Sickness Absence and Attendance Policy

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<td>CLASSIFICATION:</td>
<td>Human Resources</td>
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<td>PURPOSE:</td>
<td>To set out the principles and framework for absence management, recording absences, supporting staff and improving staff attendance wherever possible.</td>
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This Document Supports: NHSLA Risk Management Standards, Standing Orders, Code of Governance for Foundation Trusts

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- Information for: All Employees, Executives
# Sickness Absence and Attendance Policy

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1.0 Policy Statement

1.1 University Hospitals Birmingham NHS Foundation Trust aims to support its staff to ensure full attendance at work which staff should be committed to achieving. The Trust will manage absence in a fair way consistent with employment legislation and best practice.

1.2 All staff employed by the Trust receive salaries on the basis of satisfactory attendance and performance at work. Whilst the Trust recognises that on occasion employees will have genuine and acceptable reasons to be absent from work, any absence causes operational difficulties which can undermine the quality and efficiency of patient care within the Trust. This policy and its associated procedure, the Sickness Absence and Attendance Procedure, are provided with the aim of reducing the levels and impact of absenteeism whilst affording support to those who are absent for legitimate reasons and expediting their successful and speedy return to work fitness.

2.0 Definition & Scope of the Policy

2.1 The Sickness Absence and Attendance Policy sets out the principles and framework for sickness absence management, absence recording and staff support. It should be read in conjunction with the Special Leave Policy and Flexible Working Policy.

2.2 “Sickness absence” is defined as the non-attendance of a staff member for scheduled work when they are contracted to attend, due to sickness. A “staff member” is defined as an employee or worker of the Trust including honorary contract holders, those on secondment, independent contractors, agency and locum workers.

2.3 This Policy and its associated procedural document, the Sickness Absence and Attendance Procedure, applies to all staff members, though the sickness absence management for employees and honorary contract holders may differ from the sickness absence management for those who are not Trust employees, but are on a secondment or working as independent contractors, agency and locum workers for the Trust. People managers must therefore ensure that they are aware of the different absence management requirements for employees and honorary contract holders as opposed to secondees, independent contractors, agency and locum workers.

2.5 All staff, regardless of their age, disability, ethnic origin, gender, seniority, sexual orientation, status, union membership, religion or belief will be treated fairly in the application of this policy and its associated procedural documents.

3.0 Duties

The University Hospitals Birmingham NHS Foundation Trust Board of Directors has a legal duty to ensure the health, safety and welfare of all its staff.

3.1 Executive Director of Delivery
The Executive Director of Delivery is responsible for the policy and its implementation through the Director of Human Resources. The Director of Delivery has the authority to approve the Procedure for Sickness Absence and Attendance and any amendments to that document in response to changes in legislation or best practice, provided that they are compliant with this policy.

3.2 Executive and Divisional Directors

Executive and Divisional Directors are required to ensure the following requirements are met within their areas of responsibility:

3.2.1 Ensure that the appropriate levels of people management who undertake responsibilities in accordance with this policy are clearly identified;

3.2.2 Ensure that all staff within their Division/area that hold people management responsibilities as in 3.2.1 are familiar with the Sickness Absence and Attendance Policy and are trained in applying all elements of its associated procedural documentation;

3.2.3 Ensure that staff who hold people management responsibilities work effectively and consistently with staff side representatives in implementing the policy.

3.3 People Managers

All staff who are holding people management responsibilities are required to ensure that:

3.3.1 They are familiar with the Sickness Absence and Attendance Policy and its application within their area of responsibility;

3.3.2 They attend the appropriate training and updates and are competent to implement the Sickness Absence and Attendance procedure in a consistent and fair manner;

3.3.3 Work in a collaborative fashion in implementing the Sickness Absence and Attendance procedure with staff side representatives;

3.3.4 Their Divisional Directors/Directors of Operations, Associate Directors of Nursing are informed of any sickness absence issues on a regular basis as required by divisional performance management and risk management frameworks;

3.3.5 They seek advice as appropriate from their human resource professionals and occupational health and safety advisors;

3.3.6 During local induction processes new employees are familiar with the requirements of this policy and the procedures they should follow in event of ill health. This information should be recorded with all other local Induction issues;
3.3.7 In the giving of information or advice involving the Sickness Absence and Attendance policy and its associated procedure, they are sensitive to the requirements of the Trusts Single Equality scheme in their dealings with employees;

3.3.8 ALL absences relating to sickness are passed to payroll for recording on Electronic Staff Record (ESR) and check the information is recorded correctly;

3.3.9 All staff who are absent as a result of sickness are contacted as appropriate in accordance with the associated guidance document and good practice.

3.4 Director of Human Resources

The Trust Director of HR has the responsibility to ensure that the following requirements are met:

3.4.1 The provision and maintenance of a Sickness Absence and Attendance Policy and its associated procedures and guidance as part of the Trusts portfolio of controlled documents;

3.4.2 To ensure that all HR professionals and HR support staff are aware of and competent to deliver on their responsibilities arising from these documents, providing leadership and support as required;

3.4.3 To ensure the provision of appropriate managerial requirements for the implementation of the procedural element of this controlled document.

3.5 Human Resources Professionals

HR professionals are required to ensure that:

3.5.1 They have received the relevant training and maintain their learning in order that they are able to support those with people management responsibilities;

3.5.2 They are able to provide consistent advice to people managers in their application of this policy and its procedural documents;

3.5.3 They work with occupational health colleagues and operational managers to ensure that clear pro-active management of sickness absence is achieved.

3.5.4 They undertake monitoring and reporting requirements on absence levels and non-compliance with procedures.

3.6 Occupational Health Services

Occupational health staff have a key role to play in supporting the Trust to reduce the impact of absenteeism. They also interpret national health & safety requirements into local applications on behalf of the Trust. They are therefore required to:
3.6.1 Ensure that the Trust is given advice on any project to ensure that ergonomic factors are taken into account when designing workplaces, systems or new patterns of working;

3.6.2 Ensure that health & safety risk assessments are undertaken by people managers and provide advice, training and support to them in the delivery of their duties;

3.6.3 Provide assistance and support to managers and HR colleagues who may review or investigate areas where sickness absence/health issues are causing a concern. In addition they will provide advice based on clinical and legislative expertise;

3.6.4 Ensure that all employee occupational health records are maintained and stored in accordance with information governance requirements;

3.6.5 Provide advice to managers on an individuals fitness to work rehabilitation and return to work arrangements including any requirements for work adaptation as required by disability legislation;

3.6.6 Provide advice to managers and employees about any area of support for health related issues which may affect their employment including discharge on medical grounds, ill-health retirement, incapacity and injury benefits.

3.7 Payroll Manager

It is essential that a consistent approach is taken to the recording of sickness absence to ensure accurate records are maintained and that the appropriate payment is made to the employee. This will allow the Trust to measure the impact of sickness absence.

Therefore the Payroll Manager is required to:

3.7.1 Ensure there is an agreed system for forwarding the information from sickness absence forms for input to Electronic Staff Record (ESR);

3.7.2 Ensure that payroll staff record all sickness absence onto the Electronic Staff Record (ESR) system using the defined categories found within the associated procedural documents;

3.7.3 Provide sickness absence records to people managers on request to enable sickness absence arrangements to be discussed;

3.7.4 Provide the information for monthly divisional reports on sickness absence to the Director of Operations and Divisional HR Managers.

3.8 Staff Side and Trade Union Representatives

Staff side representatives should be familiar with this policy and its procedures in order to provide advice and support to their members if requested to do so.
3.9 Staff

Staff are required to ensure that:

3.9.1 They make every effort to attend work regularly and carry out their duties competently;

3.9.2 They do not work excessive hours, particularly that they do not jeopardise their ability to attend their permanent post and function by working excessive Bank/Agency/Locum shifts;

3.9.3 They do not breach the requirements of the Working Time Regulations for this or any other employer as in doing so they could also have adverse impact upon their health and wellbeing and their ability to undertake their duties;

3.9.4 They obtain appropriate medical treatment and/or other support or assistance if they are ill or suffering from any condition that may affect their work performance or make them unable to work effectively;

3.9.5 They accept personal responsibility to protect their health at work including maintaining an occupational immunisation level which is appropriate to their work at the Trust;

3.9.6 They communicate appropriately with their employer whilst absent, respond to contact by the employer and that they will follow the agreed Trust reporting and certification procedure for sickness absence;

3.9.7 They comply with any reasonable management requests including the provision of documents, assistance with enquires, fulfilment of health and safety or infection control and prevention issues and attendance at referrals to Occupational Health service. Any request for data sensitive information can be refused on the grounds of an individual's legal rights.

4.0 Policy Framework

4.1 Key Principles:

4.1.1 It is an important component of partnership working that managers and staff side representatives (where they are involved) work together to ensure all absence is managed appropriately and fairly at all times in the interests of the efficiency and quality of the service whilst offering support to individuals where appropriate.

4.1.2 All those with people management responsibilities will be required to apply the policy and procedures as consistently and fairly.

4.1.3 All absences will be recorded and used to monitor absence and indicate where action may be needed.
4.1.4 Every employee must complete a sickness absence form immediately on their return to work to ensure the absence is authorised. This will be available with the associated procedural guidance and the Trust intranet.

4.1.5 Employees will be contacted on their return to work by managers to facilitate the employee’s effective and safe return to work as well as developing reasonable and practical steps to reduce likelihood of re-occurrence.

4.1.6 Advice and guidance will be obtained from Occupational Health Services and any other relevant advisors in order to ensure an employee’s ‘Fitness for Work’ in accordance with the procedural documents.

4.1.7 The Trust is committed to supporting the optimum health of its employees and will act reasonably taking into account all circumstances, including the assessment of organisational factors that may lead to sickness absence. This includes the organisation of working patterns in accordance with the Working Time Regulations.

4.1.8 Employees and honorary contract holders who fail to follow the Sickness Absence and Attendance Policy or procedures or who are absent frequently or absent without genuine health difficulties may face formal procedures up to and including dismissal.

4.1.9 If employees and honorary contract holders fail to attend regularly for work or are no longer capable of fulfilling their contractual requirements, they may face dismissal on the grounds of capability.

4.1.10 Non employees such as secondees, agency and locum workers who fail to follow the Sickness Absence and Attendance Policy or Procedures, or who are absent frequently or absent without genuine health difficulties, may be reported to their formal employer and face formal procedures up to and including dismissal. Independent contractors who fail to follow the Sickness Absence and Attendance Policy or Procedures, or who are absent frequently or absent without genuine health difficulties, may have their contract terminated.

5.0 Implementation and Monitoring

5.1 This Sickness Absence and Attendance Policy and its associated procedural documents will be disseminated throughout the Trust to ensure access is readily available to all.

5.2 The Director of Human Resources will ensure that an awareness and training programme appropriate to need/role for Trust employees on the requirements of this policy and its procedural document is provided and implemented.

5.3 The HR professionals will monitor the absence records and will provide reports on absence levels or non compliance with the procedures to the Divisional Directors of Operations who will report to the Divisional Director, the Director of Operations and the Executive Director of Delivery.
5.4 The Executive Director of Delivery will, through the annual workforce report, assure the Board of Directors of compliance with this policy. This will include a full analysis of absence issues. Reports will also be appropriately made to Trust Partnership Team and Divisional Consultative Committee.

6.0 References

The policy is based on compliance with the statutory requirements of employment law, specifically the Employment Act 2002. It is underpinned by guidance provided jointly by ACAS, Health and Safety Executive and the Chartered Institute of Personnel and Development.

7.0 Associated Policy and Procedural Documentation

Sickness Absence and Attendance Procedures
Rehabilitation Policy
Working Time Regulations
Special Leave Policy
Family Leave Policy
Flexible Working Policy

8.0 Review of Policy

This policy replaces all other agreements between the Trust staff representatives on this subject, whether written or implied. The policy will be reviewed after 2 years or earlier as statutory provisions change.