

Sickness Support Policy

Policy document

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At Ofcom we know there may be times you are not able to attend work because you are unwell. We want to support you and help you come back to work as soon as you are ready. Whilst you are absent your Career and Performance Manager (CPM) will be responsible for over-seeing your absence and return to work including accessing support services such as professional assessments and exploring workplace adjustments if required.

This policy applies to all Ofcom colleagues up to and including Principal grade, whether on a permanent or fixed term contract, once you have successfully completed your probation period. For Director grade and above, please refer to the guidance in the service agreement. The process we will follow to review and address any concerns with sickness during the probationary period can be found in the [Probation Policy](#).

Please note that this policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time.

Where to get advice & support

If you would like to discuss anything in relation to this policy, either for yourself or as a CPM, please don't hesitate to contact the [Employee Relations & Policy Team](#). Any information you provide to us about your health will be processed lawfully and in accordance with our [Data Protection Policy](#). We recognise that such data is sensitive and will handle it in a confidential manner.

You can also access a range of other support through our [Thrive@Ofcom](#) programme.

Our approach to sickness absence

We want to foster a working environment and culture which prioritises your health and wellbeing, and this is reflected in the wellbeing support you receive as part of your benefits package, including our Private Medical cover and Health assessments, all complimented by our Thrive programme.

However, we understand there will be times when you are not well enough to come to work. We will do everything we can to support you through this, and we encourage you to talk to your CPM as soon as you feel unwell, even if you are not sure if you need to take time off.

Notifying sickness & keeping in touch

If you are going to need to take some time off, you must notify your CPM, or duty line manager, on the first day you will be absent from work as follows:

- If you work a standard working pattern not in a customer-facing role, no later than 10am.
- If you work shifts, within 1 hour of your shift starting.
- If you are in a customer-facing role, such as in a contact centre, before the start of your shift.

If, in exceptional circumstances, you are unable to contact your CPM or duty line manager, due to hospitalisation or incapacitation, you should do so as soon as is reasonably practicable or ask a relative or friend to do so on your behalf. We always recommend speaking to your CPM either by telephone or Teams, rather than emailing or texting, unless you are unable to do so. This is so your CPM can check what you might need, understand how long you might be off, and arrange cover for anything they need to workwise in your absence. They can also agree with you how and when to keep in contact with you during your absence if they need to. For colleagues who experience barriers using Teams or the telephone, an alternative method of communication should be agreed with your CPM as part of the [Workplace Adjustments](#) process.

The responsibility of keeping in touch with your CPM during your absence sits with both you and your CPM. Regular communication with your CPM regarding your absence also helps maintain a supportive work environment and plan for any necessary adjustments to help support a return to work. The [Colleague Toolkit- Sickness Support](#) offers further information.

Recording & reporting of sickness absence data

You must ensure you record your sickness on Workday correctly on your first day back to work, your CPM will update it on your behalf if you are off for more than 5 working days, and they will also review your records to ensure it is correct.

You or your CPM must also ensure your sickness is recorded on Workday before the monthly deadline for [Timesheets](#) submission (as leave is included in calculations showing whether you have completed your required hours for the month). If this does not happen your monthly timesheets may be shown as incomplete.

We report on our sickness absence data to identify any trends across Ofcom, particularly around absence reasons, to feed into our [Thrive@Ofcom](#) strategy. This is done anonymously and allows us to ensure we are offering our colleagues the right support, without sharing any sensitive data.

When to get a fit note

You can self-certify a period of sickness absence for up to 7 consecutive calendar days.

After 7 consecutive days you will need to provide a fit note issued by either your doctor or other valid health care professional. This should be forwarded to your CPM as soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence. For further information can be found in the [Colleague Toolkit](#).

Pay during sickness absence

Provided you have complied with the terms of your employment contract and this policy in all respects, you will be entitled to receive sick pay. The sick pay you receive will be made up of your entitlement of Statutory Sick Pay (SSP) plus your entitlement of Occupational Sick Pay, as outlined in the [General Statement](#).

Below is an overview for information:

Length of service	Entitlement
During the first 13 weeks of service (Including the 13th week)	Up to 2 weeks on full pay
After 13 weeks of service	Up to 4 weeks on full pay
After 26 weeks of service (including the 26th week)	Up to 26 weeks on full pay, aggregated over a 52-week rolling period.

This does not affect any entitlement you may have to receive SSP for the same periods of sickness absence, although any sick pay you receive from the Company shall be inclusive of any SSP due to you.

More information about SSP is available at www.gov.uk/statutory-sick-pay.

Group Income Protection (GIP)

If you are continually absent for at least 6 months, you may be eligible for payment of income protection. See the [Group Income Protection benefit page](#) for full details.

Medical appointments

If you need to take time off to attend medical appointments, you can be given reasonable time paid. Please see the [Time Off Policies](#) for further details.

Specialist referrals

Occupational Health and other professional assessments can play an important part in supporting you in work and, with your consent, we may ask you to attend a medical examination by either our Occupational Health provider or another specialist referral. A referral can offer advice on your medical condition and recommendations for any potential workplace adjustments you are not already aware of that may help you to return to work and/or to support you and prevent future absence. You will be asked to agree that any report produced in connection with any such

examination may be shared with us and that we may discuss the contents of the report with our P&T advisers and the relevant medical professional. Please see the [Specialist Referrals Hive page](#) for further information.

Equality in the workplace

We are committed to promoting equality, diversity, and inclusivity for all colleagues when managing sickness absence. If you consider that you are affected by a disability or long-term condition which affects your ability to undertake your work, you should inform your CPM. Any information you provide will be handled in a confidential manner and in accordance with our [Data Protection Policy](#). We will take into account any disability or long-term condition you may have that is potentially covered by The Equality Act (2010).

Absence related to disability or long-term conditions

If you need to take time off relating to your disability or long-term condition, your CPM can authorise you to take a period of Disability Management Leave as a workplace adjustment. This time off may be to undergo treatment or therapy, attend regular medical appointments, or to recover from treatment, linked to your disability or long-term condition. This should be recorded as Disability Management Leave on Workday and will not affect your sick pay allowance. Disability leave is usually only for pre-planned absences – please see the [Disability Management Leave](#) policy for more information.

If you are awaiting the implementation of workplace adjustments that you are unable to work without, your CPM might also consider Disability Management Leave for this too.

If you are not well enough to come to work due to your disability or long-term condition, while this should still be recorded as sickness absence, your CPM will ensure that you are supported to recover and will make allowances when considering any informal or formal action.

We are aware that sickness absence may result from a disability or a long-term condition. At each stage set out in this policy, particular consideration will be given to whether there are [workplace adjustments](#) that could be made to the requirements of a job or other aspects of working arrangements that would provide you with support at work and/or assist you in returning to work.

Absence linked to distressing content

If you need to take time off after working with distressing content, this will not be classed as sickness absence – please see the [Safeguarding Policy](#) for more information.

Sickness and holidays

If you are off sick and have pre-booked holiday that you are too unwell to take, you should speak to your CPM if you would like to request that the holiday is cancelled so you can take it another time. Also, if you become ill or injured during your holiday, and are unwell enough that you would not be fit to work, you can ask for those holiday days to be cancelled too and for them to be treated as a period of sick leave. You should let your CPM know as soon as possible. Your CPM will need to then cancel the holiday in Workday and add in your sick leave.

To be able to claim company sick pay you must notify your CPM as soon as possible, and the usual requirements for medical evidence in this policy will also apply, even if you are abroad. If you are abroad and you are sick for more than seven consecutive days, you will still need to give us a fit note for this period.

If you are off for a long period of sickness, you can carry over any unused holiday entitlement for up to 18 months from the date you return to work. Any holiday not taken by the end of this time period may be lost. You can also discuss with your CPM if it's possible to be paid some or all of your excess holiday.

When can sickness absence impact my contract of employment?

While we will ensure colleagues are supported through periods of ill health, there may be instances where the level and/or unpredictable nature of your absence significantly impacts on your ability to carry out your role or has unsustainable bearing on Ofcom and other colleagues. Your CPM will talk with you if this situation is suspected and they will find out how they can help you to remain in work and, if helpful, explore workplace adjustments with you. Further detail on this informal sickness review is set out below.

There may, however, be circumstances where it is appropriate to take more formal action and there is further detail on this process below.

There could be several reasons your CPM may decide to take action. Each case will be reviewed on its own circumstances, and your CPM will seek advice from the Employee Relations & Policy Team to ensure fairness and consistency. Although not exhaustive, some examples may include:

- You have been absent due to illness on a significant number of occasions.
- Your absence is negatively impacting you or your team's ability to deliver objectives in your job; for example, due to absence, you are consistently and significantly unable to hit key deadlines.
- You have to rely on others too extensively, or your CPM has to arrange an unreasonably high level of cover, to deliver work you are reasonably expected to deliver contributing to wellbeing and workload concerns.
- We have discussed matters at a return-to-work interview that require further exploration.
- There's a questionable or unexplained pattern in your absence which could indicate a breach of trust and contract.

Informal sickness review

If your CPM has concerns about your sickness absence and the impact it is having on your ability to fulfil your job, then they may decide to review your absence with you informally. It is your CPM's responsibility to review your absence. An informal approach is always the preferred option, and will be taken first, so you are given every opportunity to improve your attendance. If your CPM has concerns about your absence, they'll arrange to meet with you to discuss this further.

If not done so already, potential workplace adjustments should be discussed, and a specialist referral, such as to Occupational Health, offered to explore if there are any further support options. The meeting will give you and your CPM the opportunity to review your sickness absence record, highlight any patterns or concerns, discuss what support can be offered to you and consider any other relevant factors, for example, absences linked to disability or a long-term condition. This meeting is also an opportunity for you to inform your CPM of any conditions or any other factors which have contributed to your absence and/or the timing of your absence.

Based on all the information available, your CPM will agree next steps to help improve your attendance or come to a resolution. Your CPM will send an email after the meeting summarising the discussions, areas of support and any agreed actions.

Formal sickness review

If your sickness absence does not improve through the Informal Sickness Support approach, your CPM can move to the Formal Sickness Support process. There are 3 stages to the formal process. At each stage your CPM will write to you to invite you to a formal meeting to discuss matters more fully. You will have the right to appeal at each stage if a sanction is issued.

Moving to a formal stage does not automatically mean your CPM will issue any kind of sanction – the [CPM toolkit](#) gives your CPM advice and considerations for when formal action or a sanction may or may not be appropriate.

At each formal meeting you will have [the right to be accompanied](#) by any Ofcom colleague, or a trade union representative. You can find out more about this and see what to expect during a Formal Sickness Review meeting in the [Colleague Toolkit - what to expect at a formal meeting](#).

If not done so already, a [specialist referral](#), such as to Occupational Health, should be made to ensure the full facts are available.

First formal sickness review meeting

During the first formal meeting your CPM will review any previous actions and talk to you about where your absence is falling short of the standards expected, providing examples and evidence. You will have the opportunity to put forward your side of things and discuss what support you might need from your CPM, including any [Workplace Adjustments](#) that may be helpful.

You will receive a letter to confirm the outcome of this meeting, usually within a maximum of 10 working days, which might be:

- **no further action**
- **a first sickness warning**– this would remain live for 6 months.

You can appeal the decision to issue you with a first sickness warning if you wish (see appeal section below).

If you have further absence while a first sickness warning is live and your absence continues to cause issues, your CPM may decide to move to the second stage of the formal process.

Second formal sickness review meeting

Just like the first formal meeting, you will have the opportunity to put forward your side of things, explore further ways to improve your attendances, including any adjustments that may be helpful, share any information about any long-term condition or disability, and discuss any updated Occupational Health, or other specialist advice if available.

You will receive a letter to confirm the outcome of this meeting, usually within a maximum of 10 working days, which might be:

- **no further action**
- **a final sickness warning**– this would remain live for 12 months.

As with a first sickness warning, you can appeal the decision to issue you with a final sickness warning if you wish (see appeal section below).

If you have further absence while a final sickness warning is live and your absence continues to cause issues, your CPM may decide to move to the final stage of the formal process.

Final sickness review meeting

The final sickness support meeting will be held by a different CPM at least one grade higher than you who has been independent from the process so far. Just like the previous formal meetings, you will have the opportunity to put forward your side of things, explore further ways to improve your attendances, including any adjustments that may be helpful, share any information about any long-term condition or disability, and discuss any updated Occupational Health, or other specialist advice if available.

You will receive a letter to confirm the outcome of this meeting, usually within a maximum of 10 working days, which might be:

- **no further action**
- **re-issue the final sickness warning**
- **explore re-deployment** – it might be appropriate to explore whether there could be an alternative role within Ofcom.
- **dismissal with notice**

You should be aware that if the decision at this stage is to bring the formal sickness support process to a close, should your absence continue to impact your team's operations while a sickness warning is live, your CPM may decide to re-enter the formal sickness support process at the stage it was closed.

Any decision regarding re-deployment to an alternative role would only be made where the Decision Manager is confident that you will be able to perform well in the re-deployed role and if such a role is available. You would be free to refuse an offer of redeployment, however, if this was the case you would need to be aware that the only other alternative available may be your dismissal.

If you are dismissed, you would be entitled to your contractual notice period as outlined in your personal statement. You would also have the right to appeal against the decision to dismiss you.

Continuous sickness review

If you are off sick continuously for more than 28 days, we will take a slightly different approach. There are limited circumstances in which it will be appropriate to skip straight to the Formal Continuous Sickness Support meeting (see below), such as where the medical advice is that you will not be able to return to work for the foreseeable future and we have unsuccessfully explored other options (such as Income Protection).

By implementing this process, your CPM aims to strike a reasonable balance between the pursuit of the operational needs of the organisation and the genuine need to take time off work because of ill health.

Continuous sickness review meeting

Once you have been absent for 28 consecutive calendar days, or as soon as it is confirmed that you will be absent for at least 28 days (for example, if you provide a fit note for that period), your CPM will arrange a Continuous Sickness review meeting. The prime aim of this meeting is to support you and facilitate a return to work as soon as you are fit to do so.

These meetings will take place regularly throughout your long-term absence. The frequency of these meetings will depend on individual circumstances but would typically be every 4-8 weeks.

You can see what to expect during a Continuous Sickness Support meeting in the [colleague toolkit](#).

Return to work following continuous sickness

When you are ready to return to work, your CPM will help you transition back into the workplace. This may include some, or all of the following:

- Occupational health or other medical advice
- A phased return to work
- Workplace adjustments, either temporary or permanent
- H&S risk assessment

If the medical advice indicates that you won't be able to return to your substantive role in the foreseeable future, and all reasonable efforts have been made to support your work, such as considering a phased return, modifying job duties, adjusting work hours, or making adaptations to the workplace or redeployment, your CPM can arrange a Formal Continuous Sickness Review meeting. This meeting is conducted to address the situation formally and explore further options and support that can be provided considering your continuous absence.

You have the right to be accompanied at this meeting by a colleague, or a trade union representative.

You will receive a letter to confirm the outcome of this meeting, usually within a maximum of 10 working days, which might be:

- **a decision for you to remain on sick leave until you have recovered**, including an understanding of an approximate return to work date.
- **An offer to make adjustments to your work** i.e. a phased return, amended job duties, altered hours of work, or workplace adjustments, either on a temporary or permanent basis
- **explore re-deployment with your agreement** – it might be appropriate to explore whether there could be an alternative role within Ofcom.
- **dismissal with notice**

Dismissal on the grounds of long-term ill-health will be a last resort only after all other options and workplace adjustments have been fully considered and discussed with you. We will always explore other options, such as Income protection, and only if that is unsuccessful would we look to terminate your employment.

Appeal process

If you are issued with a first or final sickness warning, or you are dismissed, you have the right to appeal the decision. Any appeal should be made in writing to Employee.Relations@ofcom.org.uk within 5 working days of the date you receive the outcome letter. Your appeal should clearly outline the grounds on which you are appealing.

An independent appeal manager will be appointed to hear your appeal and a meeting will be arranged as soon as possible, usually within 10 working days. You would have the right to be accompanied at this meeting by a colleague, or a trade union representative. Following the meeting the appeal manager will reach a decision.

You will receive a letter to confirm the outcome of this meeting, usually within a maximum of 10 working days, which might be:

- your appeal is **upheld**, and the original decision is overturned.
- your appeal is **not upheld**, and the original decision remains.

The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

The outcome of the appeal is final and there is no further right of appeal beyond this within Ofcom. More information can be found in the [Colleague Toolkit - appealing a decision](#).

Version history

Version	Date	Revised by	Summary of changes
1.0	Feb 2010	[REDACTED]	Starting at 1 as version unknown)
2.1	Feb 2013	[REDACTED]	Minor updates
3.0	30/06/2021	[REDACTED]	Full Review
4.0	25/01/2022	[REDACTED]	Full Review
4.1	May 2022	[REDACTED]	Minor updates re change to Workday process for Return to work interviews

4.2	June 2022	████████	Minor updates on fit note
4.3	Oct 2022	████████	Minor updates on language
5.0	Dec 2023	████████	Re-write to bring into line with language and tone, and simplification.
5.1	Dec 2024	████████	Annual review - minor update to include recording absence in Workday before timesheet deadline and fit note requirements.