



PRIFYSGOL  
**BANGOR**  
UNIVERSITY

**SICKNESS ABSENCE POLICY**

**ACCOMPANYING PROCEDURES**

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## **1 Introduction**

These procedures support the University's Sickness Absence Policy, the purpose of which being;

*Committed to promoting the health, safety and wellbeing of all staff. This policy is designed to promote good practice, and to provide a framework for the effective management of sickness absence. Its objective is to minimise absence levels whilst maintaining a fair, sensitive, timely and consistent approach for handling staff sickness absence.*

This document should be viewed as a toolkit by which to implement the policy, and the principles contained within it, and as such should be read in conjunction with the policy. This procedure is not University policy and does not form part of employees' terms and conditions of employment.

## **2 Defining Sickness Absence**

Sickness absence refers to an employee's absence from the workplace due to ill-health. In deciding whether the Sickness Absence Policy or the Capability and Supporting Performance Policy will initially apply, consideration should be given to how the ill-health is affecting the employee's ability to carry out their job to the required standard. If the issue is primarily that the individual has unacceptable levels of absence from work, then the Sickness Absence Policy will initially apply. If the individual is largely attending work but their performance of their work is affected due to ill-health, the Capability Policy will apply. Similarly, unauthorised absence which is an issue of conduct may fall within the scope of the University's relevant Disciplinary Policy.

Advice should be sought from Human Resources if managers are unsure which procedure is appropriate or they believe they may need to follow.

## **3 Responsibilities**

Employee:

- Will alert managers to any problems/issues which may have an impact on their attendance/health or performance so that they can offer suitable support;
- Will follow correct notification/certification processes, ensuring their manager has as much information as possible about their absence to enable them to provide appropriate support and advice;
- Will maintain regular contact with their manager whilst off on sickness absence, (the frequency and means of contact should be agreed with the manager);
- Will engage in processes, which may include attendance at informal/formal meetings whilst off on sickness absence, e.g. sickness review and return to work discussions, attendance at Occupational Health.

Managers:

- Are responsible for ensuring that the Sickness Absence Policy is applied fairly and consistently within their area of responsibility.
- Have a duty of care for the health, safety and welfare of their staff and will work supportively in conjunction with HR and Occupational Health to support staff who are absent from the workplace.
- Are responsible for managing sickness effectively, ensuring absence is monitored and regularly reviewed to ensure that problems or patterns are identified and managed at an early stage.
- Are responsible for remaining in contact with absent employees throughout their period of sickness.
- Are responsible for carrying out return to work discussions and other review meetings, promoting a positive working environment, motivating and managing their team to maximise attendance.
- Are responsible for ensuring that all employee sickness absence is recorded and self and medical certificates forwarded to Human Resources in a timely manner for processing, within one week of receipt.

#### Human Resources:

- Will oversee the introduction, operation and monitoring of the policy.
- Will ensure the provision of training, guidance, advice and support for managers on the operation of the policy.
- Will work with managers and staff to facilitate a return to work, including provision of advice, support and referrals to the Occupational Health Practitioner.
- Will assist and provide appropriate support and information to employees in relation to redeployment or for ill-health retirement.
- Will be present to provide support to the line managers and staff at formal sickness absence review meetings.
- Will advise employees who are off on a period of long-term absence of their sickness pay status.

#### Occupational Health Practitioner:

- Will provide independent, competent occupational health advice in order to assist the manager and employee when considering options regarding managing an employee's sickness absence.
- Will provide confidential support and advice to employees.
- Will facilitate case conferences should the complexity of the absence require this level of intervention.
- With the consent of the individual employee, seek medical reports from the GP, Specialist or other appropriate practitioner.
- Will, in response to a referral provide a comprehensive management report with information and advice on the nature, extent and impact of any medical condition in relation to a member of staff's contractual duties (with the member of staff's consent).
- Where staff do not give consent for the Occupational Health Practitioner to report back to their Manager and Human Resources and / or are unable to

attend for an appointment, a simple but functional report will be sent providing professional advice of the member of staff's fitness to work, fitness to attend meetings or other, based on the information available on the statement of fitness for work and / or any additional medical information received.

- Will give advice to managers, if requested, when an employee has been declared fit for work by their GP subject to workplace modifications, altered hours or amended duties being implemented.

*\*Section 11 below provides further detail about the Occupational Health service. Appendix 4 and 5 provide further detail about the Occupational Health referral process.*

Trade Union Representatives:

- Will work in partnership with Managers, Human Resources and Occupational Health in supporting trade union members to remain in work.
- Will represent, as appropriate, trade union members who are being managed under this policy and provide support and advice with due regard to the Sickness Absence Policy, accompanying procedures and / or any other related policies or procedures.

#### **4 Reporting Sickness Absence**

You must follow the agreed procedure within your College / School / Department for the reporting of sickness absence.

In all cases, if you are unable to attend work due to sickness you must phone your manager (or appointed deputy) no later than half an hour after your normal start of work time during the morning of the first day of absence, or if you are incapable someone else should phone on your behalf, and inform your manager of:

- The nature of the illness.
- Any steps you are undertaking to assist your recovery e.g. making an appointment with your GP.
- When you will contact your manager again with an update.
- Any important work which may need actioning by someone else or diary appointments that may need to be rescheduled.
- When you envisage returning to work.
- Depending on the reasons of absence and likely length of your absence, you may wish to request copies of any important information to be forwarded from your Line Manager, or request to have your pay-slips sent to your home address.

Should you become unwell at work you must notify your Line Manager (or appointed deputy) before leaving.

If you are absent from work for less than 7 consecutive calendar days, you must complete a Self-Certificate Form (Appendix 2). If you are absent for 7 or more consecutive calendar days, a Fit Note is required from your doctor.

## **5 Contact during Sickness Absence**

You should maintain regular contact with your Line Manager and HR where appropriate. Where possible the regularity of contact will be agreed during the initial call. If your absence is due to psychological reasons and it is appropriate, your manager and or HR may initiate contact in order to alleviate any work concerns and provide support where possible to facilitate a future supported return to work.

Where telephone contact is not possible alternative arrangements for continuing contact should be agreed. These arrangements should be agreed in advance and you should not wait until the first absence occurs.

Where you fail to maintain regular contact your Line Manager will contact you at home to ascertain the reason why and to receive an update or to arrange a absence review meeting to discuss issues associated with the absence and/or to discuss a return to work strategy. Contact in such circumstances should be reasonable to the situation.

Being signed off sick from work does not preclude you from attending meetings with your manager, and/or HR or Occupational Health to discuss your prognosis, likely return and any adjustments that might need to be made, unless the Fit Note specifically says that you're not fit to attend such meetings. However we will make reasonable adjustments where necessary due to disability e.g. home visits.

Should you prefer not to receive a home visit your wishes will be respected, however progress will continue via other means e.g. telephone, Occupational Health appointment, meeting at a neutral location. Lack of engagement will result in the process being continued in your absence based on the information we hold at the time. Where staff members have not engaged or responded to repeated attempts at contact, the University may potentially withhold pay.

## **6 Sickness Absence Certification**

You are required to submit relevant documentation to support the period of sickness absence as follows:

Absence 1- 7 calendar days	A self-certificate must be completed on your return to work
Absence of more than 7 calendar days	A Statement of Fitness for Work (Fit Note) is required from your doctor

It is the employee's responsibility to ensure that all sickness absence documentation is submitted promptly to the Line Manager (or appointed deputy) who will forward it to Human Resources immediately after the absence episode.

It is the employee's responsibility to ensure that all sickness absence documentation is submitted promptly to the Line Manager (or appointed deputy) who will forward it to Human Resources immediately after the absence episode. Please note, in relation to the Fit Note, the employee should retain the original note, with it being scanned

and sent to Human Resources (hr@bangor.ac.uk). Fit Notes should be forwarded as soon as possible after they are received from the employee's doctor.

### Unauthorised absence

If you do not notify your Line Manager that you are absent or fail to send in certificates on time, the absence will be regarded as unauthorised and you will be absent without pay. Where you have been unable to comply with these procedures, you should inform your Line Manager of the reasons why. Your manager should seek advice from Human Resources and it will be decided whether or not payment should be reinstated

Misrepresentation of reasons for absence or unauthorised absences may result in the use of the Disciplinary Procedure, which ultimately, may lead to dismissal

## **7 Sick Pay Entitlement**

The University is responsible for paying Statutory Sick Pay (SSP) in accordance with the legislation in existence at the time of the sickness absence.

Occupational Sick Pay, payable by the University, is related to your length of service with the University. This entitlement is as follows:

<u>Length of Service</u>	<u>Full Pay</u>	<u>Half Pay</u>
First year (after 3 months)	2 months	2 months
Second & third year	3 months	3 months
Fourth & fifth year	5 months	5 months
Five years plus	6 months	6 months

The calculation of sick pay is the responsibility of the Payroll Department. Human Resources (HR) will write to you in advance of your pay being reduced to half or nil pay. Should absence continue, HR will give advice on where to claim incapacity benefit and the implications for those who are then unable to maintain their contributions to the University's pension schemes

You do not have the right to exhaust your entitlement to sick pay if a reasonable decision regarding your fitness to resume work can be made sooner.

A failure to submit sickness documentation or a failure to engage and inform the University about your sickness may result in sickness payments being stopped or suspended.

## **8 Return to Work Review**

The immediate line manager will ensure that a return to work discussion is carried out for all individuals following self-certified or certified absence from work, completing and returning the required form to Human Resources (Appendix 3).

## **9 Short-term absence**

Short-term absence is defined as absence of up to 19 calendar days, and may not relate to an underlying health condition.

### **9.1 The management of short term absence**

The absence of an employee due to sickness for 5 periods of absence in a rolling 12 month period, or 20 working days or more within the same period will trigger a review of their absence record (part day absences may count towards these triggers). This is what is meant by 'trigger point'.

Where this trigger point has been reached the manager will need to review the case as part of the return to work review and consider:-

- a) If the absences relate to sickness arising from a disability/underlying health condition or other reason relating to a protected characteristic.
- b) Whether there is a likelihood of a reoccurrence
- c) Whether the absence record indicated a trend/pattern of absence e.g. before or after holidays, following weekend or non-working days.
- d) Whether there has been failure to follow the sickness notification procedure, especially if on repeated occasions reminders have been given.

The above list is not exhaustive and other relevant information could be used in the review.

A review will allow a manager to decide, based on the individual case, how best to proceed. Depending on the circumstances the manager may decide to:-

- a) Take no further action,
- b) Begin formal absence review arrangements (no underlying health reasons). Further information provided in section 9.2 below.
- c) Begin capability review meetings in accordance with the Capability and Supporting Performance Policy (where disability/underlying health reasons are present). Further advice can be obtained from Human Resources in relation to the process to be followed.

### **9.2 Formal Absence Review arrangements**

Formal absence review arrangements will take the form of an Absence Review meeting, at which the staff member may be accompanied by a colleague / Trade Union representative and the Manager be supported by a HR representative.

At the meeting the Manager will outline the sickness absence concerns that have led to the meeting and will review the circumstances of the case and the actions taken to



date. The employee will be given the opportunity to state their case and raise any factors they wish to have considered.

The manager should identify if there are measures, such as Occupational Health Referral or support which may be beneficial and will discuss any attendance targets for improvement and a timescale for review.

If as a result of the meeting and the evidence presented it is considered that no further action is required, this will be confirmed to the employee in writing.

Where as a result of the meeting and based on the evidence presented the employees attendance remains unsatisfactory, the manager will write out the employee issuing a formal improvement notice. The Improvement notice will state

- the improvement in attendance required,
- the timescales for improvement,
- any support to be provided
- the consequences of not meeting the attendance target within the review period making reference to the relevant disciplinary procedure.

If, upon completion of at least two absence review meetings over a reasonable time-scale, the staff member has not met the targets specified, and sustained the required level of attendance, this would then be regarded as misconduct, and a hearing would be convened in accordance with the relevant Disciplinary Policy.

## **10 Long Term Absence**

Long Term absence is defined as a continuous period of absence of 20 or more calendar days or intermittent absences that amount to 20 days where the reason for the absence is related to an underlying medical condition or disability.

### **10.1 Management of Long Term absence**

The management of an employee's absence should be carried out proactively with the priority aim of supporting the employee and facilitating a return to work as soon as possible. To manage the employee's absence from work, the manager should maintain contact, establishing the facts surrounding their absence, prognosis and possible time scales for return to work.

In less complex cases, where the prognosis for absence is clear from an early stage and the employee is expected to be fit for work within a particular timeframe, the line manager and employee may be able to agree locally what contact and support is required in order to devise a plan to support the return to work. Normally however it is expected that absence review meetings would take place, after 20 days of absence (1 month) and then every 8 – 12 weeks thereafter, or at more regular intervals where it is felt to be necessary.

## **10.2 Absence Review meetings**

The purpose of the absence review meeting is as noted below, at which the staff member may be accompanied by a colleague / Trade Union representative and the Manager be supported by a HR representative. To establish;

- a) Likely duration of absence
- b) State of health and readiness to return to work
- c) Need for support / further advice and what can be considered to facilitate a return to work

*(See Appendix 6 for further details on types of reasonable adjustments)*

Employees should engage fully with their line manager and other representatives during the arrangements put in place to review and manage long term absence, including attending arranged meetings during periods of absence.

Where it is considered that a phased return to work would be beneficial, this will be discussed and would allow the staff member to return to work starting at reduced hours for a short period and building up hours gradually to their normal contracted hours. Normal pay would be received during the phased period, which would be for up to a maximum of four weeks.

If a staff member feels that they are not able to return to their normal contracted hours of work at the end of the phased return period, flexible working arrangements may be considered in accordance with the Flexible Working policy.

Where a staff member does not engage in reviews and does not work with their manager to ensure he/she is able understand the circumstances of their absence and to discuss different options for support which may facilitate a return to work, decisions will be made on the basis of what information is available.

Where absences are likely to continue and a return to work plan cannot be facilitated during the initial attendance reviews, either after the first or second attendance review meeting, the matter will be dealt with in accordance with The Capability and Supporting Performance Policy. The steps undertaken to date within this policy will constitute the informal stages.

## **10.3 Dismissal on Grounds of Capability**

Where absence review meetings that have taken place within this policy and meetings at stages 1 and 2 of the Capability and Supporting Performance Procedure have not led to individuals being able to return to work, and where ill health retirement is not deemed appropriate, dismissal on the grounds of capability may be considered where advice is that the individual is unlikely to return to work within a reasonable amount of time.

A meeting will be convened in line with Stage 3 of the University's Capability and Supporting Performance Procedure to review the situation and decide on the appropriate outcome, which may include dismissal.

There will be occasions where all parties are in agreement that due to incapability, dismissal on the grounds of capability is appropriate and where this is the case the employment contract can be brought to an end through agreement without the need for a Stage 3 meeting.

#### **10.4 Redeployment on Medical Grounds**

If a GP or Occupational Health professional concludes that a staff member needs to be redeployed to another position in order to return to work, the staff member will be invited to join the redeployment register. The staff member's skills and abilities, as well as information provided in the GP/Occupational Health report, will be considered in order to assess if a suitable match can be found with any vacancies that arise at the University in accordance with the Redeployment Policy. If no suitable alternative position can be sought within a defined time period, the staff member may be dismissed with due notice.

### **11 Occupational Health Advice**

Medical information and guidance obtained through Occupational Health is key to informing the management of long term absence and ascertaining the medical position. The information will be considered in relation to legal requirements for disability within the scope of the Equality Act 2010.

For the majority of long term absence cases it will be necessary to instigate a referral to Occupational Health at the earliest possible stage when it becomes known that the absence is likely to last beyond 20 days.

The individual must be made aware of the referral before it is made and a copy of the referral form sent to them. Employees must make every effort to attend an Occupational Health appointment and give at least 24 hours' notice of cancellation.

In most circumstances Occupational Health will be able to provide a medical report based upon the employee attending an appointment. For complex absence cases consent may be requested of the employee for Occupational Health to seek a medical report from the employees GP or specialist.

Where information is not forthcoming or consent is not given, decisions will be made in the light of information available to the University.

A case conference approach may be recommended by Occupational Health or HR as part of an attendance review to support the employee back to work following sickness absence or to address work related issues (including disability) which require collective discussions.

Where a case conference approach is recommended attendance review meetings will typically include:-

- Employee
- Relevant line manager
- HR representative
- Occupational health representative
- Employee Rep (if required)

In some circumstances it may be necessary to include other individuals where specialist advice is required in considering and implementing workplace adjustments.

## **12 Ill Health Retirement**

The criterion for ill health retirement is having a medical condition that is permanent or likely to last until 65 years of age where you could be found to be permanently unable to carry out any regular employment of like duration.

Ill health retirement relates to members of the USS and BUPAS Pensions schemes, and will be considered where applicable, usually commencing when individuals begin their reduction to half pay and as part of the attendance review meetings and / or Capability Review meetings. Individuals will be supported to make an application by their HR Officer and the Pensions Manager.

A decision to grant ill health retirement is not made by the University, and is ultimately a decision for the pension trustees.

## **13 General Matters**

### **13.1 University Support Services**

The University provides a number of sources of confidential support/services which are available to you if you wish to use them.

Care 1<sup>st</sup> - confidential counselling & advice service:

<https://www.bangor.ac.uk/humanresources/eap/index.php.en>

Dignity Advisors:

<https://www.bangor.ac.uk/humanresources/equalitydiversity/links.php.en>

Employee Support Policies:

<https://www.bangor.ac.uk/humanresources/family.php.en>

### **13.2 Doctor /Dentist & Other Routine Appointments**

Requests for time off to attend such appointments will be dealt with sympathetically, however, it is expected that you attend such appointments in your own time where possible. Where this is not possible, appointments should be arranged to minimise any absence from work, for example, at the beginning or end of your normal working day. Due to operational requirements and if reasonable to do so, the line manager reserves the right to request an alternative date / time of appointment.

Time off for appointments will normally be with pay. Where treatment results in individuals becoming unfit for work, this absence should be recorded as sickness absence in the normal manner.

You should provide your appointment card or evidence of appointments.

### **13.3 Homeworking**

An employee should not request to or decide to work from home instead of reporting sickness absence and should not be working at home when signed off sick unless there is advice and agreement for this.

### **13.4 Sickness Absence and Annual Leave**

An employee, who is sick during a period of annual leave or on a bank holiday, can have their leave reinstated when covered by a Fit note. If there is a charge made for the fit note this will be recovered by the employing College / School / Department.

Annual leave and bank holidays accrue during the paid period of sickness absence. Where it has not been possible to take annual leave due to sickness absence, only the statutory amount of annual leave (up to 20 days for full-time members of staff plus any Bank Holidays) can be carried forward into the next leave year and has to be taken within 12 months of the end of the leave year in which it was accrued. This would be dependent upon the length of sickness absence.

### **13.5 Conduct during Sickness Absence**

The following guidelines concern an employee's conduct and/or activities during any period of sickness absence that are unacceptable and may be considered to be an abuse of the pay scheme and subsequently result in disciplinary action being taken. The University would not normally expect any employee who is absent from work due to sickness to:

- Participate in activities which are in any way contrary to the employees certified illness.
- Undertake any other employment whether paid or unpaid, or undertake voluntary work which is incompatible with the nature of the illness.

### **13.6 Third Party Claims**

If individuals are making a claim against a third party (e.g, following a car accident) included in the claim must be the cost of both Statutory Sick Pay (SSP) and Occupational Sick Pay received as a result of the injury or illness, details of which will be provided by Payroll,. When such a claim is successful the individual must reimburse the University the appropriate costs of sick pay.

### **13.7 Instruction to Leave Work on Health Grounds**

A manager, Occupational Health practitioner, or Human Resources may instruct an employee to leave work where they believe an employee is unwell or has a condition which causes concern and presents a risk to the employee and/or others. The employee must see their GP as soon as possible.

Where the GP issues a Fit note, the absence will be recorded in the normal way. The absence is paid as sickness absence. Where a GP does not issue a Fit note, the employee is not required to record a period of sickness absence and instead continues to receive full pay for the duration of the instruction by the manager / Human Resources to remain at home.

In certain cases an employee may be suspended from work on medical grounds. Such suspension will be on full pay and shall be reviewed in line with any medical advice received. The decision to suspend will be taken by the Director of Human Resources and / or the Occupational Health practitioner.

## **14 Policy Review**

This Policy and Procedure will be reviewed at regular intervals of not less than three years, unless to comply with statutory changes or case-law. All reviews will include consultation with the recognised campus Trade Unions. This policy has been equality impact assessed prior to its implementation.