

Bespoke Professional Development and Training Limited

**Sickness and Absence Policy**

Updated: June 2021

Next renew due: May 2022

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| **Version Number** | **Last Amended** | **Amended By-** |
| v1 | July 2019 | Tracey Carter |
| v2 | July 2020 | Tracey Carter |
| v3 | June 2021 | Tracey Carter |
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**Aim of this policy**

BePro 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. This policy is designed to assist BePro in effectively managing sickness-related and other staff absence. BePro recognises the importance of ensuring that employees are supported through any periods of absence and their subsequent return to work. Through an effective Sickness and Absence Policy, BePro will be better positioned to identify any potentially unsafe work practices, any issues affecting employee morale and any other underlying problems employees may be facing.

While BePro 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 organisation 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.

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.

**Definitions**

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 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 policy.

**Scope**

This policy is formulated on the assumption that, if the organisation suspects there to be misconduct, its separate disciplinary procedure will apply. For example, the organisation 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; or
* the correct sickness absence notification and evidence procedure has not been followed.

**Sickness**

This section refers to both employees and contractors, including external tutors.

**Notification of sickness**

If an employee or contractor is unable to come to work for any reason, they must inform BePro by contacting the office as soon as possible after 8am on the first day of absence. 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 BePro on their behalf.

The employee should indicate the reason for their absence, its likely duration and when the illness started.

In the event that the employee’s absence continues for a number of days or weeks, they must maintain regular contact with BePro to keep the company informed of the reasons for their ongoing absence and the date when they expect to be able to return to work. In such cases the employee should specify how BePro can contact them if necessary.

The employee should also be prepared to discuss briefly any consequences of their absence, for example if appointments need to be cancelled or any essential work needs to be covered.

If an employee comes to work but needs to leave during the day because of ill health, they should inform their manager before leaving work. If the manager is unavailable, the employee should inform the next most appropriate person within the department.

Sickness absence that begins part way through the day will count as one full day's sickness absence if the employee leaves before completing 50% of their working day. Where sickness absence begins after the employee has completed 50% of their working day, this should be recorded as half a day's absence.

**Certification of sickness**

For sickness absences of up to 7 calendar days, sickness must be self-certified using a SC2 sickness self-certification form, available on request. The form should be completed by the employee upon their return to work. The completed form should indicate actual days of sickness and be returned to the employee’s line manager.

For sickness absence of more than 7 calendar days, the employee must also provide a medical certificate also referred to as a ‘fit note’. This will provide us with more information about your condition and let us know whether your GP or medical provider considers that you are not ‘fit for work’, or ‘may be fit for work taking account of the following advice’. Subsequent medical certificates must be produced as necessary to cover the total duration of the period of absence. As a minimum, employees should contact their manager on a weekly basis to provide an update on the injury or illness.

**Sick leave and holiday**

For employees only and not contractors, statutory holiday entitlement is built up (accrued) while an employee is off work sick (no matter how long they’re off).

Any statutory holiday entitlement that isn’t used because of illness can be carried over into the next leave year. If an employee is ill just before or during their holiday, they can take it as sick leave instead.

An employee can ask to take their paid holiday for the time they’re off work sick. All rules relating to sick leave still apply.

This policy is subject to the following conditions, which will be strictly applied:

* The employee must contact BePro as soon as they know that there will be a period of incapacity during the holiday
* The employee must confirm in writing to their line manager no later than 5 days after returning to work how much of the holiday period was affected by sickness or injury and the amount of leave that the employee wishes to take at another time.
* The total period of ill health must be fully certificated by a qualified medical practitioner (where it exceeds seven calendar days).
* Where the employee is overseas when they fall ill or are injured, evidence must still be produced that the employee was ill by way of a medical certificate.
* Any requests for replacement holiday must be made in accordance with BePro’s holiday policy and the employee should try to take the replacement holiday in the holiday year in which it was accrued. Where this is not possible, BePro will allow the employee to carry forward the leave into the next holiday year.

**Return to work interviews**

On the first day back at work after any period of sickness absence of an employee, the employee's manager will arrange to either meet/phone or Skype informally with them.

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.

The return-to-work interview should take place in a private place, and all discussions between the employee and the manager should be private and confidential.

The manager should:

* welcome the employee back to work;
* explain to the employee that the purpose of return-to-work interviews is to manage and monitor employees' absence and attendance to identify any problem areas and offer support where appropriate;
* inform the employee that their absence will be recorded;
* ask the employee about the reasons for their absence, ensuring that the question is asked in a supportive way without any suggestion that the employee is "to blame" for the absence;
* ask the employee whether or not they have consulted a doctor or attended hospital;
* if the employee's sickness has been for seven calendar days or less, ask the employee to complete a self-certification form for the period of sickness absence and sign it and return to the manager, who should then countersign the form and pass it on to the HR department;
* if the employee's sickness lasts for eight calendar days or more, ensure that the employee has provided a fit note from their doctor, and this has been passed on to the HR department and inform the employee if they have hit a trigger point, and the consequences of having done so.

The line manager will update the employee's absence record form. (Appendix 1) This will record the dates of the employee's absence, and the reasons for the absence (i.e. the nature of the illness or injury that has led to the employee's absence). This will be stored on file for a rolling 5 year period. This will be used to decide if a trigger point has been reached.

**Long-term Absence**

BePro will treat as long-term absence any period of extensive absence due to serious or significant illness over 28 days. Where a period of absence is long-term, it will inform the employee of such and:

* require that the employee keep in regular contact with BePro, at such intervals as agreed between BePro and the employee.
* ensure that the employee is kept informed as to any possible threat to their employment.

It may be necessary in incidences of long-term absence to treat the matter as an issue of capability or conduct. In such circumstances BePro will:

* investigate the absence through “Return to Work Interviews” and/or the obtaining of medical reports; the employee will be fully informed of their rights under the Access to Medical Reports Act 1988 and their permission will be sought for the report to be obtained.
* set time limits on the assessment of the employee and keep him or her informed of such;
* consider adjustments to the job in order to facilitate a return to work or to allow the employee to do their job more easily, for example the implementation of flexible working arrangements;
* consider whether the illness amounts to a disability under the Equality Act 2010. Where it is found to do so BePro shall make such reasonable adjustments as are necessary.
* where the absence is wholly or partly for a disability-related reason, the trigger points referred to in this policy may need to be modified to take proper account of the employee's disability, and other adjustments to the procedures set out in this policy may need to be made.
* keep the employee informed in all the circumstance of any threat to their employment.

BePro stresses that dismissal will only ever be taken as a last resort. Where however the absence is found to be a matter of misconduct, the employee will be subject to BePro’s Disciplinary Procedure.

**Sickness Absence Management**

Trigger points will be used to decide when action needs to be taken to tackle an employee's sickness absence record are set out below. When applying these trigger points, the special rules that apply to pregnancy and disability and part-time working will always be kept in mind. The stages set out below are guidelines only. See Appendix for full details.

For part-time workers, the trigger points set out above will be pro-rated, rounded up to the nearest day. For example, this will mean that the following triggers will apply to part-time workers.

The trigger of six days' absence or three instances of absence in a rolling 12-month period that applies for full-time employees under the short-term sickness absence management procedure will be adjusted for part-time workers to:

* two days for employees who work one day per week or three instances of absence;
* three days for employees who work two days per week or three instances of absence;
* four days for employees who work three days per week or three instances of absence;
* five days for employees who work four days per week or three instances of absence.

**Sick Pay**

This section refers to employees only, and not contractors and external tutors.

**Statutory Sick Pay**

Eligible employees are entitled to statutory sick pay (SSP), provided that they follow BePro usual notification and evidence requirements.

Employees are entitled to SSP where they have a period of sickness absence from work of at least four calendar days in a row and three "waiting days" (days on which the employee would usually be required to work) have passed. And the employee must have average weekly earnings equal to or more than the lower earnings limit. Please see relevant government websites such as gov.uk for details of the current lower earnings limit.

Statutory sick pay is payable for up to 28 weeks in any one period of sickness absence, at a weekly rate set by the Government for the relevant tax year.

Employees must use an SC2 sickness self-certification form to provide BePro with details of their illness, available on request or on the gov.uk website.

The present weekly SSP rate can be found on relevant government websites: [www.gov.uk/statutory-sick-pay](http://www.gov.uk/statutory-sick-pay)

BePro will record all details of SSP payments made to employees using Statutory Form SSP2 in conjunction with legal requirements.

Where BePro is not required to pay SSP or SSP comes to an end, BePro will provide the employee with Form SSP1 to support the employee’s claim for Employment and Support Allowance.

Contractors including tutors will not be paid SSP.

**Company Sick Pay**

CSP is detailed in each employee’s employment contract where they are entitled to it. Please refer to your own contract for details of your entitlement. If employees are not entitled to CSP, BePro may in some cases take the decision to pay CSP. This will be entirely at the discretion of BePro and no negotiation will be entered into.

An employee will forfeit any entitlement to CSP if:

They fail to comply with notification and certification requirements; They make or produce any misleading or untrue statement or document concerning their fitness to work.

**Annual Leave**

This section refers to employees only, and not contractors and external tutors.

**Entitlement**

All employees are entitled to 25 days annual leave and 8 public holidays; for part-time staff these will be pro-rated. Full time is 37.5 hours per week.

BePro’s leave year runs from 1st January to 31st December.

If you join BePro part-way through the annual leave year, your entitlement to annual leave will be proportionate to the amount of time left in the annual leave year. During your first year of employment with BePro, the amount of annual leave you may take is limited to the amount accrued at that time.

**Approval Required for all Annual Leave**

Before you take holiday or make definite arrangements, you will need to obtain approval from your manager. All holiday must be authorised in advance and a minimum of two weeks; notice should normally be given. Any leave that is taken without prior consent of the appropriate manager will be treated as an authorised absence

BePro will make every effort to accommodate your request for holiday, but authorisation will be subject to the business needs of the organisation and therefore it may not always be possible for you to take holidays as requested.

**Carrying over Annual Leave**

You should aim to take your annual leave during the year in which it accrues. Any unused annual leave at the end of the holiday year may not be carried over. No payment will be made for any unused annual leave at the end of the holiday year except on termination of employment.

Unused annual leave may be carried over to the following holiday year where this is legally required, for example where sickness absence or family leave spans two leave years.

**Family Leave and Holidays**

For the purposes of this policy, family leave includes: maternity leave; paternity leave; adoption leave; parental leave; and shared parental leave.

You will continue to accrue annual leave as normal during periods of family leave.

**Termination of contract of employment**

BePro may require you to take any accrued but untaken holidays during your notice period. Alternatively, BePro may pay you in lieu of any unused annual leave accrued during the current holiday year.

Where annual leave taken exceeds the number of days accrued at the date of termination, BePro will deduct the appropriate, corresponding sum from your final salary.

**Other Absence**

This section refers to employees only, and not contractors and tutors.

**Jury Service**

Any employee called for jury service should inform their Line Manager as soon as possible.

Employees called for jury service will be paid their standard pay by BePro for the period of their absence. Contractors including tutors will not be paid for this absence.

**Public Duties**

BePro is legally obliged to permit any employee time off to complete their public duties including, but not limited to, magistrate or school governor duties. The employee should inform their Line Manager of their duties, meetings or rotas as soon as possible in order to allow BePro time to plan for their absence.

Employees carrying out public duties will be paid their standard pay by BePro for the period of their absence. Contractors including tutors will not be paid for this absence.

If employees are uncertain about any other type of absence they must ask for advice from their Line Manager. Other types of absence may be covered by separate company policies and procedures and/or by statutory rights. Unauthorised absence is likely to be treated as a disciplinary offence.

**Special Leave**

BePro recognises that many staff balance the demands of work requirements with domestic responsibilities. While each member of staff is responsible for ensuring that they have appropriate care mechanisms in place to meet their personal responsibilities, BePro endeavours to assist in circumstances where these arrangements have unavoidably broken down, or where additional pressures, out with the norm, arise and for which time off work may be required.

The purpose of this section is to allow for an appropriate response to a variety of situations, including:

* The necessary and unexpected need for a member of staff to provide care to a spouse or civil partner, child, parent, close relative or other dependant who relies on the employee for assistance on any occasion where the person falls ill or is injured or to make arrangements for the provisions of care in the event of illness of injury.
* Suffering a bereavement
* Civic and public duties

**Maternity, Paternity, Adoption and Parental Leave**

BePro will offer the statutory requirements for maternity, paternity, adoption and parental leave.

Pregnancy-related absences - Pregnant employees who are off work because of pregnancyrelated ill health must abide by BePro’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 BePro’s absence management procedure has been triggered.

**Monitoring**

BePro will monitor and record levels of absence and reasons for absence in order to help identify abuse of this policy, which places additional stress on colleagues. Further, BePro will be better positioned to identify unsatisfactory work practices and to distinguish between different types of absence.

BePro will either anonymise data or obtain consent from each employee to comply with the relevant Data Protection legislation.

All information gathered through absence monitoring under this Policy will be held and treated in confidence.

**Review**

This policy will be reviewed at intervals of 1 year to ensure it remains up to date and compliant with the law.

The policy was last updated June 2021 and is due for review May 2022

The policy may also be reviewed if legislation changes or if monitoring information suggests that policy or practices should be altered.



Georgina Selmi

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