

Sick leave

1 . When an employee is off sick

Most employees will need to take sick leave at some point in their working lives.

Both physical and mental health problems can count as sickness. Employers must treat mental and physical health as equally important.

Reporting sickness absence

When someone is off sick, they can 'self-certify' for 7 calendar days, including weekends. This means they can tell their employer they're not well enough to work. They do not need to provide medical evidence.

If they're off sick for more than 7 days, an employee will need to get a fit note from a registered healthcare professional.

[Find out more about fit notes and proof of sickness](#)

Sick pay

If someone is off sick they might have a right to sick pay.

[Find out more about sick pay](#)

Sickness and holiday

Sickness and holiday can happen at the same time.

For example, an employee might:

- take holiday while on sick leave
- become sick while taking holiday

[Find out more about sick pay and holiday pay](#)

Keeping in touch during sick leave

An employer can contact an employee who is off sick. How much contact is appropriate will depend on the employee's individual circumstances.

The employer and employee should agree what is an appropriate level of contact.

[Find out more about keeping in touch during absence](#)

Returning to work after sick leave

When an employee returns to work after being off sick they should have a return to work meeting with their employer.

This is an opportunity to make sure the employee:

- is well enough to work
- has any support they need

In some cases, a phased return to work might be appropriate. This is when someone who's been absent gradually builds up to returning to work.

[Find out more about returning to work after absence](#)

If someone's off sick due to poor mental health

If an employee takes sick leave due to a mental health problem, their employer should look into whether this was because of something at work. If it is, they should take steps to resolve the cause.

Find out more about:

- [supporting mental health at work](#)
- [managing work-related stress](#)

2. Sending someone home due to sickness

If an employer feels an employee is not well enough to work, they can send them home or tell them not to work.

If the employee agrees

If the employee agrees they're too sick to work, this time off is likely to count as sick leave. They should get any sick pay they're entitled to.

If the employee thinks they're well enough to work

If the employee feels they are well enough to work, they should make this clear to their employer.

Their employer might still insist that they should not work. In this case, the time off should not be counted as sick leave.

As the employer has made the decision for their employee not to work, they should pay them their usual pay.

Presenteeism

If an employee continues to work when they're unwell, this might suggest there's a problem with 'presenteeism' at their organisation.

Presenteeism is when staff continue to attend work even though they're sick. It has become more common with more people working from home.

Presenteeism can have a negative impact on staff morale and productivity. It can also mean employees take longer to recover from illness.

To reduce presenteeism, employers should:

- have a consistent policy on sickness absence that does not punish employees for taking sick leave
- have return to work meetings with employees to check they're well enough to be at work
- offer phased returns to work, where appropriate, so that employees can gradually come back to work after absence
- create a culture at work where employees do not feel pressured to work when they're ill
- promote positive wellbeing among employees

Contact the Acas helpline

If you have any questions about sending someone home due to sickness, [contact the Acas helpline](#).

3. Sickness and ending employment

Someone's employment can end while they're on sick leave. For example if:

- the employer dismisses them
- they choose to resign

Dismissal during sick leave

An employer might dismiss an employee during sick leave. For example, because:

- their illness means they're no longer capable of doing their job
- they're being made redundant

Capability

An employer should take steps to avoid dismissing an employee on the grounds of capability.

They should look at ways they can support the employee to return to work. For example:

- making changes to their role
- using a phased return to work

An employer must make [reasonable adjustments](#) if an employee is disabled.

Find out more about:

- [conduct and capability procedures](#)
- [capability and performance when someone is disabled](#)

Redundancy

If an employer is considering making redundancies, they should keep employees who are off sick up to date during the process.

An employer could be discriminating against an employee if they're off sick and miss something important. For example, if their sick leave is related to pregnancy or a disability.

Resignation during sick leave

An employee can resign while they're off sick.

They should follow the right process to resign.

[Find out more about resignation](#)

Resignation and benefits

An employee who is off sick might find that resigning from work will affect their benefits.

If you're considering resigning due to ill-health and you think it might affect your benefits, [contact Citizens Advice](#).

Taking sick leave during the notice period

An employee can take sick leave during their notice period.

The organisation's usual rules about reporting sickness absence will apply.

What the employee gets paid depends on:

- why their employment is ending
- what their notice period is
- what their employment contract says

[Find out more about pay during the notice period](#)

Contact the Acas helpline

If you have any questions about sickness and ending employment, [contact the Acas helpline](#).