

*July 2017*

# Sickness and Absence Policy

Live  Care

Date Written	17.07.2017
Author(s)	Registered manager
Version	2.0
Date Signed Off	20/07/2017
Reviewed by	

Unit 1 Chandos House,  
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# Review Data

## Initial Production

Name	Role/Department	RACI	Date
Registered manager	Registered Manager	RA	17.07.2017
Registered manager	Registered Manager	RA	06.12.2017

R = Responsible for document production; A = Accountable; C = Consulted; I = Informed

## Change History

Version	Date	Details of Change	Author
2.0	17.07.2017	Re-write and re-structure of original policy in line with most recent legislative updates.	Registered manager

## Emergency Contact Details

Name	Email	Mobile
Registered manager	fran@livein.care	

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## CQC Fundamental Standards

Regulation Number	Regulation Details
Regulation 12: Safe care and treatment	Care and treatment must be provided in a safe way for Clients including assessing the risk of, and preventing, detecting and controlling the spread of, infections.
Regulation 18: Staffing	Providers must provide sufficient numbers of suitably qualified, competent, skilled and experienced staff to meet the needs of the people using the service at all times.

## Key Lines of Enquiry

KLOE	How this applies to Out of Hours and Emergency On-Call Cover
Effective	A properly managed sickness and absence policy supports the delivery of effective care and support by maintaining continuity whilst minimising risk of Client infection.
Well led	Managing sickness and absence is part of being a well led organisation, through the use of information to manage staff fairly and maintain service continuity in the event of staff absence.

## Related Documents

This policy should be read in conjunction with our:

- **Code of Conduct Policy**
- **Out of Hours & Emergency On-Call Cover Policy**

### Policy Aim

The aim of this document is to set out the company's policy with regards to managing staff sickness and absence. Living Carers Ltd is committed to supporting staff that are off sick and to supporting them back into the workplace

Living Carers Ltd is committed to providing a high level of care to its clients by providing a consistent staff team who are fit for work

This document outlines the policy of Living Carers Ltd in relation to staff sickness and absence

### Procedure

**Employees are required to phone in on the first day of sickness, should they be due to work that day, between 6.30am and 9.00am. The office should be notified as soon as possible of a care worker's sickness.**

**Office staff are to call a manager between 7.30am and 8.30am.**

**The employee is to make the call themselves and not ask anyone else to do so on their behalf unless there are extenuating circumstances.**

**There may be occasions when it is not possible for the employee to phone themselves, for example due to hospitalisation, in which case Living Carers Ltd will accept a call from another person.**

**The sending of a text or email is not acceptable and will not be deemed to have been following procedure.**

**Employees are expected to maintain regular contact with the office. The frequency of this contact will depend upon the circumstances of the absence and will be agreed during the initial phone call and any subsequent contact**

### **Key Question: When do I need a certification of illness?**

Employees can self-certify their absence for the first 7 days of sickness.

Employees who are off sick for 8 days or more are required to visit their GP to obtain a “fit note” (previously known as a sick note). This note will state that they are either “not fit for work” or “may be fit for work”.

If the fit note states “may be fit for work”, Living Carers Ltd will discuss with the employee any changes that may allow the employee to return to work. If no agreement can be reached, the employee will be treated as “not fit for work”

Employees (Office Staff) will be paid Statutory Sick Pay (SSP) following the required waiting days, at the prevailing rate and subject to the eligibility criteria at that time

Employees (Office Staff) are required to ensure the fit note is provided to the office in a timely manner. Failing to do so, may result in a delay in paying SSP

## **Return to Work Interview**

Upon their return to work, all employees will be required to attend a Return to Work interview. This will establish if the employee is fit for work and if any reasonable adjustments need to be made. This meeting will be held in private and is intended to identify the reason for the absence and to offer appropriate support

Staff will not be permitted to return to work or carry out any work related duties until a Return to Work interview has been carried out.

## Absence Review Procedure

All sickness absences are reviewed on a regular basis. This procedure seeks to ensure fair and consistent treatment of all employees and takes into account personal circumstances. There will inevitably be employees who suffer from frequent periods of short term sickness and from substantial single periods of absence due to more serious sickness.

As a general guide, where the following sicknesses arise, it would be appropriate for Living Carers Ltd to review the matter with the employee

1. **Three spells of absence over a rolling period of 6 months (whether self or GP certified) amounting to a total over the period of 5 days or more**
2. **A total of 20 working days or more absence in any twelve month rolling period**
3. **Unacceptable patterns of absence (for example, regular Friday or Monday absences or regular absences on working weekends)**
4. **A consistent pattern of absence over a rolling period of twelve months or more which is significant for Living Carers Ltd but falls short of the parameters of 1 and 2 above**

## Welfare meeting

The purpose of a welfare meeting is to identify the reasons for any absences, to consider what support, if any, may be needed in order to assist the employee to improve their attendance and to consider what the employee may be able to do to improve the situation.

Whilst Living Carers Ltd does not expect any employee to work if they are not fit to do so, continuing high level of absence from work cannot continue indefinitely

## Disciplinary action

If an employee is considered to have an unacceptable level of absence from work, disciplinary action may be considered.

Any warning issued to an employee will set out the level of attendance required. This level of attendance will be reasonable and be over a defined period of time.

If there is little or no improvement within this time period, or the number of absences exceeds the level set, further disciplinary action may be considered and a final warning issued.

If following the issuing of a final warning, there is little or no improvement, action may be taken to terminate an employee's employment on grounds of incapability to perform duties due to the level of absence from work.

## Long term sickness

- Employees who have been off for 4 weeks or more, may be considered to have been off on long term sick.
- Living Carers Ltd will make every effort to assist employees on long term sick back into the work place. Regular welfare meetings will take place.
- It may be necessary to obtain the employee's permission for Living Carers Ltd to contact their GP for more information of the employee's condition, their long term prognosis and what reasonable adjustments would be needed in order for the employee to return to work.
- The employee is entitled to see this report, and to make any changes, before it is returned to Living Carers Ltd. Once the report has been received, the employee will be invited to a meeting to discuss the report
- Although you have the statutory right to withhold your consent to the Company to approach your GP or consultant for a medical report, if you do choose to withhold your consent to our application, Living Carers Ltd may need to assess your state of health and its impact on your continued employment without the benefit of professional medical advice.
- Living Carers Ltd reserves the right to refer you to the Fit for Work scheme for an assessment and/or return to work plan.
- You may also be required to undergo a medical examination by a doctor nominated by the Company. Living Carers Ltd will be entitled to receive any report produced in connection with any such examination, and the Company may discuss the contents of the report with the doctor in question.
- If you refuse to undergo a medical examination without good reason, this may be viewed as a failure to follow a reasonable management instruction and could result in disciplinary action, up to and including dismissal without notice.
- As a last resort, Living Carers Ltd may consider dismissing the employee on grounds of capability.

## EQUALITY ACT 2010

Where an employee has acquired a disability, it may be appropriate to consider whether it would be reasonable to agree to a permanent adjustment to their duties and/or working arrangements as set out in the Equality Act 2010. The advice of a medical professional would be sought and any adjustment would be subject to the agreement of the employee, HR and the company's Directors. The arrangements would be reviewed after an agreed time. Any change in contractual terms as a result of reduced hours or a change of post would be discussed with the employee and if agreed would be effective from the date of the adjustment

## Key Points

- Employees are required to phone in as soon as they know they will be unable to work sick
- The employee is to make the call themselves and not ask anyone else to do so on their behalf.
- There may be occasions when it is not possible for the employee to phone themselves, for example due to hospitalisation, in which case Living Carers Ltd will accept a call from another person.
- The sending of a text or email is not acceptable and will not be deemed to have been following procedure.
- Employees are expected to maintain regular contact with the office. The frequency of this contact will depend upon the circumstances of the absence and will be agreed during the initial phone call and any subsequent contact



## Policy Review

This policy will be reviewed by the Registered Manager at least annually to make any updates and amendments necessary to ensure the policy conforms to current legislation, reflects current practice and expectations.

## Authorisation and Signature

This Policy is the official and authorised version agreed by the Directors of Living Carers Ltd. All employees are expected to work in accordance with this policy and failure to comply with this policy could result in disciplinary action.

## Registered Manager

06.12.2017

LIVING CARERS LTD