

# Sickness absence policy and procedure

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# Sickness absence policy and procedure

## Contents

- 1. Purpose and principles ..... 3
- 2. What should staff do if they are unwell and unable to attend work? ..... 3
- 3. The manager’s role ..... 3
- 4. Sickness absence reporting procedure ..... 4
- 5. Hospital, medical and dental appointments ..... 5
- 6. Transitioning leave ..... 5
- 7. Disability leave ..... 5
- 8. Sickness absence recording ..... 5
- 9. Fit notes ..... 7
- 10. Return-to-work discussion ..... 8
- 11. Referrals to occupational health ..... 9
- 12. Frequent short-term sickness ..... 10
- 13. Long and continuous periods of absence ..... 11
- 14. Redeployment on medical grounds ..... 14
- 15. Precautionary suspension from attending work ..... 14
- 16. Disability ..... 14
- 17. Occupational sick pay ..... 14

\* The University considers that all employment matters are best addressed and resolved internally, using agreed procedures and with the involvement of recognised staff representatives, as appropriate. It is for these reasons that advisers acting in a legal capacity are excluded from participating in internal meetings.

# Sickness absence policy and procedure

## 1. Purpose and principles

- 1.1 This procedure is intended to provide a framework to assist managers in dealing with sickness absence consistently and proactively, striking a balance between providing support to the employee whilst ultimately seeking to secure their return to work and improve attendance generally. There might therefore be occasions when it is reasonable for the principles of the procedure to be applied in a flexible manner.

## 2. What should staff do if they are unwell and unable to attend work?

- 2.1 Members of staff shall follow their school/departmental absence reporting procedure (see section 4 below). Staff who do not notify absence in the required way without good cause may be subject to formal action under the University's [Disciplinary procedure](#).
- 2.2 Staff should not report themselves as unwell if their children are ill or for other domestic emergencies. Staff are advised to discuss such situations with their line manager as they can be covered by compassionate leave; emergency leave for care of dependants; annual leave; or unpaid leave (the University's [Special Leave Policy](#) refers).
- 2.3 Members of staff who are absent from work due to sickness absence may not undertake any other paid or unpaid work, or engage in any activity that is incompatible with the illness or which may delay recovery.

## 3. The manager's role

- 3.1 The main responsibilities of managers in managing sickness absence are as follows:
  - Ensure that all new staff, as part of their induction process, are made aware of this policy and procedure together with the procedure for reporting sickness absence. (See 4. below).
  - Maintain accurate attendance records via the online [Manager / Employee Self Service portal](#) and ensure that Human Resources are informed of absences greater than 7 calendar days along with any fit note(s) (medical certificate(s); where necessary (see 5 below).
  - Regular and consistent review of every member of staff's attendance record in accordance with this procedure, to ensure equality of treatment. Managers are advised to also consider factors which may affect absence levels (such as working environment and stress/pressure due to the nature

of the work) within a particular area when reviewing absence and take action to address issues relating to the working environment, as appropriate.

- Conduct a return to work discussion with every member of staff following each return to work from sickness absence. Further information on this is given in section 8.
- Take formal action against those staff who continue to use this procedure inappropriately, when informal discussions with the member of staff do not improve their attendance.
- Act fairly and consistently in applying this and other appropriate procedures.

3.2 Managers may need to contact staff whilst they are unwell, for example to facilitate arranging cover for their work, which is a normal part of a managers role, however managers are advised not to ask staff to work when they are absent through illness.

#### **4. Sickness absence reporting procedure**

4.1 All members of staff are expected to personally report their sickness to their immediate line manager or Head of School/Director themselves, on the first day of their absence from work and before 10.00 a.m. Only in exceptional circumstances should contact be made by someone else. If their line manager is not available to speak to them when they call, the member of staff is advised to leave a message with another manager within their work area.

4.2 In cases where members of staff in a school/department may not work standard working hours it might be appropriate for the school/department to vary the above sickness reporting procedure to ensure that operational requirements are met. If this be the case, the Head of School/Director is advised to ensure that all staff are aware of this variation as part of their induction and ongoing communication with staff.

4.3 When reporting their sickness absence, members of staff are asked to inform their manager of the reason for their absence, the possible length of their absence, their likely return date (if known) and any medical advice that they have been given. If a member of staff is unsure of the possible length of their absence, it is their responsibility to subsequently contact their line manager each day before 10.00 a.m. (unless they agree a longer time period with their manager) and to submit fit notes (as required) as soon as possible.

4.4 When a member of staff reports sick, they are asked to also outline any commitments that they will be unable to honour e.g. scheduled meetings or teaching commitments. The relevant line

manager or relevant departmental office will then take the necessary steps to alert staff and, in particular students, if cancellations to classes, workshops or lectures are required.

- 4.5 The manager will record the beginning of the period of sickness absence on the [SAP self-service system](#), indicating the expected duration of sickness absence, of up to seven calendar days. The manager will edit the sickness absence entry if the return date is different to the return date originally entered or will ask HR to amend the record if the sickness absence is greater than seven days.
- 4.6 The member of staff may also enter their own sickness after the event, by logging onto the [Employee Self-Service portal](#) from within the University.

## **5. Hospital, medical and dental appointments**

- 5.1 Wherever possible, appointments should be arranged for the beginning or end of the day so that minimum disruption to work is caused. Where medical appointments cause staff to be absent for half a day or more (3.5 hours or more), these absences will be recorded as time off and staff may use their sick pay entitlement to cover this absence.

## **6. Transitioning leave**

- 6.1 Time off for medical appointments and procedures recorded as relating to transitioning is to be treated the same as other scheduled medically-necessary appointments and procedures. Such leave will not contribute to triggering sickness absence reviews or formal processes.

## **7. Disability leave**

- 7.1 Time off for medical appointments recorded as relating to disability will not contribute to triggering sickness absence reviews or formal processes.

## **8. Sickness absence recording**

- 8.1 Managing sickness absence is dependent upon the effectiveness of absence recording and all absences therefore need to be recorded accurately and consistently for all staff. As sickness absence recording impacts on the calculation of pay, managers are advised to also ensure that the dates and details of all sickness absences and any subsequent return to work are notified to Human Resources in a timely fashion as late notification can result in over or underpayments of sickness pay.

## 8.2 Recording of part-day sickness absence

8.2.1 Where an employee arrives at work and subsequently goes home sick during the day, it is recommended that this is recorded as follows:

- When an employee is at work for less than an hour: a full day's sick leave;
- When an employee is at work for more than one hour and up to half a day: a half-day's sick leave; and
- When an employee has worked more than half a day: not be recorded as sick leave. It is recommended that school/departmental records are maintained so that any trends can be monitored.

When an employee goes home unwell at the suggestion of their manager, it is recommended that this is recorded as sick leave in line with the above guidelines.

8.2.2 A 'day' for the above purposes is the hours due to be worked on a particular day, whether this is full-time or part-time.

8.2.3 Under the current data protection legislation, information regarding sickness absence is classed as sensitive personal data. It must therefore be collected, processed and stored in a manner both confidential and secure to ensure compliance with the current data protection legislation and also to protect individuals' rights to privacy as stated in the Human Rights Act 1998. Managers must ensure that anyone involved with processing sickness absence information are fully trained and aware of their responsibilities in respect of security and confidentiality, as non-compliance with the current data protection legislation could result in legal proceedings against the University.

## 8.3 Pregnancy related sickness absence

Any sickness absences related to a member of staff's pregnancy should be recorded as pregnancy related on the HR/Payroll system, to ensure that they do not count towards sickness absence trigger points under our Sickness Absence Policy and Procedure.

## 8.4 Sickness absence following a miscarriage

Any staff who have the misfortune to suffer a miscarriage are entitled to two weeks paid leave as set out in our

Special Leave Policy and Procedure. This will be recorded as special leave and not as sick leave.

Sickness absences taken by members of staff following a miscarriage should be recorded as 'pregnancy-related' on the HR/Payroll system, to ensure that they do not count towards sickness absence trigger points under our Sickness Absence Policy and Procedure.

## 9. Fit notes

- 9.1 A fit note will either be issued where the member of staff has already been absent from work for a period of 7 calendar days and is not yet well enough to return or where the GP initially determines that the member of staff will not be well enough to attend work for a period greater than 7 calendar days. Members of staff should provide their fit notes to their line manager who should then forward them on to Human Resources. Staff who are unable to send in original fit notes at the time should take reasonable steps to make other arrangements.
- 9.2 The Department for Work and Pensions' (DWP) guidance for employers states that "A doctor will give a 'may be fit for work' statement if they think that their patient's health condition may allow them to work if they get suitable support from their employer'. If an employee is too ill to work, the doctor will advise this just like with the sick note". The form allows a doctor to provide more information on an employee's condition and how they might be able to return to work. Doctors might for example indicate that an employee may be fit for work but that they might, with their employer's agreement, benefit from:
- a phased return to work;
  - altered hours of work;
  - amended duties; or
  - workplace adaptation.
- 9.3 Whilst any such recommendations are not binding on the University, the line manager is advised to discuss these with the member of staff at the earliest opportunity and prior to the member of staff's actual return to work. It is recommended that this discussion take account of any risks associated with the return to work in light of any advice from the GP on the fit note. This discussion could take the form of a face-to-face meeting or telephone discussion if the member of staff is not able to come into work before their actual return to work. If the manager or member of staff requires advice they are advised to contact the [Occupational Health service](#) or their normal [Human Resources contact](#) in the first instance. It might also be necessary to seek

the advice of the Access to Work service depending on the nature and extent of the recommendations.

- 9.4 Where a phased return or temporary reduced hours is recommended, this will be on an individual basis and will be subject to review. In some cases, consideration should be given to whether reasonable adjustments will facilitate a return to work and, if so, advice should be sought from the occupational health service. The member of staff will receive their usual contractual pay for the hours that they undertake their duties and will continue to receive sick pay for the days or hours during which they are unable to attend work. If the member of staff has any queries about this they are advised to discuss it with their normal HR contact.
- 9.5 In certain circumstances e.g. where a member of staff declares that they are unfit to attend a formal meeting, they might be required to produce a medical certificate to cover every day of their sickness absence. The cost of doing this will be fully reimbursed by the University on production of an official receipt from the medical practitioner who provided the fit note.

## **10. Return-to-work discussion**

- 10.1 It is recommended that a confidential return-to-work discussion is conducted in every case of sickness absence, immediately following the member of staff's return to work, with due sensitivity to the circumstances of the member of staff's sickness absence. The return to work interview is an opportunity to welcome the member of staff back to work. It is a supportive meeting and does not form part of any formal proceedings.
- 10.2 The manager is advised to ask how well the member of staff feels; explore the reason for their recent absence, respecting the member of staff's right to privacy; and seek to identify any contributing problems e.g. domestic/personal/work, offering help and advice where appropriate (this might include reminding the member of staff about the [Employee Assistance Programme](#)). The manager is also advised to confirm that the member of staff is well enough to return to work; and consider any appropriate actions to facilitate their full return to work. Where relevant they are also asked to further discuss any adjustments recommended by the GP prior to the member of staff's return to work.
- 10.3 If a manager considers that a member of staff's sickness absence level gives cause for concern, it is recommended that they gently explore further the nature of the health problem(s) causing the member of staff to be absent from work and what (if any) medical advice they have sought. The manager is advised to sensitively enquire as to whether or not the problem is likely to recur and what (if any) assistance or support may be necessary. Where



appropriate (e.g. where the member of staff has had repeated absences) the manager is advised to discuss the member of staff's attendance record and explain the effect the absences are having on the work performance of the school/department. If there is sufficient cause for concern regarding the member of staff's attendance, the manager is advised to consider obtaining a medical opinion from the Occupational Health service (see section 9). Following the return to work discussion, the manager is advised to produce a brief file note of the discussion.

- 10.4 When looking at sickness absence issues, line managers and Heads/directors are advised to have sensitive regard to underlying medical problems which might cause a member of staff to be absent from work on a regular basis. Where such cases are highlighted it is recommended that they seek advice from Human Resources.

## **11. Referrals to occupational health**

- 11.1 The University's Occupational Health Service provides advice to managers and members of staff on work-related health issues, phasing a return to work and where appropriate determine ill health retirement.

- 11.2 Heads/directors may refer a member of staff to the Occupational Health service if their sickness absence or health is giving cause for concern. Examples which might necessitate referral to the University's Occupational Health Service are:

- A long and continuous period of absence
- Frequent but intermittent periods of absence
- Regular patterns of sickness absence e.g. regular Friday and/or Monday absences
- Repeated instances of the same illness
- Where the member of staff's attendance record is satisfactory but their capacity to undertake their duties is seriously impaired by their state of health
- If occupational health advice is needed to support a member of staff with a declared disability
- To ensure that a pregnant member of staff is properly supported
- To provide support to a member of staff who has unfortunately suffered a miscarriage or a still birth

- 11.3 Other examples of when it might be appropriate for a manager to refer to Occupational Health are included in sections 10 and 11 below.

11.4 A flow chart of the [Occupational Health Referral process](#) can be found at Appendix A.

## 12. Frequent short-term sickness

12.1 Frequent short-term sickness absence can give rise to a range of problems for both managers and colleagues and may have a greater adverse effect on performance and service delivery than long term absence. Sickness absence review meetings may be held for a number of reasons; but there are certain absence trigger points that will, if met within any three month period, automatically trigger such a meeting. These are:

- three separate periods of un-,self-, or medically certificated sickness
- unacceptable patterns of absence, for example, regular Friday or Monday absence, or absences during school holidays or around bank holidays or annual leave
- sickness which may be work-related

12.2 It is recommended that sickness review meetings be conducted in private and in a sensitive manner with the member of staff's attendance record and reason(s) for absence available for discussion. If the member of staff wishes to be accompanied by their trade union representative, managers are advised to accommodate this wherever possible. At the meeting the manager is advised to seek to establish the reason(s) for the absence and any underlying issues/problems which may be preventing the member of staff from attending work regularly. The manager is also advised to offer help and advice to assist the member of staff to improve their attendance. Where appropriate they might wish to explain the effect the absences are having on the work performance of the school/department and colleagues.

12.3 It is recommended that, at the end of the meeting a way forward is established and, as far as reasonably possible, agreed with the member of staff, and a time scale set to improve their attendance. The manager will write to the member of staff to confirm the outcome of the meeting within ten working days of the sickness review meeting. This letter, which will not constitute a formal warning, shall include the date of a follow up meeting after six weeks. It shall be copied to the relevant head/director and to the normal Human Resources contact for placement on the member of staff's file.

12.4 Helpful action that might be agreed includes:

- Temporary or longer term adjustments to working hours and/or duties
- Purchase of equipment to make work physically easier and

if necessary an assessment by a specialist in the field

- Referral to the Occupational Health service
- Suggesting that the member of staff contact the University's Employee Assistance Programme (EAP)
- Involvement of the Access to Work Service, where appropriate, in consultation with Human Resources.

12.5 If no substantial improvement has been made at the end of the review period and the advice from the Occupational Health Service (where a referral has been made) is that there are no medical grounds which should prevent the member of staff from regularly attending work, a sickness review meeting shall be convened. If a formal warning is issued at this meeting, this will normally take effect for twelve weeks.

12.6 If at the expiry of the required improvement period the member of staff has not been able to achieve a significant improvement in their level of attendance a further sickness review meeting shall be convened. If a second formal warning is issued at this meeting, this will take effect for twelve weeks.

12.7 If, at the expiry of the twelve week period, the member of staff's sickness absence level has not significantly improved a final sickness review meeting will be held and the member of staff's employment shall be terminated, unless there are sufficient mitigating circumstances.

12.8 The member of staff will have a right to appeal against this decision and details of the right of appeal will be provided to them.

### **13. Long and continuous periods of absence**

13.1 Managers are advised to seek advice from Human Resources on all long-term sickness absence cases. Advice might include inviting the member of staff to a meeting at work or home to discuss their health and/or seeking advice from the Occupational Health Service on the member of staff's health.

13.2 Following receipt of an Occupational Health medical report, if the advice is that the ill-health is not so serious as to preclude the member of staff returning to work, it is recommended that a meeting between the member of staff and their line manager is arranged to discuss the contents of the medical report, and what support the manager can provide to assist the member of staff's return to work. Examples might include:

- phased return to work
- return to work on a trial basis
- change in working hours

- transfer to alternative work
- refresher training
- additional or special equipment or changes in working methods that might assist the member of staff to make a viable contribution to the job review or reallocation of some duties
- job share

The member of staff may be accompanied or represented at this meeting by their trade union representative or by a person of their choice other than a person acting as a legal adviser\*. Human Resources may also be present at the meeting.

- 13.3 Further advice on reasonable adjustments and the disability discrimination act is available from Human Resources.
- 13.4 Where as a result of this consideration it is determined that the member of staff cannot make a viable contribution to the job without the school/department incurring excessive costs or impinging on the work of colleagues, the manager is asked to ascertain (in writing) from all other heads/directors whether there is any scope for redeployment to another area that might better suit the member of staff's capability, and document the outcome of this search over a period of four weeks.
- 13.5 Where redeployment is not applicable or not possible, the member of staff shall be invited to a formal ill health meeting, at which they may be accompanied or represented by their trades union representative, or by a person of their choice other than a person acting as a legal adviser\*.
- 13.6 The member of staff will have a right to appeal against the decision reached at the ill health review meeting and details of the right of appeal and the potential outcomes of any such appeal will be provided to them in the letter confirming the outcome of the meeting.
- 13.7 In certain circumstances the Occupational Health report might state that the member of staff's ill-health condition does not preclude them from ever being fit to work again but that it is not possible to state when this will be. In such cases a further Occupational Health review will be sought within a reasonable period of time.
- 13.8 If the outcome of the further occupational health review is unchanged the manager is advised to consider whether or not they can continue to keep the post open for the member of staff indefinitely. This may involve consideration of their need for that particular type of work to be carried out, the period of any course of treatment which the member of staff is undergoing, and the

date of expiration of sick pay. The member of staff shall then be invited to a formal ill health meeting at which they may make a case for their employment to continue. They may be accompanied or represented at this meeting by their trade union representative or by a person of their choice, other than a person acting as a legal adviser\*.

- 13.9 The employee will have a right of appeal against the decision reached at the ill health meeting and details of the right of appeal and the potential outcomes of any such appeal will be provided to them in the letter confirming the outcome of the meeting.

### **13.10 Members of staff who are permanently unfit for their post**

13.10.1 Where the University's Occupational Health Service determines that a member of staff is permanently unfit, the line manager is advised to meet with the member of staff to advise them of the outcome and discuss arrangements for ending the employment relationship including any pension entitlements if applicable. In such circumstances, a formal ill health meeting will not normally be necessary, but the consultation with the staff member will include them having their trades union representative or person of their choice other than an individual acting in a legal capacity present, if they wish. A representative from Human Resources will also be present.

13.10.2 Any termination of employment will be with contractual or statutory notice, whichever is the greater. The member of staff shall be entitled to receive full pay during this notice period and will not be required to work this notice period.

13.10.3 Where the member of staff has participated in one of the University's superannuation schemes for the relevant eligibility period, they may be entitled to receive accrued pension benefits, subject to the rules of their pension scheme.

- In the case of the Teachers Pensions Scheme, any decision to award pension benefits will rest entirely with the Department for Education's/BIS' medical advisers.
- In the case of the Local Government Pension Scheme, the University shall act upon the decision of its Occupational Health Service, but shall have discretion to determine the level of pension benefits that shall be awarded in accordance with pension scheme provisions, basing their decision on the medical prognosis provided in the report from the

Occupational Health Service. In such cases, the line manager will seek advice from HR to ensure equity of application, who in any event shall be responsible for authorising ill health retirement on behalf of the University.

- In the case of the USS pension scheme, any decision to award pension benefits will require the approval of the USS limited (the Trustee Company).

#### **14. Redeployment on medical grounds**

14.1 Where redeployment takes place, this shall be made according to the normal conditions of service for the alternative post and will be subject to an appropriate trial period and salary protection in line with the University's [Redeployment Procedure](#).

#### **15. Precautionary suspension from attending work**

15.1 Suspension in sickness absence cases will only occur exceptionally. For example in cases of sickness absence where it becomes apparent that the member of staff is exhibiting serious health problems or there are concerns that they may have a contagious condition/disease which is potentially endangering their health or the health of their colleagues. In all such instances, a decision to suspend must have the approval of the head/director.

#### **16. Disability**

16.1 Managers are advised to ensure that they are fully up to date with legal obligations and are proactive in applying best practice in respect of disability legislation in order to fully assist staff with disabilities. Further details on disability can be found in the [Equality and Diversity policy](#).

#### **17. Occupational sick pay**

17.1 Details of occupational sick pay, which is available to support members of staff who are sick and whose absences are authorised, is provided as part of the University's conditions of service, in accordance with contractual provisions. Details of sickness pay entitlements can be found in the relevant [Contract Interpretation Agreement](#) published on the Employee Support web pages.