

Sickness absence - half or no pay?

After you have been absent for 183 days (including rest days) in any 12-month period your entitlement to full pay ceases and you are entitled to half pay for the next 6 months.

The Chief Constable will decide whether there is any reason to retain you on full pay. It is important to note that this is not a decision based on whether you are genuinely ill and unable to attend work. The decision is based upon whether there is something specific about your role as a police officer that will persuade him to retain you on full pay.

The Police Negotiating Board has offered guidance on this matter to Chief Officers. The guidance provides that the only reasons that you may be retained on full pay are if: -

- ? You are injured in the execution of your duty and are fully co-operating with the Occupational Health Unit to facilitate your return to work. This does not include merely being injured at work but is specifically related to your role as a police officer. Road Traffic Collisions whilst travelling to or from work would not be counted for this purpose.
- ? You are being considered for medical retirement and you have been referred to a Selected Medical Practitioner. You will normally remain on full/half pay until you are retired, or a decision has been made to retain you and a suitable role is identified.
- ? If you are disabled and covered under the Disability Discrimination Act your eligibility to full pay may continue if your absence is linked to your disablement **and** reasonable adjustments to enable you to attend work have not been made. Recent tribunal decisions have ruled that once reasonable adjustments are in place disabled officers shall be treated as any other officer for continued absence.
- ? You have a terminal illness

If you do not fit one of these categories you should expect to be reduced to half pay. Your Personnel Manager will make a recommendation and advise on the reasons for your absence. The Police Federation are able to assist with written representations for the Chief Constables meeting to ensure that the best and the most up to date information on your condition, and the causes of it, are put before the Chief Constable. In order that they can do this you

should contact the Federation Office when you are notified they you are due to go onto half pay to discuss your absence.

At twelve months absence you entitlement to half pay ceases and you are then entitled to nil pay. The same process and decision-making criteria as for half pay is applied.

If you are placed onto half pay you will also be eligible to benefits from the Department of Work and Pensions.

For the first 28 weeks you will receive Statutory Sick Pay (SSP) Whilst you are receiving full pay this will come as part of your salary and you will see an amendment for this.

When you go onto half pay this will be shown on your pay slip as an additional payment.

After 28 weeks you will not be eligible for SSP but instead become eligible for Employment and Support Allowance (ESA).

ESA has replaced Incapacity Benefit from the DWP. You are entitled to make the claim for ESA up to 3 months prior to the end of SSP.

To initiate a claim for ESA you will need to phone Job Centre Plus on 0800 0556688. You will be asked questions about your identity (have you national insurance number to hand) and your medical condition and its effects. Following this phone call you will be sent a form to confirm the details that you have given and provide evidence of your medical condition.

As the ESA process continues you will be asked to attend interviews to assess your capability to work as the focus of the allowance is on returning individuals into the world of work rather than allowing them to be dependant upon benefits.

This allowance and its operating scheme do not sit comfortably with Police Regulations. Should you have any concerns or problems then please contact your local federation representative who will be able to assist you or refer to a representative who can.