



Onchan District Commissioners

Aim: To help employees balance the demands of work with the demands of domestic responsibilities.

Management of Sickness Absence

Policy and Procedures

Draft: August 2019
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Policy Review - History:-

Please be aware that a hard copy of this document may not be the latest available version, which is available in the Authority's document management system, and which supersedes all previous versions.

Those to whom this policy applies are responsible for familiarising themselves periodically with the latest version and for complying with policy requirements at all times.

Effective from:	Replaces:	Originator:	Page X of Y
September 2019	04/01/2006	Chief Executive/Clerk	1 of 11
Management Team Approval:			
Board Ratification:			

History or Most Recent Policy Changes – MUST BE COMPLETED		
Version:	Date:	Change:

Management of Sickness Absence

1. Policy

Regular and reliable attendance at work is a fundamental principle of the employment contract and the highest possible levels of attendance are an essential requirement. Frequent short-term absences can be disruptive to effective delivery of services. Whilst Onchan District Commissioners (“the Authority”) have a duty of care to employees who are unavoidably absent due to ill health, the Authority has an obligation to take reasonable steps to address the effect that unacceptable levels of absence have on the ability to deliver services and the impact on other employees.

Personnel who are absent due to sickness will be treated sympathetically and every effort will be made to assist recovery and safeguard employment. It has to be recognised, however, that the loss of working days through sickness absence can result in a significant cost to the Authority which can include, for example, costs associated with arranging absence cover, as well as the additional pressure such absences place on colleagues.

2. Purpose

The purpose of this policy and procedure is to ensure that managers and employees understand the contractual and management authority underpinning the procedures for managing sickness absence; that managers and employees understand their responsibilities in relation to the procedures; and to define the support that will be given and action that will be taken where an individual’s level of attendance gives rise to concern.

The procedures set out below ensure that services are maintained, there is consistency and fairness in the management of absence and accurate records are maintained.

3. Scope

This policy and procedures apply to all staff employed by the Authority whether full-time, part-time or limited term, with the exception of bank, relief and supply staff.

4. Privacy

The Authority’s Privacy Notice describes how personal information about you is collected and used during and after your working relationship within the Authority and what legal basis there is for gathering and retaining that information in accordance with the Data Protection Act 2018, including the General Data Protection Regulations. A copy of the Authority’s Privacy Notice is available on its website or from the office of the Chief Executive/Clerk.

5. Definition

For the purposes of this policy and procedures, long-term sickness absence is a single absence of 20 or more working days.

6. Key Principles

To demonstrate the Authority's commitment to ensuring the highest possible levels of attendance:-

- Any sickness absence will be managed sympathetically and sensitively. Although every case will need to be handled according to the individual circumstances, the policy and procedures have been developed to provide a consistent and fair approach.
- The Policy and Procedures for Managing Sickness Absence will be reviewed and updated by the Chief Executive/Clerk as appropriate to ensure they support the Authority's obligation to deliver quality public services.
- All foremen/supervisors/managers will have the responsibility for recording, monitoring and managing sickness absence.
- Records of all categories of absence must be kept to facilitate effective management, monitoring and identification at an early stage of individual and organisational absence patterns.
- The concept of sick leave assumes a return to duty and the full provisions of the relevant Sick Pay Scheme only apply if there is likely to be a return to work.
- All employees will have a responsibility to make every effort to achieve the highest possible level of attendance, to obtain authorisation for all absences and to comply with the provisions of their Sick Pay Scheme.
- Employees who have health issues that impact on work will be required to attend for Occupational Health assessments if requested by their manager. They will be supported, wherever possible and appropriate, by reasonable workplace adjustments, within the resources available to the Authority. Employees will be expected to adhere to advice given by these services to maximise recovery and fitness for work.
- Where an employee is found to be working or indulging in activities whilst purporting to be absent due to sickness, which are likely to be inconsistent with the reason for absence and/or which are unlikely to be conducive to recovery, the disciplinary procedure will apply.

7. Procedures

7.1 Absence notification

You must notify your foreman/supervisor/manager ("manager") as soon as possible in accordance with the requirement of the Authority but no later than one hour after your normal start time.

You are expected to:-

- Make contact personally by telephone - only in exceptional circumstances should someone else make contact for you;
- Give details of your sickness and some indication of when you are likely to return to work.

Management of Sickness Absence

- If your manager is unavailable, you must contact the office of the Chief Executive/Clerk.

Failure to report sickness absence within the agreed timescale will result in it being treated as unauthorised absence and may lead to sick pay being withheld and/or disciplinary action.

You must keep in regular contact with your manager during your sickness absence, the times and frequency to be agreed with your manager at the start of the absence.

While the reporting requirements provide for employees to regularly update managers during periods of sickness absence it is a key responsibility of the manager to ensure regular contact is maintained. If no contact has been made by the employee after the first day of absence, the manager should make contact to ascertain the reason for absence.

7.2 Absence Documentation

For periods of absence of 4 days or more an SC1 form should be completed and submitted to your manager who will forward it to the Social Security Division of the Treasury.

A medical certificate (sick note) from a Doctor is not required for absences of up to 7 days inclusive.

For periods of sickness absence of 8 or more calendar days a sick note must be obtained and submitted to your manager. A copy will be placed on your personal file and the original forwarded to the Social Security Division of the Treasury.

It is important that each sick note relates to the period commencing immediately after the expiry of the preceding sick note. Days not covered by a sick note will not attract sick pay and may be treated as unauthorised absences.

If you wish to return to work within the certified sick period, you must obtain a certificate from your GP to confirm that you are fit to return to work at an earlier date than that specified on the original sick note.

7.3 Recording sickness absence

A Sickness Contact Form (Appendix 1) will be commenced by the manager on the first day of sickness absence and maintained throughout the period of absence.

A copy of the form will be placed on the employee's personal file at the end of the period of sickness absence

7.4 Sick Pay

Details of sick pay for which employees may be eligible are set out in the written statement of terms and conditions of employment. In all cases, eligibility to sick pay requires full compliance with the absence notification procedures and provision of appropriate certification (see above Absence Documentation).

Management of Sickness Absence

Calculations for sick pay will include all days of absence including weekends and public holidays if they occur within a period of sick absence. Only those weekends or public holidays occurring at the beginning or end of a period of sick absence should not be included or reckoned.

For periods of absence of 4 days or more an SC1 form must be completed to claim incapacity benefit (see above under Sick Pay).

During a period when the employee is on sick leave and eligible for full sick pay, a deduction from pay will be made equal to the amount of incapacity benefit payable by the Treasury, so that sick pay is not greater than normal working pay. When the employee is eligible for sick pay calculated at half normal pay, the employee must provide evidence of benefits received so that half pay combined with the benefits received do not exceed full pay.

Managers will ensure that employees are given no less than one month's notice as to when they will progress to half or nil pay.

7.5 Return to Work

You must give your manager advance notice of your intended date of return to work wherever possible.

If your manager has concerns regarding your fitness to return to work, you may be asked to obtain a certificate of fitness for work from your doctor which should state the date you can return to work.

Regardless of how long you have been absent, when you return to work your manager will arrange a return to work meeting to discuss your sickness absence with you. The purpose of this discussion is to ensure you are fit for work, give you an opportunity to discuss any problems which may be a factor in the absence and for your manager to discuss any action points and brief you on what has happened while you have been away.

You will need to complete a Sickness Declaration Form (Appendix 2).

7.6 Short Term Sickness Absence

The Authority recognises that people will occasionally have short term sickness absence.

Frequent short-term absences and/or any pattern of absence will be reviewed by the manager and discussed with the employee.

Where an individual's level of attendance gives rise to concern the Capability Procedure will be implemented.

7.7 Long Term Sickness Absence

During periods of long-term absence your manager will agree with you how and when you will keep in touch, for example by telephone, e-mail and/or visits to your home at agreed times e.g. when medical certificates are due. The purpose of maintaining contact is to monitor your well-being and progress so that appropriate support can be given where possible, as well as enabling adjustments to be made to operational planning or workforce management etc.

7.8 Occupational Health

If your frequent short term or long-term absence(s) is/are a cause for concern, then your manager may refer you for medical advice. In this event it is a condition of your employment that you attend a consultation carried out by an Occupational Health Adviser when required to do so, particularly if you are absent for prolonged or frequent periods.

The discussion between you and the Doctor is confidential. The medical advice provided to the Authority will include such information as is necessary to assist in making decisions about the management of your absence/attendance. Decisions may be in relation to your ability to undertake your normal duties, any adjustments that might be required and the prognosis regarding further absences/return to work.

The Authority may also seek medical advice from your GP with your consent.

Advice received by the Authority about you will be treated in the strictest confidence.

7.9 Return to Work after Long Term Sickness Absence

When you are well enough to return to work, your manager will meet with you to discuss how this can be supported. The discussions will take into account any medical advice received and will include:-

- your capabilities, for example in relation to full job performance;
- return to work to normal contracted hours or a phased return;
- any medication you are required to take after your return to work that might have side effects, for example tiredness; and
- any arrangements, additional support or adjustments to your duties, working conditions or environment that would help you to reintegrate into the workplace;

After your return, your manager will:-

- Monitor your progress to ensure that you are coping with the work and the day-to-day pressures of working life;
- Ensure that your workload is appropriate, and you are not required to deal with a significant backlog of work caused by the period of absence; and
- Take all reasonable steps to facilitate your reintegration into the workplace.

7.10 Phased Return to Work

Following a period of long-term sickness absence and in order to facilitate an early return to work consideration will be given to a phased return to work in consultation with the Occupational Health Adviser. This may include a change to working days, hours or duties, or a combination of some or all of these. A phased return will be for up to but not exceeding 6 weeks.

Where the phased return includes a temporary reduction in working hours, sick notes for hours not worked may be required or accrued annual leave will be used for the hours not worked.

7.11 Continuing Long term Absence

There may be instances in which it becomes evident at some stage that a return to work is unlikely. The Authority will refer the employee to the Occupational Health Adviser to ascertain whether the criteria for ill health retirement are satisfied and if this is the case, the employee will be advised accordingly.

Where the criteria for ill health retirement are not met, employment may be terminated on the grounds of capability due to ill health. Before making this decision, consideration will be given to whether reasonable adjustments can be made to the employee's current role, or redeployment to another role within the Authority should this be available, on the terms and conditions applicable to that role.

The employee has the right of appeal against the decision to terminate employment due to ill health retirement or capability due to ill health.

(The procedures for ill health retirement/termination of employment on the grounds of capability due to ill health set out in Article 31 of the Manual & Craft Workers Agreement 2015 will apply in the case of manual and craft employees of the Authority.). The procedures set out in Stage 3 (Termination of Employment) of the Capability Procedure will apply to NJC employees of the Authority.

7.12 Accident/Injury at Work

You must follow the procedures for reporting accidents at work where the sickness absence is due to an accident or injury at work.

You are not entitled to receive sick pay where the sickness absence is due to injuries as a result of negligence of a third party if damages may be recoverable from the third party. In this case a sum not exceeding sick pay may be advanced, subject to receipt of an undertaking to refund the advance from any damages received. (Appendix 3)

7.13 Sickness during Annual Leave

If an employee falls sick during a period of annual leave and the manager is notified immediately, provided that the period of incapacity seriously interrupts the period of leave (i.e. 4 or more days of illness) and the employee produces a self-certificate or a sick note to that effect the period of illness should be recorded as sick leave and not as annual leave.

Periods of sickness spanning the end of one leave year and start of the next, will result in any unused leave being carried forward subject to the maximum permitted carry over allowance. Any unused leave in excess of the permitted carry over allowance will be lost.



ONCHAN DISTRICT COMMISSIONERS SICKNESS CONTACT FORM

Employee Name	
Line Manager	
Department	
Date absence commenced	
Date absence ended	
Total number of days absent	
Contact Tel No:	

Please Note: _____ – 6 months half pay due to commence

Date of Contact	Contact made by:	Type of Communication	Outcome



ONCHAN DISTRICT COMMISSIONERS

SICKNESS DECLARATION FORM

Name:							
Address:							
Department :							
Date last worked				Date Returned:			
Brief Details of Sickness:							
Is sickness the result of Industrial injury				YES/NO*			
If yes was accident reported				YES/NO*			
Name and Address of your Doctor							
Have you consulted your Doctor?		YES/NO		Date:			
(If you received a doctor's statement, it should be submitted to your Supervisor, together with this form)							
<u>IF SICKNESS LASTS LONGER THAN 7 DAYS (EXCLUDING SUNDAYS), YOU MUST OBTAIN A DOCTOR'S STATEMENT</u>							
<u>DECLARATION</u>							
I declare that the details given above are true.							
SIGNED: Date:							
Any person who wilfully makes a false statement renders themselves liable to disciplinary and legal action							
Signature of Line Manager: Date:							
THIS FORM SHOULD BE COMPLETED AND RETURNED TO YOUR LINE MANAGER IMMEDIATELY ON RETURN TO WORK OR AFTER THE FIRST WEEK OF LONGER ABSENCES IN ORDER TO AVOID ANY DELAY IN THE PAYMENT OF WAGES/SALARIES.							
(* Delete as applicable)							
<i>N.B. Where absences due to sickness extend beyond 4 days or more, sickness benefit should be claimed from Department of Social Security, any deductions of salary will be dealt with in accordance with the Management of Sickness Absence Policy</i>							



ONCHAN DISTRICT COMMISSIONERS RETURN TO WORK DISCUSSION FORM

What preventative measures are being taken to prevent a re-occurrence?

Are you currently receiving treatment?

Additional details of issues discussed:

Are there any personal, family or domestic problems?

Compared to previous absences are there any apparent patterns / trends?

Are there any underlying medical conditions?

Are there any outside business interests?

Details of support offered:

Actions agreed including timescale:

Employee Signature:

Date:/...../.....

Line Manager Signature:

Date:/...../.....

FOR HR USE ONLY:

Doctors Note Received:

Yes No

SC1 Form Completed:

Yes No

Referral to Occupational Health Doctor Recommended:

Yes No

Referral for external therapy:

Yes No

Details of provider and date of appointment:

Tel No..... Date/...../..... Time

Vizual Updated:

...../...../.....

Copy on manual file

Yes

Welfare Spreadsheet Updated

...../...../.....



Isle of Man Government Incapacity Benefit Claim Form

SC1 – April 2018

See attached.