

**PRIFYSGOL ABERTAWE
SWANSEA UNIVERSITY**

**SICKNESS ABSENCE
MANAGEMENT PROCEDURE**

June 2016

CONTENTS

1. Introduction	3
2. Roles and Responsibilities	3-4
3. Notification of Sickness Absence	4-6
4. Absence related to a disability	6
5. Medical Appointments	6
6. Annual Leave	7
7. Sick Pay	7
8. Management of Short-Term/Frequent Sickness Absence	8-9
9. Management of Long-Term Sickness Absence	9-10
10. Termination of Employment – Long Term Absence	10-11
11. Ill-Health Retirement	11
Appendices	
Return to Work Review – Guidance	12-13
Self Certification Form	14

1. Introduction

The aim of this procedure is to give clear guidance on how the University will implement its Sickness Absence Management Policy. It sets out the roles and responsibilities for managing sickness absence, how sickness should be reported and the process to be followed in cases of short term frequent absence and long term absence.

2. Roles and Responsibilities

In order to ensure fair and consistent treatment it is essential that all individuals carry out their roles and responsibilities in managing absence.

2.1 Role of the Employee

- To notify the appropriate person in the College/Department on their first day of absence, or as soon as practicable, in accordance with the correct procedures for notification of sickness absence.
- To maintain regular contact with their manager, as appropriate, during their period of absence.
- To obtain appropriate medical certification if the absence exceeds seven consecutive calendar days.
- To seek the appropriate advice and treatment to facilitate their recovery. Employees who engage in activities which may impede their recovery and delay their return to work could be subject to disciplinary action, and/or have their entitlement to Occupational Sick Pay withdrawn.
- To make contact with their manager once in receipt of a fit note and inform them if the fit note includes additional advice that may support a return to work.
- To attend absence meetings or medicals when requested.
- To attend a return to work review following each period of absence.

2.2 Role of the Head of College/Department

- To ensure that the policy is applied in a fair and consistent manner.
- To ensure that notification procedures are followed with accuracy and timeliness.
- To maintain communication with absent staff as appropriate.
- To conduct return to work reviews.
- To monitor sickness absence, highlighting patterns of frequent absence, and/or areas of concern.
- Where ever possible to implement any suggested adjustments made by Occupational Health, Human Resources or the individual's GP.
- To ensure staff members within the College/Department who are involved in managing absence are aware of the policy and procedures and are trained accordingly.
- To seek advice and support from the Human Resources Department, as required.

2.3 Role of the Human Resources Department

- To provide advice and support to Schools/Departments for managing both short and long term absence.
- To liaise closely with managers to ensure the policy and its procedures are fairly applied.
- To refer individuals to the Occupational Health Department, as appropriate.
- To provide training sessions as requested.
- To monitor and review the Absence Management Policy to ensure best practice.
- To liaise with external agencies, as appropriate.

2.4 Role of the Occupational Health Department

- To provide a confidential support service to employees.
- To provide medical advice to the Human Resources Department regarding employee fitness in relation to their duties/attendance at work and, where appropriate, offer guidance on alternative duties and adjustments to the workplace.
- To make contact with individual's GP's to help manage a period of sickness.

2.5 Role of the Staff Counselling Service

- To provide a confidential counselling service to members of staff.

3. Notification of sickness absence

It is the responsibility of the employee to inform the nominated representative in their College/Department by telephone, as early as possible on the first day of absence. They should indicate the reason for the absence and where possible give an indication of the anticipated duration of the absence.

In exceptional cases a telephone call from a friend or relative will be accepted.

Throughout the period of absence, employees are required to keep their manager (or nominated representative) informed of their progress and when they are expecting to be able to return to work. The frequency of this contact can be agreed, dependant on the reason for the absence and the expected timescale for recovery.

If a fit note is issued and it gives advice or suggestions that may facilitate a return to work, employees should contact their manager immediately.

Failure to provide the necessary certification could lead to sick pay being suspended until the documentation is received. In the case of continued failure to provide certification, disciplinary action may be taken.

3.1 Definition of the “first day” of absence

The “first day” of absence is the first complete day of absence. If an employee becomes ill whilst at work and is subsequently sent home, or absents themselves, and is absent from work on the following working day, they must follow the notification procedures as above. If they have not done any work on the day they were sent home/absented themselves, then that day would be deemed as the first day of sickness.

3.2 Periods of sickness between 1-7 calendar days

Staff must complete a Self Certificate Form (Appendix 2), as required by both the University’s Occupational Sick Pay Scheme and Statutory Sick Pay procedures. This form will be completed when the individual has returned to work and has had their Return to Work Review. The form is then signed by the Line Manager (or nominated representative) and forwarded to the Human Resources Department.

Saturdays, Sundays and Bank Holidays should be included as absence days. Also, for those who work part-time or shifts, days off will be counted if absence covers these periods. This complies with the Statutory Sick Pay rules.

3.3 Periods of sickness lasting more than 7 calendar days

Staff who are absent due to sickness for more than seven consecutive calendar days must obtain a fit note (previously known as a doctor’s certificate). The fit note should be sent to the designated individual in the College/Department on the seventh day of absence, or as soon as practicable. The reverse of the form should be completed by the member of staff prior to submission.

If the absence continues and further fit notes are required, then where possible these should be received by the College/Department before the previous certificate expires. In cases where this is not possible, i.e. for reasons outside the individual’s control, the individual must inform their line manager prior to the expiry of the current note.

3.4 Late Notification

If individuals fail to notify the University of their sickness absence, or are unreasonably late in informing their School/Department, payment of Occupational/Statutory Sick Pay may be withheld.

If individuals have difficulty in complying with the notification procedure (e.g., they do not have access to a telephone or live alone), then individuals need to consider alternative arrangements in advance of any likely occurrences of absence.

3.5 Hospital Treatment

In cases where an employee is a hospital in-patient, the hospital will provide the relevant certification.

3.6 Returning to Work

Employees are encouraged to give as much notice of their return to work as is practically possible. On returning to work employees must report to their manager for their return to work review (Please refer to the Return to Work Review Guidance notes – Appendix 1). During this review the return to work form (Appendix 2) will be completed and signed by both parties. This form will then be sent to the Human Resources Department, to be held on file.

In cases of absence over seven days, if a GP has issued a fit note making recommendations for work place adjustments. This advice will need to be considered in conjunction with operational and health and safety constraints. There is no legal obligation on an employer to comply with the recommendations made on a fit note. If adjustments cannot be made then the individual will remain off sick for the period of the certification. It may be necessary to seek further advice from Occupational Health or the individuals GP.

If employees have been absent for an extended period of time, they may be required to attend Occupational Health prior to their return to work. Occupational Health can then advise the employee/college/department of any ongoing health implications, and/or possible adjustments to the employee's work station, shift pattern or duties.

4. Absence related to a disability

If an employee has a period of absence or regular periods of absence due to a disability, this will be recorded as sickness absence in the normal manner. However when monitoring absence consideration will be given to the period and/or number of absences relating to a disability.

Employees with a disability will receive support and any necessary adjustments to assist them when they need time off related to their disability.

5. Medical Appointments

Any appointment including Doctor, Dentist and Hospital appointments where possible should take place outside working hours. If this is not possible then employees should make appointments at the start or end of their working day. Employees will be granted reasonable time off to attend these appointments. Evidence of the appointment should be provided if requested by the line manager.

6. Annual Leave

Under the Working Time Regulations 1998, employees are entitled to accrue and take paid annual leave during period of sickness.

In cases where an employee falls sick during a period of annual leave, if the correct certification is provided, the employee will be recorded as sick for the period of the certification. The annual leave may be taken at another date before the end of the current leave year, subject to the usual approval mechanism.

If an employee who is on sick leave takes a holiday, then they should inform their manager in advance and seek advice from their Doctor to ensure that this is appropriate in their current state of health. If an employee is on long term absence and takes a holiday, this will be recorded as sickness, as long as:

- the employee informs their manager in advance
- provides confirmation from their GP that they remain unfit for work and that the holiday would be of benefit to their recovery.

If an employee returns to work following a period of long term sickness, they are entitled to take any outstanding leave from the current leave year on their return, subject to the usual approval mechanism.

There may be circumstances whereby, due to sickness absence, employees are unable to take all their accrued annual leave in the current leave year, and may in such circumstances request approval to carry forward such leave to the next leave year.

Any carryover of leave over and above the standard University limit of 5 days (pro rata'd for part time staff) will be limited to the statutory element of the employee's annual leave entitlement, which is 28 days including bank holidays, pro rata'd for part time staff.

Any leave carried over in such circumstances should be taken within 18 months of the end of the leave year in respect of which the annual leave arose.

7. Sick Pay

For full detail on the eligibility and entitlements to Statutory and Occupational Sick Pay, please refer to the following documents:

- Sickness Pay Scheme
- Statutory Sick Pay

Downloadable from:

<http://www.swansea.ac.uk/personnel/policies-and-procedures/leave-and-absence/sickness-absence-management-policy/>

8. Management of Short-Term/Frequent Sickness Absence

Short-term/frequent periods of absence can be very disruptive to the University and place an added burden upon colleagues to cover these absences. These are absences that generally cover minor ailments and in most cases are unconnected to previous absences.

The following are the stages in the process of managing short-term absence:

Level 1 – Return to Work Review

These will take place following every period of sickness absence. The purpose of the review is to monitor absence, give support where required and update individuals on any workplace matters.

Level 2 – Informal Stage

Managers will be reviewing absence records on a regular basis. In cases where there are:

- Three or more separate periods of sickness absence (self-certified and/or supported by medical certificate) within a six month rolling cycle.
- Four periods of absence within one absence year where none of these periods has been supported by a medical certificate.

In both cases a period may be one day or a number of days.

Or

- Where there is a clear pattern of persistent absence, e.g. Monday mornings.

The manager will hold an informal absence meeting with the employee to discuss the reasons for the absences. During this meeting, the employee will be expected to provide a full explanation on the causes of the absences. The outcome will be confirmed in writing, and employees will be reminded that their absence record will continue to be monitored, that an improvement in attendance is expected, and that further periods of sickness absence could lead to more formal action being taken.

Where employees are unable to attend an absence meeting they should inform their manager in order that another suitable date can be arranged.

If the employee indicates or alleges that they are not well enough to attend a meeting and sends in the appropriate certification that this is the case, this may not be considered full evidence to the University. Further evidence may be requested from relevant medical practitioner.

Level 3 – Formal Stage

If, following the informal meeting, further periods of sickness absence occur then the manager will again meet with the individual to clarify the reasons for

their absences and, dependent on the circumstances of the particular case, may proceed to take formal action.

Formal Stage

This meeting will be held with the manager and a representative from the Human Resources Department. Employees will be advised of the meeting in writing, be given at least five working days notice of the meeting, plus the right to be accompanied by a Trade Union Representative or work colleague.

The meeting will follow on from the informal stage. During the meeting the sickness record will be confirmed and the employee will be given full opportunity to explain the reasons for their absences. If applicable, possible support initiatives or adjustments should be discussed and, if further advice is required then employees should be referred to Occupational Health.

If it has been established that there are related medical reasons for the employee's absences, their absence may be managed under the guidelines for managing long-term absence or the Capability and Performance Ordinance. This will be assessed on an individual basis.

At this meeting, employees should be reminded that an improvement in absence levels is expected within an agreed timescale and failure to improve may lead to action being taken under the Conduct & Other Substantial Reason for Dismissal or the Capability and Performance Ordinance.

At any point during this procedure it may be necessary to refer individuals to the Occupational Health Department to gain medical advice.

In cases where an individual continually fails to attend such meetings, their absence record will be considered based on the information available at that time, and appropriate action, including possible disciplinary action taken.

9. Management of Long-Term Sickness Absence

Long-term absence can be defined as periods of sickness absence that are continuous for more than six weeks or frequent absences of a related manner. Long-term sickness absence should be managed in a sympathetic and flexible manner, taking into consideration the individual circumstances.

Once an employee has been absent for more than six weeks, or where certification indicates an absence of this duration, they may be required to attend a meeting with their manager and a member of the Human Resources Department and/or attend a medical appointment at the Occupational Health Department. The decision as to whether to invite the employee to a meeting or appointment will be dependent on the nature of their absence.

The invitation to attend all meetings will be in writing from the Human Resources Department and individuals will have the right to be accompanied by a Trade Union Representative or colleague. If circumstances are such that

the employee cannot attend the University for the meeting/appointment then arrangements can be made for home visits.

In cases where an individual refuses or continually fails to attend such meetings, with no good reason, their absence record will be considered based on the information available at that time. Appropriate action, including possible disciplinary action/termination of employment may be taken.

Purpose of a Long-Term Sickness Absence Meeting

This meeting will be held with the manager and a member of the Human Resources Department. The purpose of the meeting will be:

- To understand the reason for the absence.
- Establish if there is a known time scale for their return to work.
- Understand if any measures/assistance can be taken to help facilitate a return to work.
- To ascertain if the employee should be referred to Occupational Health for further advice and support on their medical condition.
- To decide on an appropriate timescale for review meetings.

The outcome of these meetings will be confirmed in writing by the Human Resources Department.

Purpose of attending Occupational Health

- To gain more medical information on the reason for absence.
- To gain advice on readjustment/redeployment matters as appropriate.
- To seek external medical advice, as necessary, with the consent of the individual.

During long-term absence it is essential that the employee maintains regular contact with their manager on their progress and also provide the required documentation to cover their absence on a timely basis.

If employees are absent from work due to stress, on receipt of the notification a Human Resources Officer will then liaise with the Occupational Health Department to arrange an appointment to see the employee as soon as possible if the absence is likely to exceed two weeks, in accordance with the Policy on Occupational Stress.

10. Termination of Employment – Long Term Absence

In cases where it appears that:

- A return to work is unlikely in the foreseeable future based on medical evidence.
- A return to work is not impending despite having medical evidence supporting a return.
- No alternative employment can be found.

then the termination of the employee's contract will need to be considered, in accordance with the University's Ordinance for Incapacity on Health Grounds.

Before any decision on termination is taken the following steps must be taken:

- Consider the length of absence and the outcome of any informal/formal reviews held with the employee.
- Gain up-to-date medical information from Occupational Health/GP.
- Explore all options, where practicable for:
 - Adjustment to duties or changes in working practices.
 - Redeployment within the College/Department or across the University.
 - A phased rehabilitation back into the workplace, which could include lighter duties or a reduction in contracted hours for a period of time.
- Consider the option to pursue ill-health retirement.

If these steps have been followed and there is still no evidence that a return to work will take place in the foreseeable future, it may be appropriate to terminate employment.

A meeting will be held with the individual in the presence of the Head of College/Department and a representative from the Human Resources Department. The individual will have the right to be accompanied by a Trade Union Representative or colleague and they will be given reasonable notice of the meeting.

If, following the meeting it is agreed that the decision is to terminate employment this will be done on grounds of ill-health (incapacity). Individuals will be informed that they would be welcome to apply for any future positions within the University, should their health improve. The outcome of the meeting will be confirmed in writing.

If the individual does not agree with the decision to terminate their employment on grounds of ill-health, they will be informed of the appropriate procedure to follow, which will include a mechanism for appeal. The appeal will be conducted in accordance with the Appeals Ordinance.

The relevant notice of termination, or payment in lieu of notice, will be applied. Payment of notice can run concurrently with sick pay entitlement.

11. Ill Health Retirement

Prior to this, it is normal practice for the employee to have undergone a series of reviews with their Manager, a member of the Human Resources Department and Occupational Health. The purpose of these reviews would be to explore any possible re-adjustments to normal duties to facilitate a return to work, or alternatively, look at redeployment opportunities to a more suitable role, bearing in mind the individual's state of health. Should these options not prove feasible, the employee may pursue an application for ill-health retirement.

The University will not reemploy any member of staff who has been terminated on the grounds of ill health (this refers to paid employment and does not preclude honorary appointments) and are in receipt of an ill-health retirement pension.

Appendix 1

Return to Work Reviews – Guidance

Research has shown that return to work reviews are the most effective way of managing short term absence. They should take place following each period of absence, regardless of the length of the absence, ideally within the employee's first day of return to work. Line managers should conduct the review. Where individuals request an alternative person to carry out the review, for reasons such as poor relations or gender issues, then this should be mutually agreed.

Purpose

- To welcome the employee back to work.
- To ensure the employee is fit to return to work.
- To identify the cause of absence.
- To agree a way forward, if relevant.
- To up-date the employee on what's been happening in the workplace.
- Be mindful that this is an informal meeting and not a disciplinary hearing, the purpose is to establish the facts.

Preparation

- Ensure that you have a suitable location to hold the review. It should be held in a suitable environment, i.e. a private location and not in the middle of an open-plan office.
- Gather information on the employee's current period of absence and also previous absences.
- Be prepared to discuss patterns or trends of absence, if relevant.
- Approach the meeting with an open mind.

Discussion

The nature of the discussion will vary according to the frequency, length or nature of the absence, but some of the following points may be relevant:

- Welcome the employee back.
- Be positive, highlight that they have been missed.
- Explain purpose of the meeting is to establish why they have been absent from work.
- Try and determine the cause of absence, be sensitive and calm if personal problems or stress are discussed.
- Listen to the employee, give them chance to explain.
- Respect their privacy if they do not wish to discuss the reasons for absence. If this does happen then you can offer them the option to speak to somebody else. If not then you should highlight that if you don't know the problem you are unable to help and their absence will continue to be monitored.
- If the absence is work-related, what can be done to help, i.e. adjustments to work hours, work place or duties.

- Establish if the employee is undergoing any treatment, will time off be required for medical appointments.
- Are there any other factors contributing to the absence.
- Place current absence in the context of previous absences.
- Explain the impact of their absence on the colleagues within the School/Department.
- Explain that their absence will continue to be monitored in line with the procedure in the Absence Management Policy.
- Agree the next steps, such as a follow-up review, referral to Occupational Health, attend a training course.

Recording

- Ensure that the correct certification has been provided.
- Complete the return to work form, ensuring that both parties sign to confirm their agreement in what is recorded.
- Send the appropriate medical certification to Salaries and Wages.
- Send the return to work review form to Human Resources.

Appendix 2 - Swansea University Self Certification Form / Return to Work Review Form

Full name:		Employee No:	
Position:		Nat Ins No:	
College/PSU:			
First full day of absence:		Last day of absence:	
Reason for absence:			
Was the illness due to an injury at work:	Yes/No		

If absence is over 7 days, have medical certificate(s) been provided? Yes / No / Not Applicable

Return to Work Review

Is there any possibility of a recurrence?	Yes / No / Not Applicable
Is further medical treatment required?	Yes / No / Not Applicable
If yes, please give details: *Please continue overleaf or on a separate sheet, if necessary	

Are there any matters at work which are connected to the absence?	Yes / No / Not Applicable
If yes, what are they and can any reasonable measures be taken to prevent recurrence? *Please continue overleaf or on a separate sheet, if necessary	

Are there any measures of support that can be considered or provided?	Yes / No/ Not Applicable
If yes, please give details: *Please continue overleaf or on a separate sheet, if necessary	

Has a phased return been proposed / discussed?	Yes / No/ Not Applicable
If yes, please give details: *Please continue overleaf or on a separate sheet, if necessary	

Have the above proposals regarding a phased return been agreed by the College/Department and/or HR?	Yes / No/ Not Applicable
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Any further action to be taken (please tick relevant boxes):

- No further action required
- Hold a review meeting
- Line Manager to refer to HR
- Line Manager to refer to Occupational Health
- Personal Emergency Evacuation Plan Required

Any further comments:

*Please continue overleaf or on a separate sheet, if necessary

Line Manager's Signature:

Date:

I declare that I have not worked during the above period of sickness and the information given is factually correct. I understand that any false information given may result in disciplinary action.

Employee's Signature:

Date: