

Sick Leave Guidance

C1. Reporting Sickness

If a staff member is unable to attend work for any reason they must ensure they inform their line manager/MP or arrange for someone else to inform them if this is not possible, on the first day of absence, explaining the reason for absence and when they hope to return to work. If the absence is likely to be more than a few days the line manager/MP should set up a time for regular contact with their staff member for updates.

If a staff member is absent for seven days or less on their return to work they must let their line manager/MP have confirmation in writing. This is known as 'self-certification'. They must give the first and last day of sickness as well as the reason for absence. Sickness absence includes Saturdays and Sundays and any other days not normally worked.

If an MP requires any support or has any queries regarding sickness absence they should contact Members HR on 0207 219 2080 or at membershr@parliament.uk

C2. Notifying IPSA of staff absence and providing documentation

All sickness absences must be supported by either a self-certification or a 'fit note' (medical certificate) and IPSA must be informed of the dates absent, irrelevant of the length of period, due to the occupational sickness rules.

Staff members with absences of less than eight calendar days must complete a self-certification form. It is advisable to keep copies of these forms in the office for the line manager/MP's own records.

For absences longer of eight calendar days or more a staff member must provide a 'fit note' (medical certificate) from their GP or hospital. This must be sent to IPSA for processing and a copy kept in the office. It is unusual for these 'fit-notes' to be for longer than a few weeks, but they should be followed up regularly to ensure there are no breaks in the certification period.

C3. Long Term Sickness

Absences longer than two weeks are classed as 'long term'.

The salary cost for the absent member of staff will be automatically transferred to the staff absence budget, from the first day of absence, as soon as IPSA are informed.

In such cases an MP may wish to have some support in the office to cover the absence. This cover will be funded from the normal staffing budget.

IPSA provides Members' HR with the dates of all staff absence on a monthly basis to enable them to support MPs with their absence cases. Reasons for absence are not shared as this must be done directly by the MP.

As absences relating to sickness can become complex, it is best to ensure these situations are managed effectively. In such circumstances you should contact Members HR also for guidance on managing the sickness absence and return to work. Members HR can be reached on 0207 219 2080 or at membershr@parliament.uk

C4. Occupational Health Assessment

The management of long-term absence can be helped by the staff member having an Occupational Health assessment. If an Occupational Health (OH) assessment is deemed beneficial, then the MP, with the help of Members HR, can submit a request to the OH provider. The MP is required to pay for this service or for other medical reports they require about their staff.

Sickness absence can be complicated, so MP's should contact Members HR on 0207 219 2080 or at memberhr@parliament.uk for guidance.

C5. Occupational sick pay

Any entitlement to occupational sick pay is stated in the MPs' Staff contract of employment. What staff members are entitled to for each sickness absence will be calculated according to these rules and will take into consideration the staff member's current absence record and any previous payments for sickness absence.

During the first year of employment for MPs' Staff, they will continue to accrue and be paid one week's full pay for every four weeks continuous service whilst they are on long term sick leave.

For example; A member of staff is employed on 1st November, they subsequently go off sick on 4th January and is due to return three weeks later on 25th January.

The period of employment considered is from 1st November to 25th January = 12 weeks, 1 day

(Only full weeks are counted)

Sick leave accrual 12 weeks /4 weeks service = 3 weeks

So this in example the member of staff would receive full occupational sick pay for the whole three week period they are off sick.

If the MP or absent staff member wish to check whether they will receive occupational sick pay for a period of absence they should contact IPSA payroll for details. Keeping and maintaining good records ensures the staff member will receive accurate sick pay.

C6. Phased return

A phased return to work should only be conducted with medical evidence and agreed with the line manager/MP. It should be closely monitored and work/absence should be reported to IPSA for pay purposes. For those staff members who return to work on a phased return, the days that are not worked should be recorded to IPSA as sick absence.

The days reported as sick absence in this circumstance will continue to be counted towards the full, half and off pay calculations.

If these days absent are four or more continuous days they will also count towards the statutory sick pay entitlement.

Half day's absent are not counted towards sick absence for pay purposes and therefore IPSA do not need to be notified. However it is still good practice that an MP keeps a record of these.

C7. Statutory Sick Pay (SSP)

Any Statutory Sick Pay payable to staff members is an expenditure from the staff absence budget, as employers can no longer reclaim SSP.

C8. Accruing Annual Leave whilst on sick leave

It would be expected, especially if the staff member was on sick leave at the beginning of the leave year that they would be able to take leave towards the end of the year when they return to work, or use it to create a shorter working week.

If it is not possible to do this due to the length of the sickness then the following situation(s) apply:

- The staff member is allowed to carry forward annual leave up to the statutory 20 days as per the working time directive (pro-rated for part-time staff). Any excess will need to be either taken or paid.
- The staff member is entitled to request to take annual leave whilst on sick leave and be paid for their leave at the usual rate (especially if they are on half, or off-pay). IPSA payroll will need to be informed of this in writing.

This is a complex area so MPs are recommended to contact Members HR on 0207 219 2080 or at membershr@parliament.uk for more advice about managing the sickness and/or leave.

C9. Absence without Authorisation

If a staff member is absent from work without a discussion with their line manager/MP and do not inform them on their first day of absence, this may constitute absence without authorisation.

The line manager/MP has a duty of care to the staff member and will ensure they contact the staff member to discover the reason for the absence. If the line manager/MP is unable to contact the staff member and if the staff member has not made contact within a reasonable timeframe, formal action including dismissal can be taken.

C10. Staff Members giving notice whilst on sick leave

If a staff member chooses to resign whilst on sick leave they need to hand in their notice by writing to their line manager/MP. If the staff member requires their employment to end before the end of their notice period they will need to have a discussion with their MP. The staff member will be paid anything that they are owed up to and including the last day of their service including any entitlement to outstanding untaken annual leave.

If a staff member leaves before exhausting any occupational paid leave (full or half pay), they will only receive this payment until their last day of service.

C11. Notice following dismissal or resignation on sick leave

Notice will be paid at full pay where dismissals or resignations have occurred during sick leave.

If a staff member is receiving no pay at the time of their resignation or dismissal they will be paid full pay for their notice period.

If there are any further questions not covered within this guidance, please contact Members HR on 0207 219 2080 or at membershr@parliament.uk