

Battle Scars CIO Sickness Policy

Policy information	
Organisation	Battle Scars
Scope of policy	Applies to all staff
Policy operational date (original)	04/01/2021
Policy prepared by	Jenny Groves – CEO Debbie Riley - trustee
Reviewed:	03/01/23
Amended	No
Date approved by Board	09/01/23
Policy review date	By 31/01/25 Every 2 years
Distributing	This policy will be available on the Battle Scars website and staff shared drive. It will be a requirement for all trustees and staff to read the policy after appointment or after its review. A summary of all relevant policies will be included in the volunteer handbook with clear signposting to the full text. Volunteers will be kept up to date with any changes that might affect their role.
Introduction	
Statement & purpose of policy	<ul style="list-style-type: none"> • Battle Scars recognises that staff may not always be fit to attend work or may become ill or be injured at work and so this policy is designed to ensure that instances of sickness are dealt with consistently, fairly and in a non-discriminatory way. • Battle Scars must ensure that the reasons for sickness absence are understood in each case and investigated, if necessary. Battle Scars will adopt practical and reasonable measures to assist employees returning to work after sickness absence if we think they would be helpful. • This sickness policy sets out our procedures for reporting and managing sickness absence, whether the absence is for short illnesses or a long-term illness. All employees must abide by the terms and the spirit of this policy. • This policy summarises employees' statutory rights. If there is a conflict between this policy and the statutory entitlements, this policy is amended, as necessary, to comply with legal requirements. • This is a statement of policy, which applies to employees only and does not form part of the employee's contract of employment. Battle Scars may amend this policy at any time, in our absolute discretion.

Personal data	<ul style="list-style-type: none"> We process personal data when managing sickness absence and employees' right to sick pay in accordance with our Data Protection policy. Data collected as part of this procedure is held securely and accessed by and disclosed to individuals only for the purposes of managing sickness absence and administering sick pay. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with our Data Protection policy immediately. It may also constitute a disciplinary offence which will be dealt with under our disciplinary procedure.
Reporting	
Disabilities	<ul style="list-style-type: none"> The employee must inform their line manager (*) if any medical condition affects their ability to do their job or if they are affected by a disability. Battle scars will consider at each stage of our sickness procedure whether sickness absence is the result of a disability and whether reasonable adjustments will assist with a return to work.
Reporting sickness absence	<ul style="list-style-type: none"> If the employee becomes ill or is injured at work, they should contact their line manager (*) and fill in the accident book if appropriate. Depending on venue/location, the accident book may be the venue's or the Battle Scars accident book. The staff member is responsible for knowing how to gain access to the accident book. If basic first aid is required, the first aider must be contacted, otherwise the employee should leave work to go home or to receive medical treatment. If the employee is ill or injured and cannot attend work, they should telephone, text or email their line manager (*) at the earliest opportunity no later than 30 minutes before they normally start work, unless an extreme emergency does not allow for this. The line manager (*) must be told: <ol style="list-style-type: none"> the nature of the illness or injury; the expected length of the absence from work; and urgent work that requires attention. Managers should record all sickness absence they are notified of and arrange for any urgent work to be covered until the relevant employee's return. In the case of the CEO, the chair of the board of trustees will need to arrange for any urgent work to be taken up by the trustees or, if appropriate, distributed to other staff.
Certification	If the absence extends beyond 7 days, the employee will obtain and provide us with a fit for work note from their doctor corroborating such illness or injury.

* or in the case of the CEO, the chair of the board of trustees

Sick Pay	
Statutory Sick Pay (SSP)	The employee may qualify for Statutory Sick Pay (SSP) at the rate set by the government, if they satisfy the statutory requirements and have provided us with medical certificates. Qualifying days for SSP are Monday to Friday, or as stated in the employee's Employment Contract. No payment is made for the first three consecutive days of sickness absence, but from the fourth day SSP may be payable for up to 28 weeks. Part-time employees are paid pro-rata. If the employee does not qualify or their SSP entitlement is coming to an end, we will give the employee a form SSP1 telling them why.
Contractual sick pay	We provide contractual sick pay over and above any SSP to which the employee may be entitled. Contractual sick pay entitlement is stated in the employee's Employment Contract.
Disciplinary procedures and sick pay	Should the employee be subject to disciplinary procedures and subsequently go off sick, no payments over and above SSP will be made.
Repaying sick pay	If the employee's absence due to sickness or injury is caused by the actionable negligence of a third party in respect of which damages are recoverable, then all payments made to the employee will, to the extent that compensation is recoverable from that third party, constitute loans by Battle Scars to the employee and will be repaid to Battle Scars where, and to the extent that, the employee recovers compensation for loss of earnings from that third party by action or otherwise.
Pension contributions	Any employer and employee pension contributions will continue subject to the relevant scheme rules during any period of company sick pay or SSP.
Returning to work after sickness absence	
Meeting with employee about return to work	When the employee has been absent with illness, the line manager or, in the case of the CEO, one of the (unrelated) trustees, may hold a return-to-work interview with the employee (Appendix proforma could be used). The reason for the meeting is to check that the employee is fit enough to return to work and consider whether there are any steps that could help to facilitate this. It is also an opportunity to talk to the employee about any issues regarding their absence record.
Medical certification	A fit note from the employee's doctor with recommendations may be provided following a long-term sickness absence if a phased return, altered hours, altered duties or workplace adaptations, would make the employee's return to work easier. Such recommendations will be applied whenever possible. The following process will also be followed.
Sick absence for more than five days	<ul style="list-style-type: none"> • We may need to meet with the employee to discuss their absence, the medical information or other related issues. We will give reasonable notice of the meeting and location. • Where the employee is unable to attend the meeting, at the time specified, it is very important that they let us know as soon as possible. We will then seek to arrange another time where they are able to attend.

	<ul style="list-style-type: none"> Where it is relevant, we will consider whether reasonable adjustments may need to be made to the sickness absence procedure, or to the employee's role or working arrangements.
Long-term sickness absence or frequent short-term absences	
What we need to understand	<p>It is important for us to understand the reasons for the absence. We want to know whether there are things we can do to help the employee improve their attendance and health. In some circumstances we may need to get medical information about the employee's illness before deciding on a course of action.</p>
First sickness absence meeting	<ul style="list-style-type: none"> Appendix proforma must be used. This meeting will be to discuss with the employee the reasons for their absence, the likely next steps and prognosis if: <ul style="list-style-type: none"> the employee has been absent due to illness on a number of occasions, the contents of a return-to-work interview need further discussion, and/or the employee has been absent for more than ten consecutive days. The employee will be given at least 2 days' notice of why the meeting is being called, as well as the date, time and place of this meeting. This notice will give reasonable opportunity to consider what will be discussed before the meeting takes place. The employee may bring a companion with them. The employee must supply Battle Scars with the details of their companion at least 24 hours before the start of the meeting. A companion may make representations, ask questions and sum up the employee's position but they will not be allowed to answer questions on the employee's behalf. The employee may discuss relevant matters privately with their companion at any time during a meeting. We will also want to discuss whether there are any steps that the employee and Battle Scars could take to improve the employee's health. Where the sickness absence is of a long-term nature, it may be appropriate to agree a return-to-work programme. For regular, short-term absence concerns, Battle Scars may set the employee targets for improvements.
Further processes	
If the sickness absence situation does not improve	<ul style="list-style-type: none"> We will monitor the employee's progress following the first sickness absence meeting. Where they have not been able to return to work from longer term sickness or if they are unable to meet any targets set for short-term absences, we will invite them to another meeting. The point of the second meeting is to assess whether the absence situation is likely to improve. Where it is appropriate, we will consider reasonable short-term

	<p>adjustments and/or reasonable changes to the employee's contract and/or job description.</p> <ul style="list-style-type: none"> • Where we believe that it is unlikely that the employee will return to work from long-term absence or where they have not been able to meet the targets for improving short-term absences, the <i>Battle Scars Capability Policy</i> will be followed. Failing improvement, they may be given a written warning that they are at risk of dismissal. Where the circumstances require, we will agree a further review period and a meeting to follow.
Final sickness absence meeting	<ul style="list-style-type: none"> • Where there is no improvement in reaching any targets set for reduction of short-term absences or the employee has been unable to return to work from long-term sickness, we will invite the employee to another meeting. • This meeting will include an assessment of whether or not to terminate the employee's contract of employment. • We will consider any points that the employee wants to raise in relation to their sickness absence and the likely prognosis. • The employee may bring a companion with them. The employee must supply Battle Scars with the details of their companion at least 24 hours before the start of the meeting. A companion may make representations, ask questions and sum up the employee's position but they will not be allowed to answer questions on the employee's behalf. The employee may discuss relevant matters privately with their companion at any time during a meeting.
Absence due to self-harm	<p>For absence due to self-harm injury and illness (including emergency surgery, overdosing, self-poisoning and due to eating disorders) the same processes as described in this policy will be followed.</p>
Appeal against decisions under this policy	<ul style="list-style-type: none"> • Where the employee wants to appeal against decisions taken under this procedure, they must set out their appeal grounds in writing. They will be required to submit their appeal within 10 working days of the date on which the decision they are challenging was sent to them. • We will seek to hold an appeal meeting within four weeks of receiving the employee's appeal. • We will seek to deal with the employee's appeal fairly and reasonably. The decision will be provided to them in writing, usually within two weeks of the appeal hearing. • The employee will have no further right of appeal under this policy. • Where the employee lodges an appeal against dismissal, the date of dismissal does not change. If their appeal is successful, the dismissal will be revoked and they will receive any relevant back pay and their continuity of service is restored.
Policy review	

Responsibility	It is the responsibility of the CEO to review this policy unless the task has been delegated to an appropriate volunteer or employee before the policy review date.
Timing	The review must be completed within a month of the review date.

Return-to-work discussion proforma

Employee name:		Manager/supervisor name:	
Discussion format (<i>delete as appropriate</i>): Face-to-face / phone			
First date of absence:	Date returned:	Total of days/hours not worked:	
Cumulative absence in days (<i>in holiday year</i>):	<i>Select as appropriate:</i>		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
No. of occasions absent (<i>in holiday year</i>):	Self-certification		
	Medical certification received		
Accident book filled in			
Reason / cause of absence (<i>illness, work related, personal etc.</i>):			
Notes of discussion & issues raised: <i>To be discussed:</i> <ul style="list-style-type: none"> • <i>Welcome back employee and enquire about their health</i> • <i>Employee updated on all relevant developments within the workplace</i> • <i>Employee given opportunity to discuss any particular issues</i> 			
Follow up action to be taken:			
Review meeting arranged: Yes / No		Review meeting date:	
Employee signature:		Date:	
Manager signature:		Date:	

This form should be kept by the manager/supervisor