



LEEDS
BECKETT
UNIVERSITY

Sickness Absence Management Policy and Procedure

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Policy Statement

Purpose and Core Principles

Leeds Beckett University aims to provide a healthy working environment and is committed to the health, safety, and wellbeing of employees. The University will continue to promote policies and practices that support staff well-being.

This policy and procedure aims to ensure that staff who are experiencing ill health are offered support and guidance whilst minimising the incidence and impact of absence and provide a framework for an effective and consistent approach in the management of sickness absence.

High levels of absence can be a serious problem for the University, impacting on service provision and on work colleagues. Employees are expected to minimise absence due to sickness and to keep in regular contact with the University during any period of absence.

For those staff with a recognised disability it is important that, in accordance with the Equality Act, appropriate support and reasonable adjustments are fully considered to enable staff to maintain acceptable levels of attendance and to undertake the duties of their role. Specific guidance on this issue is also contained within the 'Essential Guide to Managing Sickness Absence'.

Sickness absence will be monitored and action taken in accordance with this policy and procedure. In certain cases it may be necessary to terminate the employment of individuals due to incapacity and/or failure to maintain acceptable levels of attendance.

The 'Essential Guide to Managing Sickness Absence' provides comprehensive guidance on the key aspects of this policy and procedure and should be referred to by managers and staff throughout the application of this policy and procedure.

Scope

This policy and procedure applies to all employees of Leeds Beckett University, with the exception of casual workers. This policy and procedure applies to frequent short term absences, to long term absences and to combinations of both long and short term absences.

Whilst the focus of this policy and procedure is the management of sickness absence, when reviewing an employee's overall attendance at work it may be necessary for managers to consider and note other types of absence including unauthorised absence and authorised but unplanned absence.

Sickness absence is not considered to be a disciplinary matter and therefore will be addressed in accordance with this policy and procedure. The misuse of the sickness absence policy and procedure or a lack of compliance with the reporting requirements may be considered to be misconduct and dealt with through the disciplinary procedure.

There may be occasions exceptionally, where it would not be appropriate to refer an employee to the formal stages of this procedure. In these circumstances the manager should contact the Employee Relations Manager to agree on the most appropriate approach.

Responsibility

Managers are responsible for the management of sickness absence of their employees through the application of this policy and procedure. The People Team is responsible for providing training, advice and guidance on the application of this policy and procedure. Occupational Health is responsible for providing advice and guidance on the medical aspects of sickness absence.

Review

The application of this policy and procedure will be monitored in light of legislative changes and organisational requirements as appropriate.

Procedure

1. Reporting and Maintaining Contact

- 1.1 In the event of absence due to sickness, employees are responsible for ensuring their compliance with our University's requirements for reporting sickness absence. These requirements are detailed in Appendix 1.
- 1.2 Employees are required to make all reasonable attempts to remain in regular contact with their manager during periods of sickness absence to enable managers to provide the appropriate support and to make plans for covering the absence. Where appropriate, managers may reasonably contact employees at home.
- 1.3 Payment of sick pay is dependent on employees adhering to these requirements.

2. Recording and Monitoring

- 2.1 Managers are responsible for recording and monitoring all absence of their staff, including absence due to sickness. This includes monitoring levels and patterns of absence, conducting return to work discussions and taking appropriate action in accordance with this procedure.
- 2.2 Managers should monitor absence information on a regular basis to determine actions that may need to be taken and to inform discussions with employees. Managers should gather sufficient information about the nature and extent of any illness, including matters relating to disability that may be affecting an employee's attendance.
- 2.3 Managers must maintain appropriate confidentiality and comply with data protection requirements in relation to any information and documentation relating to sickness absence.

3. Managing Sickness Absence - Informal Discussions

- 3.1 Managers should discuss any absences with employees informally and have a general concern for the health and wellbeing of staff.
- 3.2 As part of these informal discussions, all employees must have a return to work discussion with their manager on their first day back at work, or at the earliest opportunity, after every instance of sickness absence. This will help determine whether or not any support and action should be taken including referral to Occupational Health.

4. Managing Sickness Absence - Referrals to Occupational Health

- 4.1 Occupational Health referral is to provide professional support and advice to managers in various circumstances, including where employees are on or are likely to be on long

term absence, for medical advice in relation to the potential impact of a disability, following an accident at work and where early advice/intervention is appropriate.

- 4.2** When an employee is unable to attend an appointment with Occupational Health they must immediately re-arrange. Failure to attend Occupational Health appointments without good cause could result in disciplinary action.

5. Managing Sickness Absence – Notification and Conduct of Meetings

- 5.1** Five working days' written notice will be given to employees of meetings under this procedure. Ten working days' written notice will be given to employees of an Attendance Review Panel meeting, along with all relevant documentation.
- 5.2** Employees can be accompanied and represented by a full-time Trade Union officer, a Trade Union representative (who is an employee of the University), or work colleague at formal meetings under this procedure.
- 5.3** If an employee fails to attend a meeting without good reason, the meeting may go ahead in the absence of the employee and a decision may be reached regarding any actions to be taken, including progression to the next Stage of the procedure.

6. Ill Health Suspension

- 6.1** In exceptional circumstances it might be necessary for management temporarily to suspend an employee from work or temporarily to prohibit a return to work following an absence. An employee on ill health suspension will receive normal pay. All cases of ill health suspension must be recommended by the People Team and must be approved by the Vice Chancellor.

7. Managing Short-term Absence

7.1 Short-term Absence

- 7.1.1** For the purpose of this policy and procedure, short-term sickness absence includes all uncertified and certified absence of up to four weeks in duration.

7.2 Thresholds and Action

- 7.2.1** In order to ensure consistency, the University applies thresholds to determine when an absence record should be subject to further action.
- 7.2.2** Stage 1 of this procedure must be instigated if an employee reaches any of the following levels of absence in a rolling 12 months calendar period:
- 10 days absence (pro rata for part time employees)
 - 5 instances of absence

7.2.3 These levels of absence should not be seen as an accepted level of absence and it may be appropriate for a manager to instigate a Stage 1 meeting in advance of an employee reaching this level of absence. Any employee reaching the above absence thresholds will be required to attend a Stage 1 meeting with the manager.

7.2.4 There may be occasions exceptionally, where it would not be appropriate to refer an employee to the formal stages of this procedure. In these circumstances the manager should contact the Employee Relations Manager to agree the most appropriate approach.

7.2.5 Where an employee has been removed from a formal stage of the procedure, but fails to sustain a satisfactory improvement in their level of attendance, the manager reserves the right to invoke the procedure at an advanced stage, or a stage may be omitted.

7.3 Stage 1

7.3.1 The focus of the Stage 1 meeting is to discuss sickness absence with the employee; to identify the reasons, including any underlying issues and to consider appropriate support at the same time. This will include matters relating to disability. Where appropriate, the manager should bring any concerns about the level of attendance to the attention of the employee.

7.3.2 The outcome of the Stage 1 meeting should be confirmed in writing to the employee as soon as possible. This should include where appropriate, any actions that have been established, targets for improvement, consideration of any reasonable adjustments including in relation to disability, other support (where applicable) and a timescale for review.

7.3.3 The date for review will be brought forward by the manager if expectations are not met, where new information comes to light or other events occur which make it inappropriate to wait for the scheduled review date.

7.3.4 Following a Stage 1 review period a further meeting should be held with the employee to confirm one of the following actions:

- To confirm that the employee is no longer in a review period (and therefore no longer within a formal stage of the procedure)
- To extend the Stage 1 Review period
- To instigate Stage 2 of this procedure

7.3.5 If a decision is taken to instigate Stage 2 of the procedure, the stage 2 discussion may follow on as part of the stage 1 review meeting.

7.4 Stage 2

7.4.1 The outcome of the Stage 2 meeting should be confirmed in writing to the employee as soon as possible, including details of the expectation of future attendance including

targets or a return to work date, consideration of any reasonable adjustments (where applicable) and a timescale for review.

7.4.2 It should be confirmed that an inability to sustain the required improvement in attendance in line with the stated expectations will place the employee's continued employment at risk.

7.4.3 Following a Stage 2 review period a further meeting should be held with the employee to confirm one of the following actions:

- To confirm that the employee is no longer in a review period (and therefore no longer within a formal stage of the procedure)
- To extend the Stage 2 Review period
- To instigate Stage 3 of this procedure

7.5 Stage 3 – Attendance Review Panel

7.5.1 The employee will be informed that progression to Stage 3 involves a meeting of an Attendance Review Panel, which will consider the issue of continued employment. Ten working days' notice of the Attendance Review Panel meeting will be given to the employee, along with all relevant documentation. The employee in turn must provide all relevant documents at least five working days in advance of the Attendance Review Panel meeting.

7.5.2 The Attendance Review Panel will comprise of the Vice Chancellor (or nominee) and two managers who have had no prior involvement in the case. A representative from the People Team will attend to advise and participate in the Attendance Review Panel meeting.

7.5.3 The Attendance Review Panel will receive information and documentation from the manager who dealt with the case at Stage 2, who will also make a statement of the case. The manager may be accompanied by a member of the People Team who also has knowledge of the case. The employee and his/her representative and the Attendance Review Panel will have the opportunity to ask questions of the manager.

7.5.4 The employee and his/her representative have the opportunity to make a statement and respond to the case put forward by the manager. The manager and the People Team representative supporting the manager and the Attendance Review Panel will have the opportunity to ask questions of the employee.

7.5.5 Witnesses are not permitted at any stage. However, any relevant documentation may be submitted to the Attendance Review Panel by the employee, subject to this being provided at least five working days in advance of the Attendance Review Panel meeting.

7.5.6 The Attendance Review Panel may decide to dismiss an employee and terminate employment on the grounds of incapacity and/or unsatisfactory level of attendance.

Action short of dismissal may include extension of a further period of review for the employee, where appropriate.

7.5.7 If the employee fails to attend the Attendance Review Panel meeting without good reason, the meeting may go ahead and a decision will be reached in the employee's absence. The employee will be notified in writing of the outcome of the Attendance Review Panel and, will have the right of Appeal in the event of dismissal. Details of the appeal process are provided in the Staff Appeals Policy and Procedure.

8. Managing Long Term Sickness Absence

8.1 Definition and Procedure

8.1.1 For the purpose of this policy and procedure long term sickness absence is defined as any single period of sickness absence of four or more weeks.

8.1.2 The relevant manager should contact the Employee Relations team after an employee has had a period of absence of four or more weeks or on receipt of an employee's fit note covering a period of four weeks or more, to discuss an appropriate approach. The approach taken in each case will take into consideration the reason for the absence; the likely duration of the absence and the medical information available including from Occupational Health.

8.1.3 The manager and employee should keep in regular contact throughout the absence period and meet on an appropriate basis. All such meetings will be held under this procedure and correspondence should reflect this. In most cases it would be appropriate to refer the employee to Occupational Health and subsequently to meet the employee to discuss the Occupational Health report in order to facilitate a return to work as quickly as possible. The discussion should include the diagnosis and prognosis, likely timescale for a return to work, disability related matters and reasonable adjustments, the appropriateness of a phased return to work and any other relevant matters. The key points and agreed actions should be confirmed to the employee in writing following the meeting and a review date arranged.

8.1.4 The University will give consideration to what is reasonable in terms of the length of the absence and the expected period of recovery taking into account appropriate medical advice and any support that needs to be put in place. In some circumstances, the employee should also be made aware that continued absence from the University may put employment at risk and, should the absence continue, the University may have no alternative but to consider dismissal on the grounds of incapacity.

8.1.5 It is not necessary for an employee's sick pay allowance to expire before any action is taken, medical advice sought, or decisions about future employment are made.

8.2 Returning to Work on Reduced Hours or Range of Duties

8.2.1 A return to full time working after a long illness and absence can be assisted in some circumstances by a phased return to work. When appropriate, a maximum period of four weeks on normal pay will be approved.

8.2.2 An adjustment of duties for a specified period and subject to review may be appropriate to support an employee to return to work.

8.3 Termination of Employment on Health Grounds - Ill Health Retirement

8.3.1 Ill health retirement, for pension scheme members, may occur as a result of an assessment and recommendation by an independent medical practitioner approved by the relevant pension scheme.

8.4 Termination of Employment – Capability/Incapacity

8.4.1 In some cases, the relevant pension scheme and/or the University may be unable to confirm that ill-health retirement is appropriate. Alternatively, the employee may decline to opt for an ill health retirement or may not be in an occupational pension scheme. Regrettably, in these circumstances, the case will be considered by an Attendance Review Panel involving the Vice Chancellor (or nominee) and others as set out above and a decision taken whether or not to terminate employment on the grounds of ill health/incapacity or unsatisfactory levels of attendance.

8.4.2 The employee will be notified in writing of the outcome of the Attendance Review Panel and, will have the right of Appeal in the event of dismissal. Details of the appeal process are provided in the Staff Appeals Policy and Procedure.

Related Policies and Documentation

Essential Guide to Managing Sickness Absence

Stress Management Policy & Procedure

Flexible Working Policy

Time Off for Public Duties & Special Leave Policy & Procedure

Staff Appeals Policy and Procedure

Reviewed September 2019

REPORTING SICKNESS ABSENCE

In the event of sickness absence employees are responsible for ensuring that sickness absence reporting requirements are met. Employees should notify their immediate manager on the first day of their absence, within half an hour of their scheduled/normal start time or sooner as applicable.

Employees are required to provide the following information:

- The exact nature of the illness
- Any work commitments for that day that will need covering or re-arranging
- If the absence is connected to an accident at work
- The expected duration of the absence and anticipated return to work date
- A contact telephone number

Employees should report sickness absence orally to their manager. Where employees are unable to indicate a return to work date, employees are required to telephone their manager (or other specified person) on each day of absence.

Only in exceptional circumstances where it is not possible for employees to contact their manager, should another person telephone on their behalf.

In cases where employees are unable to return to work on the anticipated date of return previously communicated, employees are required to again contact their manager as soon as possible on that date.

Employees can self-certify any absence up to and including seven calendar days upon their return to work. If any absences exceed seven calendar days, employees are required to provide a Statement of Fitness for Work or 'Fit Note' from a doctor and ensure this and any subsequent 'Fit Notes' are sent to the appropriate manager in a timely manner, normally expected to be received by their manager within three working days of the expiry of the previous 'Fit Note'.

Failure to comply with the above reporting and notification procedures may lead to the absence being classified as unauthorised absence and/or may lead to occupational sick pay being withheld.

Employees must also make contact with their manager to notify the manager of their forthcoming return and to discuss any issues noted on the 'Fit Note'.

If an employee partially attends on any working day due to sickness, either arriving for work late or finishing work early this will be recorded as a half day of sickness absence.