employee's medical practitioner if this has not already been done;
- review any medical advice that has been received;
- remind the employee of the support that is available, including the employee assistance programme; and
- after a short adjournment, inform the employee of the outcome of the meeting and state that the outcome will be confirmed in writing.

20. Stage 2 Possible Outcomes

20.1 No Further Action

In limited circumstances, for example if there are extenuating reasons for the absences, the outcome of a Stage 2 Short-Term Sickness Absence Formal Review meeting could be that the manager decides that no further action is required. If the decision is that no further action will be taken, the letter should inform the employee of this and provide an explanation for the decision.

20.2 Final Written Warning and Review Period

The manager may decide that the employee should be given a Final written warning and moved to a second formal review period. The letter should outline the improvement that is expected, set a formal monitoring period during which attendance will be regularly reviewed and state the consequences of failing to improve attendance will be that the employee moves to Stage 3 of Catch22's Absence Management Procedure. The letter should also advise the employee of their right to appeal and how they exercise that right (see below).

A Final written warning is recorded and kept on an employee's personnel file for 24 months, after which it may be expunged from the file subject to there having been no further concerns regarding the employee's levels of sickness absence. The Final written warning may also require the employee to provide a medical certificate for all subsequent periods of sickness absence, regardless of the length of sickness absence, this is known as "first day certification".

If the employee's sickness absence levels improve no further action will be taken. The line-manager should write to the employee explaining to him/her that he/she has completed the formal review period.

If during the formal review period, the employee's sickness absence exceeds the improvement target, the employee will be moved to a Stage 3 Short-Term Sickness Absence Final Review Meeting.

21. Stage 3 Short-Term Sickness Absence Final Review Meeting

On reaching a Stage 3 trigger point, the line-manager will invite the employee to a Stage 3 Short-Term Sickness Absence Final Review meeting.

The meeting should be chaired by an impartial manager at Grade G or above, who is more senior to the employee who is subject to the stage 3 final review meeting and who has not been involved in proceedings previously, supported by a People Business Partner.

At the meeting, the manager will:

- explain to the employee that the purpose of the meeting is to discuss the employee's continued unsatisfactory attendance;
- review all the data, including meeting notes and medical reports;
- allow the employee to share his/her views;
- establish if there are any further steps or targets that can be put in place to help the employee to improve his/her attendance;
- inform the employee of the possible outcomes of the meeting (see below) and that these will be confirmed in writing to him/her within 5 working days.

22. Stage 3 Possible Outcomes

The outcome of the meeting could be:

- to take no further action;
- to make adjustments to the employee's work;
- with the employee's agreement, redeployment to another post more suited to the employee's abilities (see below); or
- a decision to dismiss the employee.

The employee should be informed of his/her right of appeal in the outcome letter and how to exercise his/her right of appeal.

23. Long-Term Sickness Absence – Formal Procedure

Long term sickness absence is defined as any period of sickness lasting 28 calendar days or more.

It is important that Catch22, through the line-manager, maintains contact with an employee on long-term sickness absence to:

- monitor the employee's progress in terms of his/her return to health;
- support the employee and actively maintain his/her engagement with Catch22 and ensure the employee remains informed about events in the workplace;
- provide information to the employee so that s/he may make informed decisions (for example, in relation to sick pay entitlement);
- provide practical support from Catch22's Occupational Health advisers;
- encourage a return to work as early as possible;
- facilitate a phased return to work if required, by making appropriate temporary or permanent adjustments.

It is the joint responsibility of both the line-manager and the employee to maintain contact. Once the employee is on long-term sickness absence (i.e. once the employee has reached 28 days' continuous absence), the employee's line-manager should contact the employee to agree the method and frequency of contact. Contact between the line-manager and the employee should be on a regular basis and occur at least once a week.

When an employee has been absent for 28 calendar days, or as soon as it is confirmed that s/he will be absent for at least 28 days (for example, a fit note has signed him/her off for that period), his/her line-manager should refer the employee to Occupational Health. The line-manager should also contact the employee to advise him/her that the Occupational Health department will be in touch, with the purpose being that Catch22 will seek medical advice on the employee's prognosis and possible return to work date.

24. Arrangements for Formal Meetings Under the Long-Term Sickness Formal Review

All meetings under the formal procedure will be subject to the following arrangements:

- the line-manager should contact the employee to agree a date, time and location for the meeting to take place, at a time that is convenient for the employee and the line-manager;
- if the employee does not respond to the line-manager's efforts to contact the employee, or does not co-operate with attempts to agree a time and place for the meeting, the line-manager is entitled to set a time and place for the meeting without the employee's agreement being initially obtained;
- the meeting can take place in the workplace, however, it may be that the employee's medical condition necessitates a venue that is away from the employee's place of work. For example, the employee's mobility may be restricted or an employee suffering from work-related stress may be uncomfortable coming in to the workplace. The line manager should therefore be open to the meeting taking place in another location. This could be the employee's home (although only if the employee is comfortable with this) or a location near the employee's home (such as a local cafe or leisure centre), taking consideration of the need for confidentiality of the conversation to be held;
- the arrangements for the meeting should be confirmed in writing and the employee should be given at least 5 working days' notice of the date and venue, the employee is entitled to seek a deferment to the meeting by up to 5 working days to obtain representation;
- the letter should advise the employee who will be present at the meeting and that the employee may be accompanied by a workplace colleague, LinkUp representative or trade union representative;
- the letter should explain the purpose of the meeting is to review the employee's attendance at work;
- the employee should be provided with copies of any documentation to be relied upon at the meeting, including the employee's attendance record, copies of meeting notes and medical reports etc.;
- the letter should inform the employee of the potential outcomes, including no further action, a first or final formal caution and review period, dismissal;
- the outcome should be confirmed in writing to the employee within 5 working days.

25. Stage 1 Long-Term Sickness Absence Formal Review Meeting

Once an employee has been absent for 28 calendar days, or as soon as it is confirmed that s/he will be absent for at least 28 days (for example, a fit note has signed him/her off for that period), his/her manager should invite the employee to a Stage 1 Long-Term Sickness Absence Formal Review meeting.

The Stage 1 Long-Term Sickness Absence Formal Review meeting will be chaired by the employee's line-manager. At the meeting, the line-manager will:

- establish how the employee is doing and the likely length of the employee's sickness absence, bearing in mind the advice in the employee's fit note or medical report;
- discuss with the employee what steps can be taken to assist the employee in returning to work (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations);
- explain to the employee his/her sick pay entitlement;
- confirm when the next contact will take place (for example, if the employee is undergoing an operation, a reasonable period after the operation has taken place).

After the meeting, the line manager will set out in writing what has been discussed at the Stage 1 meeting. The letter, which should be provided to the employee within 5 working days of the

meeting, should include details of any steps or targets that have been agreed to help the employee to return to work, and any support that Catch22 is providing for the employee.

26. Stage 2 Long-Term Sickness Absence Formal Review Meeting

Once the employee is absent for three months, or as soon as it is confirmed that s/he will be absent for three months (for example, a fit note has signed him/her off for that period), his/her line-manager should invite the employee to a Stage 2 Long-Term Sickness Absence Formal Review meeting.

The Stage 2 Long-Term Sickness Absence Formal Review meeting will be chaired by the employee's line-manager. At the meeting, the line-manager will:

- establish how the employee is doing and the likely length of his/her absence, bearing in mind the advice in the employee's fit note or medical report;
- discuss with the employee what steps can be taken to assist the employee in returning to work (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations);
- if it appears that the employee will be unable to return to work, discuss the possibility of dismissal;
- explain to the employee his/her sick pay entitlement; and
- confirm when the next contact will take place (for example, if the employee is undergoing an operation, a reasonable period after the operation has taken place).

After the meeting, the line-manager will set out in writing what has been discussed at the Stage 2 meeting. The letter, which should be provided to the employee within 5 working days of the meeting, should include details of any steps or targets which have been agreed to help the employee to return to work, and any support that Catch22 is providing for the employee.

27. Stage 3 Long-Term Sickness Absence Final Review Meeting

A Stage 3 Long-Term Sickness Absence Final Review meeting will be arranged following the Stage 2 Long-Term Sickness Absence Formal Review meeting if:

- it is clear from medical advice that the employee is unable to return to his/her role in the foreseeable future;
- all reasonable steps to assist the employee in returning to work (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations) have been exhausted; or
- the possibility of dismissal has been discussed with the employee.

A Stage 3 Long-Term Sickness Absence Final Review meeting will also be arranged once an employee has had a 12 month continuous absence period, or as soon as it is confirmed that the continuous absence period will last for at least 12 months (for example, a fit note has signed the employee off for a period that will take him/her beyond 12 months' continuous absence).

The meeting should be chaired by an impartial manager at Grade G or above, who is more senior to the employee who is subject to the stage 3 final review meeting and who has not been involved in proceedings previously, supported by a People Business Partner.

At the meeting, the manager will consider all the circumstances of the employee's case, including:

- the length of the employee's absence and the likely length of future absence;
- medical advice on the employee's condition;
- what adjustments are available to help the employee to return to work; and
- the effect of the employee's continued absence on his/her colleagues and employing department.

After the meeting, the manager will set out in writing the outcome of the Stage 3 meeting. The outcome of the meeting could be:

- a decision for the employee to remain on sick leave until s/he has recovered (typically where an approximate return date has been identified);
- the issue of a first or final written warning that the employee's continued absence is unsatisfactory;
- an offer to make adjustments to the employee's work;
- redeployment with the employee's agreement (see below); or
- a decision to dismiss the employee.

The employee should be informed in writing of the decision within 5 working days of the meeting, which must include the employee's right of appeal against the decision, and how to exercise that right.

28. Appeal

An employee has the right to appeal against the outcome of any formal stages of this procedure if it results in a first or final written warning, or dismissal. An employee may appeal on one or more of the following grounds:

- the proper procedure was not followed and this materially affected the decision;
- the decision reached was not supported by the evidence presented;
- the sanction applied was too severe, taking into account the mitigating circumstances;
- new evidence which is pertinent, goes to the heart of the case, and was not reasonably available at the time, has become available.

An employee who wishes to appeal must write to the Chair of the original review meeting (copying in their People Partner), setting out the grounds of their appeal, within 5 working days of receiving the outcome letter.

An appeal will be acknowledged within 5 working days with a hearing convened if possible within 5 working days, but if for any reason this is not possible, within a reasonable period, after the appeal is lodged.

The appeal hearing will be chaired by an impartial manager at Grade G or above, who is more senior to the manager who made the decision which is being appealed, and who has not been involved in proceedings previously, supported by a People Partner.

The employee will be entitled to be accompanied by a workplace colleague, LinkUp Partner or trade union representative.

At the meeting, the decision to impose the sanction will be reviewed and the employee will be entitled to make representations about the appropriateness of that decision.

Terminating employment will not be deferred to a future date, even if the employee appeals. This means that the appeal hearing may take place after the employee has left Catch22. If the employee is reinstated; their service and pay will be backdated to the day after dismissal.

The outcome of the appeal will be confirmed to the employee in writing, within 5 working days, explaining the grounds on which the decision was reached.

The outcome of the appeal will be final and there is no further right of appeal.

29. Return to Work Arrangements

While Catch22 endeavours to ensure that employees who have been on long term sickness absence return to their former post and way of working, it recognises that this may not always be possible. Catch22 sees the value of phasing employees back to work (this could include a gradual increase in hours or an initial period during which the employee works from home on certain days), temporarily adjusting their duties, or redeploying them permanently if they cannot return to their previous role.

When the employee returns to work, the employee's line-manager should agree with the employee on the arrangements to reintroduce the employee back into the workplace, and ensure that arrangements are made to support the employee on his/her return. These arrangements should include any agreed adjustments and (where necessary) a risk assessment.

30. Phased Return to Work

Where an employee returns to work after a period of long term sick leave, the line-manager should arrange to meet with the employee to discuss and agree a suitable return to work plan.

The phased return to work will usually arise following medical advice, which could be:

- a doctor's letter or medical report recommending a phased return; or
- advice on a fit note.

The meeting should cover whether or not a phased return to work is possible, and, if it is:

- when it could start, and with what work and hours;
- whether or not there will need to be any changes to the employee's work environment or workplace during the phased return to work and/or once the phased return to work is completed;
- when and how the employee's work and hours will develop during any phased return to work;
- what arrangements will be put in place to monitor the employee's progress during any phased return to work;
- the employee's pay during any phased return to work; and
- to whom the employee should report if there are any difficulties with his/her return to work.

Notes should be taken as to what has been discussed and agreed at the meeting and what follow-up has been agreed. The follow-up will often require a further meeting, and the date and arrangements for the next meeting should be agreed at the end of the first meeting.

Catch22 will only pay the employee for the actual hours s/he has worked, if the employee's hours have temporarily reduced the employee can opt to take these non-working hours as either sickness, holiday or unpaid time for the duration of the employee's phased return.

31. Redeployment

Catch22 will consider redeployment where it appears unlikely from the medical advice that an employee on long-term sickness absence will be able to return to his/her existing role.

Any offer to redeploy the employee will be entirely at Catch22's discretion and where there is a vacancy available. Such an offer will be made only where Catch22 is confident that the employee is no longer able to continue to work in his/her current role and will be able to perform well in the redeployed role. While the employee is free to refuse any offer of redeployment, the only alternative available will usually be dismissal. If Catch22 believes there is no alternative role available and suitable for the employee, Catch22 may be left with no option but to dismiss. Should the employee choose to accept permanent redeployment, s/he will be asked to agree to a variation of contract.

32. Sick Pay

Catch22 operates a contractual sick pay scheme which is more generous than statutory sick pay (SSP).

During sickness absence Staff will, in any 12 month period, receive the following sick pay from Catch22:

Length of service	Units	Duration of pay	Units	Payment basis	Units
Up to 1	Year(s)	10	Day(s)	100	Percent
1-2	Year(s)	33	Day(s)	100	Percent
2-3	Year(s)	65	Day(s)	100	Percent
3-4	Year(s)	100	Day(s)	100	Percent
4+	Year(s)	130	Day(s)	100	Percent

Catch22 reserves the right to withhold or suspend sick pay under its contractual sick pay scheme at its discretion. Circumstances in which contractual sick pay may be withheld include where:

- the employee has failed to comply with Catch22's sickness absence notification and evidence requirements;
- the employee refuses to attend a medical examination at the reasonable request of Catch22;
- the employee's incapacity has been caused by participation in dangerous sports or activities or any other occupation the employee has;

- the employee makes or produces any misleading or untrue statement or document concerning his/her fitness to work;
- the employee has given or received notice to terminate his/her employment; and
- disciplinary proceedings are pending against the employee.

The employee will normally be entitled to receive SSP when contractual sick pay is withheld or suspended, although Catch22 can withhold or suspend SSP if it is not satisfied that the employee is ill, and no evidence of sickness is provided.

An employee will be given written notice, which may be by email, if his/her SSP or contractual sick pay is being withheld or suspended.

Occupational sick pay under Catch22's scheme is subject to the usual deductions such as PAYE, national insurance, pension contributions, etc.

Payments under Catch22's scheme will be calculated by reference to the employee's basic salary only and any payments made under Catch22's scheme are inclusive of any entitlement to SSP for the same period of absence.

33. Sickness Absence and Annual Leave

Where an employee falls sick or is injured while on holiday, dependent upon the circumstances, Catch22 may apply discretion and allow the employee to transfer annual leave to sickness leave. This policy is subject to the following conditions:

- the total period of ill-health must be fully certificated by a qualified medical practitioner where it exceeds seven calendar days;
- the employee must contact Catch22 (by telephone if possible) as soon as s/he knows that there will be a period of sickness during annual leave;
- the employee must submit a written request no later than 5 days after returning to work setting out how much of the holiday period was affected by sickness and the amount of leave that the employee wishes to take at another time.
- Where the employee is overseas when s/he falls ill or is injured, evidence must still be produced that the employee was ill by way of a medical certificate.

Where the employee fulfils all of the above conditions, Catch22 may, at its discretion, grant the employee the same number of days of annual leave as the number of annual leave days lost owing to sickness or injury.

If an employee becomes ill or injured during a bank or other statutory holiday, Catch22 will not grant replacement annual leave.

If an employee is ill or is injured just prior to the start of a period of planned annual leave, and is consequently unable to take the annual leave, Catch22 may agree to the employee postponing the annual leave to another mutually agreed time. Any period of sickness absence will then be treated in accordance with Catch22's normal policy on sickness absence. The employee must submit a written request to postpone the planned annual leave and this must be accompanied by medical evidence confirming that s/he is not fit to take the holiday.

34. Annual Leave During Sick Leave

An employee who is absent on sick leave will continue to accrue his/her contractual annual leave entitlement and will be given the opportunity to take this at a later date, including in the subsequent annual leave year, if s/he is unable to take his/her contractual annual leave entitlement owing to being on sick leave.

An employee on sick leave may apply to take his/her annual leave entitlement while on sick leave. The annual leave dates must be approved in accordance with the normal procedure set out in Catch22's Annual Leave Policy.

35. Term-Time Only Employees (TTO)

If a term-time only employee is sick during the school holidays, the correct sickness absence reporting procedure must be followed and the period covered will be treated as sickness absence. The employee will receive payment for the annual leave they were unable to take.

36. Related policies

- Annual and Special Leave Policy
- Capability Policy
- Disciplinary Policy
- Probation Policy

Annex 1: Equality Impact Assessment

Summary

This EIA is for:	Capability Policy and Procedure
EIA completed by:	Christina Duru (Chief People Officer)
Date of assessment:	June 2020
Assessment approved by:	N/A

Catch22 is committed to always: avoiding the potential for unlawful discrimination, harassment and victimisation; advancing equality of opportunity between people who share a protected characteristic and those who do not; and, foster good relations between people who share a protected characteristic and those who do not.

An Equality Impact Assessment (EIA) is a tool for identifying whether or not strategies, projects, services, guidance, practices or policies have an adverse or positive impact on a particular group of people or equality group. Whilst currently only public bodies are legally required to complete EIA's under the Equality Act 2010, Catch22 has adopted the process in line with its commitment to continually improve our equality performance.

Policy owners are required to complete or review the assessment indicating whether the policy has a positive, neutral or negative impact for people who it applies to and who share one or more of the 9 protected characteristics under the Equality Act 2010. Definitions are based on the Equality & Human Rights (EHRC) guidance.

Objectives and intended outcomes
This EIA has been completed in order to ensure that the implications and potential impact, positive and negative, of this policy have been fully considered and addressed, whether or not people share a protected characteristic.

Potential Impacts, positive and negative

Equality Area	Positive	Neutral	Negative	Please give details including any mitigation for negative impacts
Age Does this policy impact on any particular age groups or people of a certain age?	☐	☒	☐	The policy applies equally to all members of staff regardless of age. It's not considered that the policy includes any guidance or rules that may impact either positively or negatively on any member of staff because of their age.
Disability Does this policy impact on people who have a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day to day activities?	☐	☒	☐	The policy applies equally to all members of staff regardless of health/disability. It's not considered that the policy includes any guidance or rules that may impact either positively or negatively on any member of staff because of their disability.

Gender reassignment (transsexual, transgender, trans) Does this policy impact on people who are transitioning from one gender to another (at any stage)	☐	☒	☐	The policy applies equally to all members of staff regardless of their gender at any given time. It's not considered that the policy includes any guidance or rules that may impact either positively or negatively on any member of staff because of gender.
Marriage and civil partnership Does this policy impact on people who are legally married or in a civil partnership?	☐	☒	☐	The policy applies equally to all members of staff regardless of their marriage or civil partnership status. It's not considered that the policy includes any guidance or rules that may impact either positively or negatively on any member of staff because of their marriage or civil partnership status.
Pregnancy and maternity (in work this is linked to maternity leave, non-work this is for 26 weeks after giving birth) Does this policy impact on people who are pregnant or in their maternity period following the birth of their child?	☐	☒	☐	It's not considered that the policy includes any guidance or rules that may impact either positively or negatively on pregnant women or on staff on maternity leave.
Race Does this policy impact on people as defined by their race, colour and nationality (including citizenship) ethnic or national origins	☐	☒	☐	The policy applies equally to all members of staff regardless of their race, origin, colour or nationality. It's not considered that the policy includes any guidance or rules that may impact either positively or negatively in these respects.
Religion and belief Does this policy impact on people who practice a particular religion or none, or who hold particular religious or philosophical belief or none?	☐	☒	☐	It's not considered that the policy includes any guidance or rules that may impact either positively or negatively in these respects.
Sex Does this policy impact on people because they are male or female?	☐	☒	☐	The policy applies equally to all members of staff regardless of their sex. It's not considered that the policy includes any guidance or rules that may

				impact either positively or negatively on any member of staff because of their sex.
Sexual orientation Does this policy impact on people who are sexually attracted towards their own sex, the opposite sex or to both sexes?	☐	☒	☐	The policy applies equally to all members of staff regardless of their sexual orientation. It's not considered that the policy includes any guidance or rules that may impact either positively or negatively on any member of staff because of their sexual orientation.

More information/notes

Please add any links to key documents or websites to evidence or give further detail on any impacts identified.

N/A