

LONGLEY PARK SIXTH FORM COLLEGE

SICKNESS ABSENCE AND ILL HEALTH POLICY AND PROCEDURE

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Longley Park Sixth Form College

Sickness Absence and Ill Health Policy and Procedure

1) Principles

Longley Park Sixth Form College values the contribution of its staff in the successful running of the college and the provision of education to its students. Whilst recognising that employees may be prevented from attending work through ill health, the college has a duty to maintain services and minimise disruption. The college is therefore committed to managing attendance and sickness absence and believes that it is the responsibility of the college's managers, trade union representatives and employees to work together to promote the management of sickness absence and ill health.

The college will achieve this through:

- Promoting the health, safety and well being of all employees, including use of risk assessments to identify and manage hazards impacting on health in the workplace;
- Monitoring levels of sickness absence for individuals, teams and the college as a whole;
- Implementing procedures to support and manage staff absences, whilst dealing with unjustified and/or high levels of sickness absence.

The following principles apply to the college's procedure for dealing with sickness absence:

- Good attendance is valued and all opportunities should be taken to acknowledge and recognise such attendance;
- Matters raised relating to an employee's absence do not imply any distrust of staff or concerns regarding their conduct;
- Sickness absence will be dealt with in a way that is non-discriminatory and in accordance with the college's Equality and Diversity policy;
- Employees will be dealt with consistently and the sickness absence procedures will be applied fairly across the college;
- The college will aim to promote a positive and preventative rather than punitive approach;
- The college will be sensitive and supportive to those suffering the effects of ill health;
- Sickness absence cases will be conducted with respect for confidentiality and in accordance with the requirements of the Data Protection and Access to Medical Reports Acts;
- Open communication between managers and staff will be encouraged and promoted;
- The college will aim to distinguish between absence due to sickness and the abuse of the sickness absence system;
- The sickness absence policy and procedure will be monitored and reviewed to ensure that it continues to meet the college's aims and complies with these principles.

Employees are expected to:

- Attend work unless unfit to do so;
- Raise concerns with their manager or Human Resources if they believe that their job is making them ill or contributing to illness;
- Report sickness absence promptly, in accordance with the sickness absence procedure;
- Ensure that the appropriate certifications are completed, in accordance with this procedure;
- Maintain contact with their manager during periods of sickness absence;
- Provide cover work for students (teaching staff)
- Communicate effectively with their manager about their sickness absence;

- Co-operate fully with the occupational health doctor and/or other organisations that provide support to the college and its employees;
- Ensure that medical advice and treatment, where appropriate, is received as quickly as possible in order to facilitate a return to work;
- Not abuse the sickness absence procedures or sick pay scheme.

In order to support this policy, the following services are available to managers and employees:

- Occupational Health Services – to provide advice and guidance on the impact of ill health on work and what steps the college and/or employee can take;
- Counselling Service – to provide a confidential service to employees in order to discuss concerns related to work or personal circumstances;
- Human Resources Section – to provide support and guidance to managers and employees in dealing with sickness absence and ill health and in the use of the college's related policies and procedures.

2) Sickness Absence Procedure

The following procedure applies to all employees of Longley Park Sixth Form College, in accordance with the college's Sickness Absence and Ill Health Policy.

2.1 Notifying Absence

2.1.1 Reporting procedure

In order for service delivery to be maintained, it is essential for the college to know when a member of staff is unable to attend work due to illness.

The employee must contact the college on the first day of absence before they are due to begin work on 0114 262 5740 as early as possible and no later than before **8.15am**. This is a dedicated telephone line which will only be used to record sickness absence. This number is monitored by a member of the Senior Management Team. The employee must provide details of their illness or injury and any work commitments that need rearranging.

Teaching staff are required to provide details of cover work for the duration of their absence (short-term absences). Long term absence cover arrangements will be determined by college managers.

Where an employee anticipates being absent for one day only, they have reported this on the absence line, and then the employee then feels unable to return to work on the following work day, the employee must contact the college sickness absence line again to record that their absence has continued from the previous working day.

Where the employee anticipates that they will be absent for longer than one day, the employee needs to estimate the period of time which they anticipate being absent for, stipulating the date they anticipate being fit for return to work for. Employees who anticipate being absent for longer than one day, and who report this on the absence line, do not need to contact the absence line after the first day of sickness absence.

If the employee believes that their absence may have been caused by something that happened at work they should mention this and arrange for an Accident Report Form to be completed.

Exceptionally, if the employee is unable to telephone in person, they must arrange for someone else to telephone on their behalf. Alternatively, the employee can email the PA to the principal and the Personnel Manager to report their sickness. The employee must make direct contact with the college as soon as possible thereafter.

Failure to inform the college of absence may lead to the absence from work being considered as unauthorised, resulting in loss of pay and possibly disciplinary action. Please note that continued breaches of this procedure as detailed in section 2.1.1 may result in disciplinary action and/or in loss of pay as appropriate.

Where there have been three breaches of any aspect of the reporting procedure, a member of SMT and the Personnel Manager will examine the circumstances surrounding the breaches (factors to be examined will include considerations such as how ill an employee was on each occasion, any mitigating circumstances the employee may put forward for each occasion the procedure was breached, how long the employee has been employed at the College) and determine whether salary payment will be with-held, informing the employee of the decision taken.

2.2 Certification

In order to comply with Her Majesty's Customs and Revenue requirements the college must ensure that the Self Certification Form is completed and Payroll is notified.

Every absence must be certified to ensure correct and prompt payment of contractual and statutory sick pay and to ensure that accurate records are maintained. Failure to comply with certification procedures may result in loss of sick pay. Misleading or false statements may be dealt with under the college's disciplinary procedure.

The employee must complete a Self Certification Form from day one of any absence. If the absence is for less than seven days the form can be completed upon return to work. However, if the absence continues for longer, the form should be sent to the employee to complete, or be completed by the manager and confirmed by the employee at the earliest opportunity.

Staff must return their self-certification form to the PA to the Principal on the first date of their return to work following self-certificated absence.

If the employee is absent for more than seven consecutive days, (regardless of whether or not these are working days), they must consult a doctor and obtain a medical certificate, which must be forwarded immediately to the college.

Where there is continuing sickness absence the employee must submit to the college concurrent medical certificates to cover the whole period of absence.

Where the period of absence exceeds **28 days** (long term absence see section 7) the employee must submit, upon return to work, a medical certificate or statement of fitness to resume work from their doctor.

Where a term-time employee (teaching and support) needs to attend dental or medical appointments during their contracted working week hours, and where it is not possible for the employee to arrange those appointment outside of their contracted working week, the employee is required to complete a College "Record of Work Leave" form and return this to their line-manager.

Exceptionally, if the manager is concerned at the frequency of an employee's absence, or their account of their reasons for absence, the employee may be required to submit doctor's medical certificates, rather than self-certificates, from their first day of absence. In such cases the college will meet the cost of any fee charged.

3 Monitoring Sickness Absence Levels

All sickness absence should be recorded on the college's Sickness Absence System, which will be maintained and monitored by the Human Resources section.

Each manager should monitor sickness absence levels within their teams and take further action where necessary when trigger points are reached and/or where there are concerns about an employee's absence levels.

The college monitors and reports on sickness absence in three ways: the number of actual days employees are absent due to sickness; the actual working days employees are absent due to sickness; the number of Statutory and Contractual Sickness Pays days (Monday to Saturday).

4 Maintaining Contact

When an employee is absent from work due to sickness it is important that contact is maintained between the manager and the employee. The manager needs to ensure that work is re-allocated and service delivery is maintained. The employee needs to ensure that they do not feel isolated, vulnerable or out of touch.

The employee and line manager should maintain regular telephone contact during the early stages of sickness absence.

If an employee is absent from work for more than three weeks, the line manager should arrange with the employee to visit them at home.

If absences become long-term, regular contact must be maintained.

5 Return to Work

On return to work, particularly after a period of illness, discussion will take place between line manager (and/or with the Personnel Manager where appropriate) and the employee. The purpose of this meeting will be to welcome the employee back to work, ensure that there is an accurate record of the absence and appropriate certification, allow discussion of the employee's general attendance record, seek to influence the attitude of the employee to attendance at work, reinforce the attendance policy and the role of the manager in monitoring absence and confirming the concern of the manager for the welfare of the employee, to return the employee to full duties as soon as practically possible and update the employee on work issues.

The issues which may be discussed at the meeting may include:-

- A review of the employee's sickness/absence record
- An outline action plan to achieve a return to full duties as quickly and as easily as possible, any or all of the following including
 - a phased return to full duties
 - monitoring of performance
 - regular meetings with senior managers to review progress
 - any additional help, support or guidance which may be necessary.

Although it is the aim of the College to re-introduce the employee into a return to full duties and responsibilities as easily and as quickly as possible, the employee must be left in no doubt that should performance fall below expected levels at any time the College may invoke the capability/disciplinary procedures as appropriate and necessary.

At all times the College will have regard to its duties under the Disability Discrimination Act 1995 and the College's own Code of Practice on the Employment of People with a Disability before reaching any decision as to suitable duties for the employee following a return to work.

A record of the meeting must be made by the Line-Manager on the college's Return to Work Meeting Form and returned to the PA to the Principal with a copy to the employee (appendix 1).

6 Dealing with Frequent Short-term Absence

Where an employee's absence level meets one of the following trigger points, the manager and or Personnel Manager will carry out an initial review of the absence levels with the employee:

- Three or more separate instances of sickness absence in any **six** month period
- Ten or more days' sickness absence in a **six** month period
- Any other recurring recognisable patterns, such as frequent absenteeism on a Friday or Monday.

A review meeting will be held with the employee to discuss the absence record, explore the reasons for absence, identify areas for support, review/update the risk assessment, set targets for improvement and clarify what further action may be taken if improvement targets are not met.

The purpose of the initial review meeting is to help individual employees and College managers identify any potential underlying factors related to absence as early as possible, to explore any support the employee may benefit from and to facilitate the employee and College managers in working together to address any potential health and wellbeing difficulties in a timely manner.

A trade union representative or workplace colleague may accompany the employee when it is appropriate.

The following outcomes may be agreed:

- The employee may be required to submit a medical certificate from their doctor for every instance of absence
- Advice may be sought from the occupational health advisor/doctor (see 12 below)
- Other support mechanisms may be identified and implemented
- Reasonable adjustments, such as changes to the workload, work practices or work pattern or the possibility of redeployment may be identified (subject to occupational health agreement)
- A further meeting may be arranged to review progress

The line manager/Personnel Manager will write to the employee within 10 days of the meeting confirming the points discussed and actions agreed. A copy of this letter will be placed on the personnel file.

If there is insufficient improvement in the employee's sickness absence record, a final review meeting will be held, by the Vice Principal/Assistant Principal. This review meeting will reaffirm the issues discussed at previous reviews, identify support provided to the employee and what further support may be appropriate, set targets for improvement and warn of the consequences if no improvement. A trade union representative or workplace colleague may accompany the employee.

The Vice Principal/Assistant Principal. will write to the employee within 5 days of the final review meeting, confirming the points discussed and actions agreed. A copy of this letter should be placed on the personnel file.

If there is insufficient improvement following the final review meeting, the matter will be referred to the Principal who will determine whether to hold a Case Review Hearing (see 8 below).

7 Dealing with Long-term Absence

Absences over 28 days' duration shall be considered long-term.

The manager should arrange to meet with the employee on a regular basis, usually at their home in order to keep up-to-date with progress, identify areas for support and determine whether any other actions should be taken. A trade union representative or workplace colleague may accompany the employee.

Where it is evident that an absence is to continue for more than two months, advice should be sought from the occupational health practitioner, in accordance with the process for referral. This is a guide only and depending on the circumstances, occupational health referral may be earlier or later than the two-month period. The purpose of gaining the occupational health's advice will be to provide an indication of the likely duration of the employee's absence and whether any steps can be taken to help the employee to return to work.

Depending upon the advice received from the occupational health advisor/doctor, one or more of the following actions may be taken:

- Review periods may be set, with further advice obtained from the occupational health doctor
- Reasonable adjustments, such as changes to the workload, work practices or work patterns may be identified and implemented, either as part of phasing the employee back to work or on a more permanent basis
- Other support mechanisms may be identified and implemented
- If the College has one, redeployment under the Redeployment Procedure will be pursued
- Decisions may be made about the employee's continued employment, leading to the decision to dismiss the employee due to their incapability to undertake their job due to ill health
- Any actions being contemplated will be discussed with the employee and their representative, if applicable, before any final decisions are made

8 Case Review Hearings

Where there are continuing concerns regarding short-term absences and previous warnings have been given, or where a long-term period of absence is continuing and options to enable the employee to remain in employment have been unsuccessful, the employee may be asked to attend a Case Review Hearing.

The purpose of the Case Review Hearing will be to consider whether there are any further actions that the college can take to assist the employee in continuing their employment or whether employment should be terminated due to the employee's incapability to undertake their duties effectively because of ill health.

The Principal, accompanied by the Personnel Manager, will hear the Case Review Hearing. The occupational health advisor/doctor (where necessary) may also be present at this meeting.

A trade union representative or workplace colleague may accompany the employee.

The employee will be given at least 10 days' written notice of the intention to hold a Case Review Hearing.

The employee will be given the opportunity to state their case.

Others involved in the case such as the line manager will also be asked to provide information on what actions have been taken.

When reaching a decision about whether or not to terminate employment, the Principal will consider issues such as:

- The need for the work to be undertaken
- The impact of the employee's absence and ill health on other colleagues and service delivery
- The employee's absence record
- Financial and cost implications
- Representations made by the employee
- What actions have been taken to attempt to enable the employee to continue in employment
- Medical advice received

This list is not exhaustive and the weight attached to each will depend upon the circumstances of the case, whilst balancing the needs of the employee and of the college.

The employee will be informed of the decision and this decision will be confirmed in writing within 5 working days. Where a decision to dismiss has been made, the letter will also inform the employee of notice of termination of employment.

Where decisions are made regarding termination of employment, the employee will have the right of appeal against the decision (see 9 below).

9 Right of Appeal Against Dismissal

The Employment Act 2002 (Dispute Resolution) Regulations, which came into force on 1 October 2004, introduced a new statutory procedure.

Where decisions are made to terminate employment on the grounds of ill health the employee has the right of appeal.

The college will arrange for the appeal to be held within 10 working days.

The appeal will be heard by the Governor's Appeal Panel.

A trade union representative or workplace colleague may accompany the employee at the appeal hearing.

During the appeal hearing both the college and the employee will have the opportunity to state their case and provide any documentary evidence.

The appeal panel will communicate their decision in writing within 5 working days of holding the appeal.

The decision of the appeal panel is final within the college's internal procedures.

10 Work-related Ill Health or Injury

If an employee or manager believes that ill health or injury has been caused by work, the employee should complete the college's Accident Report Form as soon as possible.

If an employee has not completed an Accident Report Form and subsequently believes that their ill health or injury is caused by work, they should report this in writing to their manager, setting out the reasons why they believe that work has contributed to or caused their ill health or injury.

Where an Accident Report Form has been completed, or where an employee subsequently claims that their ill health or injury is caused by work, the situation should be thoroughly investigated.

The investigation should consider all the relevant background information such as:

- The job description
- The previous sickness record
- Previous occupational health recommendations/advice
- Previous grievances or complaints
- Details that have emerged in return to work interviews following previous absences or during the normal management process
- Consequent management actions and any adjustments made as a result
- Timesheets, work logs, rotas, annual leave and flexitime records
- Training and development needs
- Appropriate witness statements
- External factors (for example, if an employee is alleging that they are suffering from Repetitive Strain Injury and is also a self-employed typist)
- Any other information pertinent to the situation

Advice should be sought from the college's occupational health doctor, who may also suggest that specialist advice may be helpful. In such cases the college will pay any resulting fees

Upon completion of the investigation, a report should be sent to the Principal, with a copy to the Human Resources section.

The Principal will determine, based on the facts available and following consultation with the Human Resources section, whether or not the employee has sustained an injury or illness as a result of what they were required to do at work, or the treatment they received at work. It must also be considered whether the root cause of the employee's ill health is due to the competent performance of the employee's duties and responsibilities.

Written confirmation of the decision will be sent to the employee within 5 working days of the decision. In the event of a decision that ill health or injury is attributed to work, the college does not accept liability.

The line manager must ensure that Payroll is informed of the decision, where it will affect payment of sick pay.

11 Ill Health Which Does Not Lead to Absence From Work

There may be occasions where an employee is suffering from ill health, but this does not lead to the employee being absent from work. If the employee believes that their ill health is having an impact on their ability to undertake their job they should raise this with their line manager or personnel manager. The line manager/personnel manager should discuss the matter confidentially with the employee, review the workplace risk assessment and discuss whether any additional support can be provided to the employee to support them at work. Depending on the circumstances, it may be helpful to seek medical/occupational health advice and guidance.

12 Occupational Health Referral

The role of occupational health is to provide advice and guidance to the college and its employees on the impact of an employee's ill health on their ability to undertake their duties and what measures can be put in place to support the employee, where appropriate. The following points should be noted:

- The manager (or Personnel Manager) must complete the Occupational Health Referral Form, in consultation with the employee
- The employee must be made aware of their rights under the Access to Medical Reports Act, in relation to the college's request for occupational health to seek a report from the employee's GP
- The manager/Personnel Manager and employee must ensure that as much information as possible is provided to the occupational health advisor/doctor
- The line manager/Personnel Manager and employee must be clear about the points on which they seek advice
- Where an employee does not give consent to the occupational health doctor seeking a report from their GP and/or the employee refuses to meet with the occupational health doctor, the implications of this should be discussed with the employee and confirmed in writing.

SICKNESS ABSENCE REPORTING PROCEDURE

