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Checklist for Monitoring

It is important when monitoring employees that the relevant Data Protection legislation is complied with. Holding a record is deemed to involve the processing of sensitive personal data. This must satisfy one of the three conditions for processing sensitive data:

- The collecting of health information to protect health and safety; or
- The collection is necessary to prevent or assist in the diagnosis, treatment or care of an individual on the grounds of disability; or
- Each worker affected has freely given their consent.

As the first two points will rarely apply, employers should ensure that the employee's Terms and Conditions of Employment contain a clause which consent. Alternatively a separate consent form can be given to the employee of which can be found at [Sickness and Absence subfolder](#).

Trigger points

It is helpful for employers to use trigger points to identify levels or patterns of sickness absence that require further attention. These should be agreed in advance and when action by managers is required should be beneficial. Typical triggers include:

- Cumulative numbers of days of absence (e.g. absences for more than 10 days in 12 months)
- Number of spells of absence (e.g. absences for more than 10 spells of absence in a 6-month period)
- Pattern-related sickness-absence (e.g. absences to be off on Fridays or Mondays; absences taken immediately before or after annual or public holidays)

If the employee has been, or is likely to be, absent for four weeks or more, the employer can refer the employee to a Work occupational health assessment. It is advisable for employers to build in a trigger point for review at that stage.

General Sickness:

1. Did the employee follow the Company's sickness reporting procedure?
2. If the sickness-related absence was over 7 days, did the employee provide the Company with the Company's sickness reporting form?
3. If the sickness-related absence was over 14 days, did the employee provide the Company with a medical certificate?
4. For sickness absence over four weeks, has the statutory Form Sickness Certificate (SC1) been completed?
5. Has the employees' sickness record been reviewed during the latest period of sickness?
6. If illness is over <<specify number of days>>, has a return to work interview been arranged?

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See [Guidance Notes: Return to Work Assessments](#).

- 7. Has a return to work form been completed?
- 8. Where appropriate, has a Risk Assessment been carried out?
- 9. If the sickness absence is, or is expected to be, 4 weeks or more, is it appropriate to refer the employee to the Fit for Work occupational health service?

Long-term Sickness:

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- 1. Has regular contact been maintained with the employee?
- 2. Has the time and frequency of sickness absence been discussed with the employee?
- 3. Is it appropriate to refer the employee to the Occupational Health service or the Fit for Work occupational health service, and has the employee's consent for the referral been sought?
- 4. Is the employees' sickness record being monitored?
- 5. Has a relevant manager had a discussion with the employee to ascertain the employees' concerns, and has that manager discussed the situation with the employee to ascertain the employees' needs and what could be provided?
- 6. Where Statutory Sick Pay has been paid for 6 weeks, has the statutory form SSP1 been completed?
- 7. Where the condition affects a particular part of the employee's work, has a suitable alternative role been considered?
- 8. If the employee has agreed to a referral to the Occupational Health/Fit for Work occupational health service, has proper consideration been given to ensure that any recommendations made may be considered to be reasonable for disability discrimination purposes?
- 9. If such recommendations are implemented, are they within the Government's tax exemption for qualifying purposes?

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