

NHS Wales

Managing Attendance at Work Policy

Amendment to How to Procedure no.2 Notification and Certification

October 2024

Following initial engagement and partnership agreement in October 2022 on the issue of staff working in the 24/7 environment, and more recent engagement with organisations and TUs with regard to employee sickness reporting whilst on annual leave, and following subsequent agreement at the WPF Business Committee on 16 October, amendments were agreed to the paragraphs on Sickness During a Period of Annual Leave in the How to Procedure no.2 Notification and Certification:-

The section will now read:-

“Sickness during period of annual leave:

When an employee falls sick during annual leave, they will be required to report that illness in line with normal notification procedures. In such cases the employee will be deemed to have been on sickness absence rather than annual leave from the date of the notification (this includes leave booked that falls on a Bank Holiday).

In the majority of situations, normal sickness certification requirements will apply. However, where a requirement for Fit Notes for all absences is in place as part of a managing attendance process, or in cases where managers can evidence concerns regarding the individual's health and wellbeing and/or pattern of absence, Fit Notes can be requested from Day 1 of absence. This should only be in exceptional cases with evidence to support the requirement provided.

Where an employee's sickness absence falls on a Bank Holiday (which wasn't a rostered workday, booked as leave), there is no entitlement to an additional day off.

With regard to shift workers and other staff working in the 24/7 environment, if an individual is sick on a Bank Holiday that was scheduled as a rest day, then the Bank Holiday will not be

deducted from their annual leave entitlement. If an individual is sick on a Bank Holiday that they are scheduled to work, then the Bank Holiday will be deducted and paid as annual leave.”

The above paragraphs will be included in the revised Managing Attendance at Work policy when it is reissued with the current intention being that it is presented for agreement at the Welsh Partnership Forum in March 2025. In the meantime, organisations should implement this approach with immediate effect, if they have not already done so.