

NHS Wales Employers

COVID sickness absence - transition from enhanced provisions to application of regular sickness absence arrangements with effect from 1st April 2022.

The sick pay arrangements which “top up” sick pay to full pay for individuals whose continuous COVID sickness absence commenced before 31st March 2021 have been extended until 31st March 2022. The effect of this change means that under the current arrangements as set out in the *COVID – 19 (Coronavirus) Frequently Asked Questions for NHS Managers and Employees* all individuals with over 12 months COVID sickness absence would move into a no-pay situation from 1st April 2022 in line with the ending of the topping up of their contractual sick pay entitlement to full pay.

The existing support and rehabilitation arrangements and the enhancements which are being put in place are an important part of facilitating a return to the workplace, where this is possible, and unless further specific provisions are put in place from 1st April 2022 this approach could be compromised if individuals were to move directly into a no-pay position. Half pay will therefore be re-instated for this group of staff with effect from 1st April 2022 for the length of time corresponding to each individual’s contractual entitlement to half pay i.e. based on their length of service. In addition, organisations should explore, on a case by case basis, whether the level of sick pay should be increased in line with the provisions in place to extend sick pay i.e. under paragraph 14.13 in the AfC terms and conditions of service and paragraph 225 of the M&D handbook, which allow discretion to extend sick pay up to full-pay.

Organisational arrangements are currently in place, in line with these provisions, for such discretion to be exercised, which is based on an individual’s circumstances and the wider rehabilitation/return to work prospects.

From 1st April 2022, all individuals with a COVID sickness absence date which commenced after 1st April 2021 and who have been absent for less than 12 months, will remain on the COVID sickness absence arrangements as set out in the *COVID – 19 (Coronavirus) Frequently Asked Questions for NHS Managers and Employees* and will receive up to 12 months full pay with half pay re-instated at the end of the full pay “top up” period for the length of time corresponding to each individual’s contractual entitlement to half pay i.e. based on their length of service. If individuals remain absent with COVID sickness absence at the end of the half pay extension organisational discretion may be applied to extend sick pay as outlined in the paragraph above.

The nature of the pandemic and its ongoing impact is still developing and the arrangements for any COVID related sickness absence which commences after 1st April 2022 will be kept under review.

Summary

COVID absence commencement date	Full pay	Contractual Half pay	Period during which no pay would ordinarily apply	Ongoing discretion
Before 30/11/20 (Start date re-set to 1/12/20)	Up until 31/05/21	Topped-up to full pay. Provision originally due to end on 30/11/21 extended to 31/3/22	No pay would ordinarily apply from 1/4/22, however half pay will be re-instated based on an individual's contractual half pay entitlement with organisational discretion for a top up to full pay.	To be considered from end of "half pay" reinstatement.
Between 1/12/20 – 31/03/21	For the 6 months from the commencement of COVID sickness absence i.e. a date between 31/05/21 – 30/09/21	Topped-up to full pay. Provision extended until 31/3/22 irrespective of commencement of COVID sickness absence date	No pay would ordinarily apply from 1/4/22, however half pay will be re-instated based on an individual's contractual half pay entitlement with organisational discretion for a top up to full pay.	To be considered from end of "half pay" reinstatement.
Between 01/04/21 – 31/03/22	For 6 months from commencement of COVID sickness absence	If after 6 months absence, an individual remains off work due to COVID sickness, their pay will be topped-up to full pay for a further 6 months i.e. up to 12 months after the commencement of their COVID sickness absence	No pay would ordinarily apply after 12 months, however half pay will be re-instated based on an individual's contractual half pay entitlement with organisational discretion for a top up to full pay.	To be considered from end of "half pay" reinstatement.
After 1/4/22	Arrangements to be determined depending on the situation with the pandemic.			

15/11/21