



<b>POLICY NAME:</b>	<b>Sickness and Injury Policy</b>
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<b>DATE OF LAST REVIEW:</b>	<b>31 August 2006</b>
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<b>AMENDMENTS TO THIS REVIEW:</b>	In May 2008, “Director of Corporate Services” replaced the wording “Director of Administration” and “Scottish Government” replaced the wording “Scottish Government.”
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<b>DATE OF NEXT REVIEW:</b>	<b>31 August 2009</b>
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<b>IMPACT ASSESSMENT:</b>	
- FINANCIAL	None
- HUMAN RESOURCE	None
- RISK	None
- EQUAL OPPORTUNITIES	None

<b>FEEDBACK:</b>
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## **SICKNESS AND INJURY POLICY**

The Scottish Criminal Cases Review Commission (“the Commission”) has a sickness and injury policy, which aims to ensure that employees are aware of the obligations and entitlements by employees relating to sickness and injury, and to ensure that the Commission complies with the law. This Procedure applies to all employees full-time or part-time.

### **Sickness or Injury Procedure**

If you are absent from work because of sickness or injury the conditions of the Statutory Sick Pay Scheme will apply. In order to qualify for S.S.P. you must follow the notification and certification procedures set out below:

- **Notification of Absence**  
If you are unable to attend work for any reason whatsoever you must contact the Director of Corporate Services not later than 10.00am on each day of self certificated absence giving the reason for absence. If your absence is covered by a Doctor’s certificate you are required to inform the Director of Corporate Services on the first day of absence only giving the reason for the absence and if possible an indication of when you hope to return to work. If you are late in notifying sickness absence you may lose part or all of your sick pay.
- **Notification of Return Interview**  
When you are fit to return to work you must meet with the Director of Corporate Services not later than 10.00am on the first day of your return in order that a formal record of your reasons and length of absence can be recorded.
- **Evidence of Incapacity for Work**  
Doctor’s Certificates are no longer issued for short-term illnesses. If you are ill for seven calendar days or less you should on return to work report to the Director of Corporate Services and explain in full the reason for your absence. You will be required to produce a Self Certification Form, which is available from your Doctor’s Surgery, Local DSS Office or the Director of Corporate Services.

If sickness absence continues for more than seven calendar days you should obtain a Medical Certificate from your Doctor and forward it without delay to the Commission. Further Certificates should be exhibited each week for as long as the illness lasts.

In the case of continual absence for whatever reason the Commission reserves the right to request medical evidence for periods of absence of less than seven days.

## **Sick Pay**

Subject to the above procedure you will receive pay (inclusive of S.S.P.) during periods of illness. Provided that there is a reasonable prospect of eventual recovery and return to duty, sick absence on full pay may be granted for not more than 6 months in total during any period of 12 months and thereafter sick absence on half pay, subject to a maximum of 12 months sick absence in any period of 4 years or less. Sick absence in excess of 12 months during any period of 4 years or less will not count towards period of service for superannuation purposes.

If an employee submits notice of resignation before or during a period of sick absence, sick pay will normally be paid for the period until the expiry of the notice, subject to a maximum of one month for monthly paid staff. For employees with less than 6 months service, sick pay may be withheld from the date on which their notice is received.

## **Managing Attendance**

The Commission uses what is known as a trigger point to identify instances where levels and patterns of absence require closer examination. Setting a trigger point also lets you know where you stand and helps ensure consistency of treatment. For all permanent staff the Commission's trigger point is 11 working days absence (self certificated or medically certificated) in any 12 month rolling period. The trigger point for staff on probation is 7 working days absence (self certificated or medically certificated) in any 12 month rolling period. The Director of Corporate Services will monitor all self certificated absences. Where your number of sick absence days and/or pattern of sick absence days is giving cause for concern, the Director of Corporate Services will inform the Chief Executive and will arrange an interview with you. If your sickness record continues to cause concern thereafter, you will be informed of this concern in writing. The Commission will reserve the right to obtain an independent medical opinion on any member of staff where sickness absence is causing concern. The Commission will invoke the Commission's disciplinary procedure in relation to sick absence where the Commission considers it necessary to do so.

## **Annual Salary Review**

If the annual salary review falls during the period of sickness or absence, you will be notified of your reviewed salary at the same time as all other employees and the new salary rate will take effect from the salary review date (1 April) where an employee is eligible for sick pay at full or half pay. Where an employee is on sick absence but on nil pay, he/she will receive their reviewed salary upon their return to work.

## **Paid Holiday Entitlement**

Employees will continue to accrue their contractual holiday entitlement during any period of sick leave.

## **Pension Scheme Benefits**

Whilst on any period of sick leave employees will remain in the Civil Service Pension Scheme. For full details of the options available to the employee please refer to the Pension Scheme Handbook.

- **Commission Contributions**

The Commission will continue to make contributions during any period of sick leave based on the employee's pensionable salary at the date any leave commences.

- **Member's Contributions**

Employees may choose either to continue to make contributions which will be deducted from any sums due to them where possible, or to suspend their payment of contributions.

### **Pensionable Service**

On return to work, employees will be given full continuous service for pension purposes except where there is sick absence in excess of 12 months in any period of 4 years or less.

### **Grievances Related to Sickness or Injury Leave**

Any employee who is dissatisfied with any decision made in respect of his/her rights should instigate the Commission's formal grievance procedure.

### **Contact Details**

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