

CAAT firmly believes it is important to deal with an employee's absence from work due to a physical / mental illness or injury in a fair and supportive way.

### **Sickness policy**

- If a member of staff is unable to carry out their work due to illness or injury they should telephone, text or email a member of staff in the office as soon as possible. This could be the Office Coordinator, their Static Reviewer, or whoever is in the office that day. Failing to report absence due to sickness or injury can be considered unauthorised leave.
- Members of staff must keep a record of all days they are off work sick in a file in the shared workarea.
- If an employee is sick for more than fourteen days, whether these are work days or not, a 'statement of fitness for work' from the doctor needs to be given to the Office Coordinator. This will inform CAAT whether the employee is 'unfit for work' or 'may be fit for some work' and if so suggest ways of helping an employee return to work.
- CAAT will pay its employees full salary while they are off work due to physical / mental illness or injury for up to 26 weeks during a twelve month period. To receive this CAAT may seek to obtain further information from the employee's GP (depending on the reason for absence) regarding:
  - \* when a return to work may be possible
  - \* whether there is likely to be a full recovery and if a return to the same work is advisable
  - \* whether the return to work should be phased
  - \* what reasonable adjustments could be made so the employee can return to work as soon as possible.

If the employee does not wish to give permission to CAAT to contact their GP, then another doctor's opinion can be sought by CAAT. Any cost this may incur will be paid by CAAT.

- To receive occupational sick pay the member of staff must have followed CAAT's sickness policy and incapacity procedure.
- Regular periods of sickness may count as linked if they are less than eight weeks apart.
- A member of staff cannot receive sick pay if they are already receiving CAAT's maternity, adoption or shared parental leave occupational pay.
- CAAT can only pay up to 26 weeks of occupational sick in any twelve month period. A twelve month period is calculated from the first day the member of staff takes off sick.
- Annual leave is accrued during periods of sick leave. If, at the end of a calendar year a member of staff has been unable to take all their annual leave due to being on sick leave they can roll over the maximum two week allowance that is usually allowed for staff, plus the pro rata amount that was accrued while off sick.

For example, if a full-time member of staff was off sick for a month they would have accrued 2.08 days of annual leave (25 / 12). So they can roll over a maximum of 12.08 days of annual leave to the next calendar year if it's not been possible to take it during the current year.
- When a member of staff starts working at CAAT, and has a permanent contract, they automatically join the organisation's Income Protection insurance scheme. This aims to cover 50% of an employee's salary once they have been absent from work due to sickness or injury for over six months. These payments will continue indefinitely until the age of 68, an age which will change in line with any increase in the state pension age as it applies to the youngest member of staff. To receive Income Protection a member of staff must give the insurance company all relevant information required to receive cover.

### **Incapacity procedure**

Being off work sick for a long period, or continued short periods of time, can cause a great deal of stress and concern for an employee. CAAT wants to support its staff and is keen to find solutions that suit all, and for financial worries not to be an added burden to staff off sick.

CAAT's incapacity procedure, below, outlines how CAAT will deal with prolonged absence, repeated short-term absences and/or poor or partial performance of duties on the part of a staff member due to

illness, injury or other medical condition, and aims to ensure they feel supported and fairly treated throughout. CAAT will observe the provisions within the Disability Discrimination Act (DDA) at all times when carrying out this procedure.

CAAT will make as much adjustment as practically and reasonably possible to an employee's working environment in order to accommodate their illness or injury so they can continue to perform their duties to a satisfactory level. CAAT also has a flexible working policy where staff can change their hours, in agreement with other staff, as long as they are still able to fulfil their role and their working hours fall within the office core hours.

#### Long-term absence due to illness or injury

Once it is expected that a member of staff will be off sick for at least three months the following incapacity proceedings should be triggered:

- First, CAAT staff will consider employing temporary cover to carry out the role of the absent employee until they return to work and are able to perform their duties again to a satisfactory level.
- If the long-term absence is due to a sickness where adjustment to the employee's role or working environment would make little difference, there is an outline of treatment and/or a timeline of recuperation in writing from a doctor, then occupational sick pay will be paid to the employee.
- If it seems the employee's sick leave will extend for longer than 26 weeks an Income Protection insurance claim will be made as soon as possible.
- If it becomes unsustainable for CAAT to manage without the absent employee then the Staff Support Panel may have to decide to dismiss the employee on grounds of capability, taking into account fairness to the member of staff and the needs of the organisation. If this course of action is decided the member of staff will be informed of all the relevant details and evidence the Staff Support Panel took into account when making their decision.
- The member of staff will be invited to present their case in person, in writing or through a representative if they wish to contest this decision, and can appeal to the remainder of non-staff Steering Committee. However, the decision then made by the remainder of non-staff Steering Committee will be final unless the situation changes. The member of staff has the right to be accompanied to any appeal meeting by a Trade Union rep or friend.
- If the situation changes during that period then a revised potential contract end date could be considered.
- All Steering Committee and the member of staff shall be kept fully informed of any decisions made as proceedings develop.
- A notice period of six weeks will be given before any agreed contract end date.
- If the long-term absence could be reduced following practical and reasonable adjustments to the employee's working environment then CAAT may wish to seek further information from the employee's GP or another doctor to help with this.
- The Office Coordinator, their Static Reviewer, or other relevant staff will then discuss, along with the member of staff, what can be done to facilitate returning to work as soon as reasonably possible. This might include; having alternative duties, a job share, reduced hours, attending counselling, a change in working conditions, etc. Any change must be agreed by Steering Committee.
- If after a reasonable period of time following making adjustments to the employee's working environment they are still unable to fulfil their agreed duties to a satisfactory level then the Staff Support Panel will need to decide the next steps in proceedings, taking into account fairness to the member of staff and the needs of the organisation. The Staff Support Panel may have to decide a latest return to work date / or return to agreed duties failing which the member of staff could be dismissed on grounds of capability. If this course of action is decided the member of staff will be informed of all the relevant details and evidence the Staff Support Panel took into account in making their decision.
- The member of staff will be invited to present their case in person, in writing or through a representative if they wish to contest this decision, and can appeal to the remainder of non-

staff Steering Committee. However, the decision then made by the reminder of non-staff Steering Committee will be final unless the situation changes. The member of staff has the right to be accompanied to any appeal meeting by a Trade Union rep or friend.

- Leading up to the contract end date all reasonable effort will continue to be made in helping the member of staff return to work / or return to agreed duties. If the situation changes during that period then a revised contract end date could be considered.
- All Steering Committee and the member of staff shall be kept fully informed of any decisions made as proceedings develop.
- If the member of staff is still unable to return to work then notice will be given six weeks before the agreed contract end date.

#### Repeated short-term absences or medically-related poor performance

The following proceedings should be triggered if either Steering Committee has concerns, or reports directly made by staff express concerns, over repeated short-term sick absences or medically-related poor performance by a member of staff.

- Depending on the reason for absence CAAT may seek to receive further information from the employee's GP regarding what might help them take less time off work sick or improve their performance of duties. If the employee does not wish to give permission to CAAT to contact their GP, then another doctor's opinion can be sought by CAAT. Any cost this may incur will be paid by CAAT.
- Then either the Office Coordinate, their Static Reviewer, or other relevant staff should discuss, along with the member of staff, what can be done to facilitate an improvement of the situation; this might include alternative duties, a job share, reduced hours, attending counselling, a change in working conditions, etc. Where feasible CAAT will try to find a way in which the employee's employment can be maintained, in consultation with the employee. Any change in duties, hours or contract must be agreed by Steering Committee.
- Particular attention should be made to medical conditions where the member of staff may have 'good days' and 'bad days'. CAAT should seek to accommodate this if feasible to help the member of staff perform their duties satisfactorily and continue to make a valuable contribution to CAAT.
- If, after a reasonable period of time the agreed adjustments in the employee's working environment to accommodate their medical condition doesn't help the member of staff reduce their repeated absences or improve their performance then the Staff Support Panel will need to consider next steps, taking into account fairness to the member of staff and the needs of the organisation. This may be dismissal on grounds of capability. The member of staff will be informed of this decision including all the details and evidence that were considered by the Staff Support Panel before deciding to end their contract.
- The member of staff will be invited to present their case in person, in writing or through a representative if they wish to contest this decision, and has the option of appealing to the remainder of non-staff Steering Committee. However, the decision then made by the reminder of non-staff Steering Committee will be final unless the situation changes. The member of staff has the right to be accompanied to any appeal meeting by a Trade Union rep or friend.
- All Steering Committee and the member of staff shall be kept fully informed of any decisions made as proceedings develop.
- The member of staff will be given at least six weeks notice of their contract end date.

Once an employee returns to work following a prolonged absence, repeated short-term absences and/or a period of poor or partial performance of duties then a 'return to work interview' will take place between the member of staff and the Office Coordinator or their Static Reviewer. The aim of this meeting will be to:

- welcome the employee back and update them on any important organisational news / changes they may have missed;
- discuss any details of an agreed return to work arrangement;
- agree regular check-ins that may be necessary to help ensure the employee can continue to fulfil their duties to a satisfactory level.