

Worcestershire Acute Hospitals NHS Trust Sickness Absence, Health & Wellbeing Policy

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	Date	Change
	April 2025	Clarification to triggers section that it is absence in any 6 rolling period during the warning
	October 2025	Change to panel composition at hearings
Queries about interpretation and application of policy	wah-tr.hrenquiries@nhs.net	
Target Organisation	Worcestershire Acute Hospitals Trust	

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As a controlled document, this document should not be saved onto local or network drives and should always be accessed from the intranet.

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What this Policy Covers

Supporting wellbeing and attendance within the workplace

We know there will be times that you cannot attend work because of illness or health-related reasons. When this happens we want to ensure that you are properly supported and treated fairly and consistently, so that you can return to work fit and well as soon as possible.

This policy aims to promote well-being at work and you can access support and services to support your wellbeing by accessing the Trust's Health and Well-being offer on the intranet.

This policy explains how sickness absence will be recorded, reported and managed for both short- and long-term absence. Worcestershire Acute NHS Trust is committed to ensuring that the management of sickness is fair, consistent and effective.

Managers should refer to the following Guidance Documents: Return to Work guidance document, Return to Work form, Guidance documents for conducting a Stage 1 and 2 attendance review meeting, guidance documents for conducting a long term absence review meeting, Well-being and support guidance and template invite and outcome letters. All documents can be found in the [Well-being and Attendance Toolkit](#).

Representation: You have the right to be represented by your accredited workplace trade union representative, or official employed by your trade union. Alternatively, you can be accompanied by a work colleague. Prior to any meeting, you should inform the manager or panel with whom you are meeting that you will be represented or accompanied, giving the name of your trade union representative or work colleague. There are differences between these roles and responsibilities, and we recommend colleagues take advice to ensure this is fully understood

Definitions:

Short-term sickness absence: Frequent ad hoc short periods of sickness for various reasons which are persistent, or may be the result of an underlying health condition.

Long-term sickness absence: Any sickness absence over four weeks (28 days) or where an underlying medical condition is impacting on attendance at work.

Underlying health condition: An illness or injury with potential to influence daily living or attendance, but may be supported by on-going medical treatment, adaptation/management by you and/or reasonable adjustments by the Trust if necessary.

Although sickness can be categorised as short-term or long-term, all absence will be counted equally towards the management of sickness.

All colleagues should make every reasonable effort to attend work, however, if you are unwell it should be reported and recorded.

If you have an underlying medical condition, we will work with you to support your attendance at work through supportive occupational health advice and (where necessary and feasible) making reasonable adjustments.

We will consider your health needs based on your individual circumstances and we will listen to you during meetings and take account of any contributory factors that are affecting your well-being and attendance.

Disability Related Absence:

The Trust is aware that some sickness absence may be the result of a disability. For colleagues that are affected by a disability which impacts on their attendance or ability to perform their full duties, particular consideration will be given to the Trust's obligations and duties under the Equality Act 2010 with the advice of Occupational Health. Disability is defined by the Equality Act 2010 as "a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities".

Policy in Process

Notification of absence

You must notify your manager (or appropriate nominated deputy) as early as possible before the beginning of your normal start time if you are absent because of sickness. Electronic communication is not accepted as formal notification of sickness absence. You will be required to have a conversation with your line manager, unless you are too ill to do so, in which case another person should call on your behalf.

You will be asked to explain the nature of your absence, the estimated time you will be absent if known and whether you intend to see your GP.

You should also agree with your manager how you will keep in contact to update them of progress and how they can contact you.

Absence Certification

Please provide absence certification as follows:

For absences up to seven calendar days (including non-working days): a return to work and self-certification form must be completed. This document can be found in the [Well-being and Attendance Toolkit](#)

For absences of eight calendar days or more (including non-working days): you must provide your manager with a medical certificate from your GP/hospital (also known as a Fit Note). When you are fit enough to return to work please contact your manager to let them know when you will return. On your return to work, your manager will arrange a return-to-work meeting. You may return to work before your medical certificate expires, with permission from your GP if you are feeling better. In some instances, we may ask to refer you to Occupational Health to ensure that you are well enough to return.

Failure to Follow Notification Requirements

It is your responsibility to comply with the absence notification rules. Failure to comply will lead to the absence being classified as unauthorised, which may result in pay being withheld and/or formal action being taken. If you fail to submit a medical certificate to the required timescales sick pay will not be paid for the period up to receipt by your manager.

Record Keeping

All absences must be entered on E-Rostering as soon as they are reported to your line manager and must be closed on the same system as soon as you return to work. If you are not on the E-rostering system absences must be recorded and closed on ESR through Manager Self Service. The record should include reason for absence. Managers are requested to refrain from using “unspecified” or “unknown” coding to assist with accuracy of recording to identify any patterns and trends of absence. In cases of other absences where we require staff to stay away from work in order to manage infections (such as D&V) we record the symptom free period as authorised absence.

Illness whilst at work

If you come into work but go home again due to illness before completing at least 40% of your shift, the absence will be counted as one episode for the purposes of recording and managing attendance. Managers should only send staff home as sick if they present a health and/or safety risk to patients, colleagues or themselves. Managers should seek advice from Occupational Health for guidance. You are responsible for determining your own fitness for work and should be supported and allowed to go home if you feel unable to continue working.

Sickness During Annual Leave

If you become sick during your annual leave, the period of sickness can be converted into sick leave, with the annual leave being credited back, providing you contact your manager to report the sickness as soon as you become sick (not waiting until you return to work) and the absence is covered by a medical certificate or self-certification form as appropriate. This does not apply in the case of Bank /Statutory Holidays.

Time away from home during sickness absence

If you are absent due to sickness and require time away for purposes of recuperation this will continue to be recorded as sickness absence and appropriately certificated. The agreed keeping in contact arrangements apply and you should be available to attend any meetings required under this policy including Occupational Health appointment.

Working Whilst Off Sick

You have a duty to facilitate your recovery and return to work as soon as possible. If you undertake other paid or unpaid work you must consider how continuing this work during your absence will impact on your recovery and ability to return to work. Should you wish to consider undertaking other work during your absence you must seek approval from your line manager. If you work while off sick without authorisation from your line manager or falsely claim to be sick your absence may be referred to the Counter Fraud Service for investigation, and may be subject to disciplinary action.

Return to Work Meetings

Following every absence a return to work meeting must be carried out. This should ideally take place within 48 hours, unless your manager is not available in which case it should take place within a week. Return to work meetings are a fundamental part of supporting you back to work and to manage attendance and their importance should not be undervalued. The aim is to support you with your health and wellbeing and reducing further sickness absence.

At the meeting your manager will also review your overall attendance record and a record of the discussion will be kept and placed on your personal file and a copy made available to you.

If following the return to work meeting there is no improvement and you have further absence and hit a trigger your manager will move you to the formal stage of the process as detailed below:

Short-term absence triggers

Absence triggers Stage 1

The triggers for an attendance review meeting are:

- 3 episodes in a rolling 6 months
- 4 episodes in a rolling 12 month period
- Where a pattern of absence is obvious e.g. sickness surrounding weekends, annual leave, bank holidays, particular shift patterns.

Absence triggers Stage 2

The triggers for an attendance review meeting are:

- 2 further episodes in any rolling 6 month period for the duration of the stage 1 warning.
- 3 further episodes in the 12 months after a stage 1 has been issued.
- Where a pattern of absence is obvious e.g. sickness surrounding weekends, annual leave, bank holidays, particular shift patterns after a stage 1 has been issued.

Absence triggers Stage 3

The triggers for a Stage 3 Attendance Hearing are:

- 2 further episodes in any rolling 6 months for the duration of the stage 2 warning
- 3 further episodes in the 12 months after a stage 2 warning has been issued.
- Where a pattern of absence is obvious e.g. sickness surrounding weekends, annual leave, bank holidays, particular shift patterns after a stage 2 warning has been issued.

Stage One Formal Attendance Review Meeting

When you meet a trigger point identified above, or where the level of absence is a cause of concern, a Stage One Formal Attendance Review Meeting will be arranged between you and your line manager. You will receive 7 calendar days' notice of the meeting. You are entitled to be represented by your TU representative or accompanied to this meeting by a work colleague. The process to be followed is outlined in the [Well-being and Attendance Toolkit](#).

Following the meeting a Stage One written warning notice may be issued which would remain live on file for 12 months. The warning will then be removed from your personal file by your manager after the 12 months have elapsed.

Stage Two Formal Attendance Review Meeting

When you meet a Trigger Point identified above, or where the level of absence continues to be a cause of concern, a Stage Two Formal Attendance Review Meeting will be arranged between you and your line manager. A member of the HR Advisory team will also be in attendance. You will receive 7 calendar days' notice of the meeting. You are entitled to be represented by your TU representative or accompanied to this meeting by a work colleague. The process to be followed is outlined in the [Well-being and Attendance Toolkit](#)

Following the meeting a Stage Two written warning notice may be issued which would remain on file for 12 months. The warning will then be removed from your personal file by your manager after the 12 months have elapsed.

If following a Stage Two Formal Attendance Review Meeting there is a failure to achieve the required improvement in attendance or where the level of absence continues to be a cause for concern, the matter will be referred to a Stage Three Attendance Hearing.

Stage Three Attendance Hearing

The line manager will prepare a management statement of case (sickness report) and you will be invited to a hearing. The hearing panel will include two senior manager's (equivalent to Band 8a or above). One of the managers will take on the role as Chair of the panel and will set up the hearing. The panel will be supported by a member of the HR Advisory Service who has had no previous involvement.

You will be informed of the hearing arrangements in writing and will receive all relevant documentation 14 calendar days prior to the hearing. There may be occasions, with agreement from the colleague, where the panel comprises of 2 people. An example is with a case where Ill Health Retirement has been approved prior to the hearing. You are entitled to be represented by your TU representative or accompanied by a work colleague.

Termination of employment is a last resort and should be considered after all the preliminary stages of the process will have been completed before consideration is given to the termination of employment.

If the decision is taken at the Stage Three Attendance Hearing to dismiss on the grounds of ill health, the date of leaving will be effective immediately and is with payment in lieu of contractual notice plus payment for any outstanding annual leave.

The decision would normally be personally conveyed to you and should also be confirmed in writing to you with a copy to your Trade Union Representative if they have represented you in this matter within 7 calendar days of the Hearing. The following should be included in the written confirmation.

- The reasons for the decision to dismiss on the grounds of ill health
- The date on which the contract between the parties terminated
- Any details i.e. pay in lieu of notice / holiday
- Information on the right of appeal

Where you fail to attend the Stage Three Attendance Hearing this will be re-arranged once, within 7 calendar days and you will be notified that the Hearing may go ahead in your absence if you fail to attend the re-arranged hearing. You still have the right to be represented at this hearing

by your accredited Trade Union if you give them your specific written agreement to present your case on your behalf if you cannot/do not wish to attend. The outcome will be confirmed in writing.

Appeal following Stage 1/Stage 2 written warning

You can appeal against being issued with a Stage 1/ Stage 2 warning and appeals will be heard under Stage 3 of the Trusts Grievance Policy.

Appeal following dismissal

In the case of an appeal against Stage 3 (Dismissal), you must write to the Deputy Director of People and Culture within 14 calendar days of the Stage 3 Attendance Hearing/Long term Absence Hearing clearly stating the grounds of appeal. Appeals against Dismissal will be heard by a Panel comprising at least one director and a senior manager and a representative from the HR Advisory team. No panel member should have had any direct prior involvement in the case. You will be entitled to be represented by your accredited Trade Union representative at this hearing.

Managing Long Term Absence

Positive and regular contact with you is crucial and can help to ensure that you feel supported, valued and do not feel isolated while absent. During extended periods of absence, you and your manager should agree the method and frequency with which contact will be maintained. This does not prevent either you or your manager having contact more frequently where there are changing circumstances.

Making a Referral to Occupational Health

Where you have been off sick for 4 weeks (or it is known that your absence will be longer than 4 weeks) and there is no immediate prospect of a return to work your manager will refer you to Occupational Health for an assessment. A referral may be made sooner if you are absent with stress.

Absence Review Meetings

Long term sickness absence will be kept under review by your manager and after four weeks sickness your manager will arrange a formal absence review meeting. You will receive 7 calendar days' notice of the meeting. You are entitled to be represented by your TU representative or accompanied to this meeting by a work colleague. The process to be followed is outlined in the [Well-being and Attendance Toolkit](#)

The purpose of the meeting is to discuss your health and wellbeing and determine whether a return to work can be supported, to discuss a referral to Occupational Health and to discuss any support or adjustments required.

Review Meetings

There may be more than one review meeting depending on individual circumstances.

16 Week Review Meeting

Your line manager will arrange for a formal review meeting. A member of the HR Advisory team will also be in attendance. You are entitled to be represented by your TU representative or accompanied to this meeting by a work colleague. You will receive 7 calendar days' notice of the meeting. The purpose of the meeting is to review:

- Your current progress
- Discuss OH advice
- Sick pay position
- Facilitating a return to work/phased return
- Reasonable adjustments
- Redeployment
- Ill health retirement
- Further review meetings

Final Review Meeting

Whilst it is hoped you will return to your normal duties, if not your line manager with advice from Occupational Health will arrange for a final formal review meeting. A member of the HR Advisory team will also be in attendance. You are entitled to be represented by your TU representative or accompanied to this meeting by a work colleague. You will receive 7 calendar days' notice of the meeting. The purpose of the meeting is to review:

- Your current progress
- Discuss OH advice
- Sick pay position
- Facilitating a return to work/phased return
- Reasonable adjustments
- Redeployment
- Ill health retirement
- Further review meetings
- Referral to a Long Term Absence Hearing

In all circumstances a final review meeting must be arranged prior to 12 months continuous sickness absence and prior to a Long Term Absence hearing.

Phased Return

A phased return to work plan is designed for rehabilitation to enable you to gradually build up to your substantive role and hours following a period of long term absence within an agreed reasonable timeframe. Occupational Health can provide guidance on a suitable phased return to work plan with information from other medical sources as appropriate. The plan may include a combination of supernumerary shifts, short shifts, days off, utilising some of your existing annual leave, with the aim of gradually building up to contracted hours over a defined period.

Reasonable adjustments

Sometimes, to facilitate or support you back to work, we may have to discuss with you consideration of temporarily or permanently adjusting your duties or work pattern. This could be a reduction in hours, a change to specific tasks, not working nights or on call, a different work environment, support from a mentor, training or redeployment. Where reasonable adjustments are put in place, they will be documented and placed on your personal file.

Ill health retirement

If you are a member of the NHS Pension Scheme with at least two years' service, are below the age of 60 and have medical evidence that you're unlikely to be able to return to work because of ill health, you may be eligible to retire on the grounds of ill health. The decision will rest with NHS Pensions Agency, however, if you wish to explore this option, please discuss it with your manager or a member of the HR Advisory team, or your accredited Trade Union Representative.

Redeployment

Where medical evidence supports that you're unable to return to work in your current role, we may consider redeployment to a suitable alternative role, subject to availability and medical advice. Every reasonable effort will be made to help you identify a suitable alternative role. The Trust is not required to create a role and if a suitable post is not identified within the 3-month review period then the matter will be referred to a Long-Term Absence Hearing.

Long term Absence Hearing

Where it is established that there is no prospect of you returning back to work within a reasonable period of time the matter will be referred to a Long Term Absence Hearing.

The line manager will prepare a management statement of case (sickness report) and you will be invited to a hearing. The hearing panel will include two senior manager's (equivalent to Band 8a or above). One of the managers will take on the role as Chair of the panel and will set up the hearing. The panel will be supported by a member of the HR Advisory Service who has had no previous involvement.

You will be informed of the hearing arrangements in writing and will receive all relevant documentation 14 calendar days prior to the hearing. There may be occasions, with agreement from the colleague, where the panel comprises of 2 people. An example is with a case where Ill Health Retirement has been approved prior to the hearing. You are entitled to be represented by your TU representative or accompanied by a work colleague.

The decision to terminate employment is a serious one and should be considered after all the facts of each case have been considered:

- Has the prospect of recovery and return to work been explored?
- Has Occupational Health advice been considered and followed?
- Has redeployment been explored
- Has ill health retirement been explored?

If the decision taken at the Long-Term Absence Hearing is to dismiss on the grounds of ill-health the date of leaving will be effective immediately and is with payment in lieu of contractual notice plus payment for any outstanding annual leave. The decision would normally be personally conveyed to you and should also be confirmed in writing to you with a copy to the staff representative within 7 calendar days of the Hearing. The following should be included in the written confirmation.

- The reasons for the decision to dismiss on the grounds of ill health
- The date on which the contract between the parties terminated
- Any details i.e. pay in lieu of notice / holiday and Information on the right of appeal

Where you fail to attend the Long-Term Absence Hearing this will be re-arranged once, within 7 calendar days and you will be notified that the Hearing may go ahead in your absence if you fail to attend the re-arranged hearing. Your accredited Trade Union representative, if you are in agreement, may present your case on your behalf at this hearing with written consent if you

cannot/do not choose to attend. The outcome will be confirmed in writing.

Implementation Plan

This policy will be available on the Trust Intranet.

A policy briefing will be developed for Divisional Management Boards, Directorate Meetings and Worcestershire weekly.

[HR Key Documents Supporting Documents](#)